

**CITY OF TUCUMCARI
MINUTES
January 13, 2011**

The Tucumcari City Commission met in a rescheduled meeting on Thursday, January 13, 2011, at 6:04 p.m. in the City Commission Chambers. Members present constituting a quorum were Amiel Curnutt, Robert Lumpkin, Jimmy Sandoval, and Jim Witcher.

City staff members present were Bobbye Rose, City Manager; Christine Dougherty, City Clerk; Doug Powers, Planning and Development Director; Jason Braziel, Chief of Police; Kalon Lafferty, Deputy Fire Chief; and Clara Rey, Human Resources Director.

Mr. Brian Haines, of the Church of Christ led the invocation and Mr. Powers led the group in the Pledge of Allegiance.

Consideration of Addition and/or Deletions to the Agenda

Ms. Dougherty noted that an agenda item appeared twice on the agenda. She asked that item X, D be removed.

Commissioner Lumpkin made a motion to approve the amended agenda and Commissioner Sandoval seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Lumpkin
Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Sandoval had no comments.

Commissioner Curnutt had no comments.

Commissioner Lumpkin thanked those in attendance for coming to the meeting. He stated that any input is appreciated.

Mayor Witcher thanked those in attendance for coming to the meeting. He also thanked Commissioner Lumpkin for his perseverance as he goes through chemotherapy.

Approval of Minutes

A motion was made by Commissioner Lumpkin and seconded by Commissioner Curnutt to approve the minutes of the December 30, 2010 Rescheduled Commission meeting. Roll Call:

Curnutt	Witcher	Lumpkin	Sandoval
Yes	Yes	Yes	Yes

Approval of Vouchers

A motion was made by Commissioner Lumpkin and seconded by Commissioner Curnutt to approve the City vouchers. Roll Call:

Witcher	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Items from Citizens

Mayor Witcher asked if there were any citizens wishing to address the Commission. Being none, the meeting continued.

Ordinances and Resolutions

Ms. Rey presented the final reading of Ordinance 1086, Amending Section 2.64 of the Tucumcari Municipal Code-Personnel Policy regarding Observed Holidays.

Ms. Rey explained that employees expressed that they would prefer to observe Veteran’s Day as opposed to President’s Day in light of the Gulf War.

Commissioner Lumpkin made a motion to approve Ordinance 1086, Amending Section 2.64 of the Tucumcari Municipal Code-Personnel Policy regarding Observed Holidays and Commissioner Curnutt seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes

Ms. Dougherty presented Resolution 2011-01, the Open Meetings Resolution. Ms. Dougherty explained that this resolution is required annually and provides the schedule of Commission meetings as well as how the public will be notified in the case of meetings scheduled outside the regular schedule.

Commissioner Lumpkin made a motion to approve Resolution 2011-1, the Open Meetings Resolution and Commissioner Curnutt seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes

Ms. Rose presented Resolution 2011-2, a Resolution requesting an amendment to the 2010-2011 Budget of the City of Tucumcari to balance the budget. Ms. Rose explained that Mr. Dysart is out of town at training but had prepared this resolution before he left. The budget amendment request will move funds from one line item to another and does not change the budget overall.

Commissioner Curnutt made a motion to approve Resolution 2011-2, a budget amendment request to the 2010-2011 budget of the City of Tucumcari and Commissioner Lumpkin seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Lumpkin
Yes	Yes	Yes	Yes

Ms. Rose then presented Resolution 2011-3, a budget amendment request to the 2010-2011 budget of the City of Tucumcari regarding the cash balance. Ms. Rose explained that Mr. Dysart discovered that roll over funds in the Lodgers' Tax fund must be spent within three years in order not to be lost. Additionally, this budget amendment addresses the USDA loan reserve, the capital outlay funds for Main Street, the First Street Utility project payment, the CDBG project for planning, and the gas tax funds for the Fourth Street project.

Commissioner Lumpkin made a motion to approve Resolution 2011-3, a budget amendment request to the 2010-2011 budget of the City of Tucumcari regarding the cash balance and Commissioner Curnutt seconded the motion. Roll Call:

Curnutt	Witcher	Lumpkin	Sandoval
Yes	Yes	Yes	Yes

Ms. Rose then presented Resolution 2011-4, a budget amendment request to the 2010-2011 budget of the City of Tucumcari to increase the budget. Ms. Rose explained that this increase is in the general fund for the Convention Center and the Joint Utilities departments and is needed to increase the budgets for insurance settlements regarding roof replacements. Additionally, with the retirement last summer of the Purchasing Agent a budget increase was required to fund the payout of accumulated sick leave to that employee. Also, the phone bills for the Judicial Department were more than anticipated.

Commissioner Curnutt made a motion to approve Resolution 2011-4, a budget amendment request to the 2010-2011 budget of the City of Tucumcari to increase the budget and Commissioner Lumpkin seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes

City Manager's Report

Ms. Rose directed the attention of the Commission to their packets where they have been provided with a request from the Museum to have a discounted rate for entrance fees during the winter months. The Museum is also requesting a discounted group rate be instituted and that their hours of operation be modified. Ms. Rose asked the Commission to consider these requests and they will be on the next agenda for vote.

Ms. Rose also directed the Commissions attention to their notebooks where they will find the water usage statistics for Twelve Shores Golf Club. Ms. Rose explained that she would like to see the profits from the sale of Ute Lake Water be tagged for the joint utility capital outlay for infrastructure. Commissioners Curnutt, Lumpkin and Mayor Witcher agreed.

Ms. Rose reported that the Ute Intake Infrastructure project is in the final design stages. Ms. Rose also reported that a Joint Powers agreement is in the works for Quay County Entities regarding water issues. Ms. Rose said that CDM should report back soon with the top four options for Ute water usage. Ms. Rose stated that a committee has been working on options for Tucumcari Lake and she felt she would join this existing group to work on the issue.

Ms. Rose explained that the Mayor has requested that staff investigate the possibility of an ordinance to prohibit panhandling. Ms. Rose said work has begun on this project.

Ms. Rose stated that she would like to commend the volunteers at the Senior Center for taking charge of their landscaping project. She also commended the Finance Staff for working so hard on cross-training and seeking out training opportunities.

Ms. Rose reported that the auditors will be in City Hall the week of January 24. She will inform the Commission with the entrance meeting is scheduled.

Ms. Rose was excited to report that the lighting project at City Hall is complete. She went on to say that there are some funds left that will be used to replace the exterior lighting with both sensor and emergency lighting. Additionally, Ms. Rose reported that she and the staff are very pleased with the new lighting.

Ms. Rose informed the Commission that the new phone system has been installed in City Hall at a cost of around \$25,000 but will save \$12,000 a year in phone bills.

Ms. Rose stated that Eastern New Mexico Rural (ENMR) Telephone Cooperative is installing fiber optics in our area with plans to first serve anchor institutions including government entities, educational facilities, the hospital, and the community college. Ms. Rose also stated that part of a City owned building has been leased for the project for \$500 per month. The company installing the lines, Team Fishel, plans to be in town for six months working on the project. Team Fishel will employ fourteen people for the project. Additionally, ENMR has leased land near the water tank on Eleventh Street to construct a fiber hut.

Ms. Rose commended the Community Development Staff for their management of the lighting project at City Hall. Ms. Rose stated that when the funding agency came to inspect the project, the program analyst was gushing about how well the project was managed.

Ms. Rose informed the Commission that Mr. Charlie Sandoval, Water Superintendent has expressed some concern regarding the installation of fiber optics behind City Hall as the alleyway already has electrical, sewer, and water lines running through it.

Ms. Rose stated that the Airport will be applying for a federal and state grants to rehabilitate the terminal building. The grant is 95% grant with a 5% match. Ms. Rose explained that the roof and the air conditioning system need to be replaced.

Ms. Rose asked for guidance from the Commission on the use of the \$82,000 budget in capital outlay. After budgeted items are funded out of the capital outlay line item, only \$8500 will remain and Ms. Rose said that there are many urgent projects including welcome signs, the heating and cooling at the library, street lighting, and the telephones among others. Ms. Rose asked the Commission to let her know where they would like the funds to be utilized.

Ms. Rose also reminded the Commission that there is \$400,000 in emergency funding but those funds will only be utilized upon approval of the Commission.

Ms. Rose explained that the Library roof has been leaking. The contractor that performed the work is out of business and insurance will not cover the repairs as the construction was shoddy. A representative from the Conklin Company inspected the roof. He determined that the first layer of product applied to the roof was a Conklin product but was unsure if the top layer was Conklin product. He sent a sample of the product to his company lab to be tested to determine if it was a Conklin product. The test results were inconclusive so a company representative from Phoenix will inspect the roof to determine if Conklin, the product manufacturer will warranty the product. Ms. Rose stated that if Conklin will not warranty the roof, it will need to be patched.

Ms. Rose informed the Commission that the Convention Center roof project was completed and the carpeting in the effected area was replaced. The Fire Department tested the roof and it leaked. The contractor is scheduled to return next week and repair the leaking areas while still under warranty.

Ms. Rose reported that a Museum Fire House roof insurance claim was filed and the settlement was for \$6200. The low proposal for repair of only the exterior damage was \$8150. Ms. Rose explained that the low bidder, Daniel Construction, has been hired to complete the roof repair and the City Carpenter will make interior repairs. The Tukumcari Historic Research Institute has offered to help with the expenses.

Due to the large incidence of roof problems, Ms. Rose reported that she has instructed staff to inspect roofs and repair small problems. The roof of the Father's Forge building was recently inspected and the lessee has been asked to make the repairs as per their lease.

Ms. Rose informed the Commission that an ARRA application to the Environment Department has been submitted for remediation of the Sands Dorsey building. Ms. Rose

explained that the Environment Department has a revolving loan fund of \$350,000 to remediate hazards only. Ms. Rose stated that the Environment Department requests that the environmental inspection be completed again. The building owner has to agree to the inspection. Ms. Rose has been communicating with the owner's attorney who assures her that permission will either be granted by the owner or the attorney himself who has power of attorney. Ms. Rose stated that she is trying to negotiate with the Environment Department to use the original inspection, however it may have to be done again and she does not know at what cost.

Ms. Rose informed the Commission that there has been an inordinate amount of sickness at City Hall. She also explained that several years ago when new air conditioning units were installed, mold killing lights were also installed. Ms. Rose is concerned that a prevalence of mold may be causing the illness and will have the air quality tested in the building.

Ms. Rose has been working with the Small Business Development Center to arrange training for local contractors to assist them in learning how to respond to requests for proposal. The training has been set for either February 15 or 22.

Ms. Rose also stated that a rate study will be performed in February along with training for staff on how to conduct future rate studies.

Ms. Rose informed the Commission of the following important dates:

January 17-City Offices closed for Martin Luther King, Jr. Day

January 18-Legislative Session begins

January 20-Town Hall meeting scheduled

January 22 and 23-Municipal Day at the Legislature

January 24-Auditors arrive

January 24-Santa Fe Chamber Reception

January 25-Association of Commerce and Industry Business Day 7:30-10:00

January 27-Housing and Commission Meetings

March 19-Legislative Session ends

Mayor Witcher inquired why the number of alarm calls in the Consolidated Dispatch monthly report appeared high with 51 calls. Chief of Police, Mr. Jason Braziel stated that some are repeat calls. Mr. Witcher inquired if the problems are physical or alarm problems. Mr. Braziel stated that they are mostly user error. Mr. Lafferty added that the alarm calls have been people checking their alarms as well. Mr. Braziel stated that he has considered charging for repeat alarm calls.

Commissioner Lumpkin asked if local contractors were notified of the Museum Fire House project. Ms. Dougherty responded that only local contractors were asked to provide proposals on the repairs.

Bids and Contracts

Mr. Kalon Lafferty presented the Emergency Medical Services (EMS) Fund Act for the Ambulance Service. Mr. Lafferty explained that this is an application to the Department of Health to provide funding for EMS services. Mr. Lafferty stated that the cost of doing business has increased. The total being requested is \$48,200. Mr. Lumpkin asked if this request is for the next fiscal budget. Mr. Lafferty responded in the positive.

Commissioner Lumpkin made a motion to approve the EMS Fund Act Application for Ambulance Service and Commissioner Curnutt seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes

Mr. Lafferty then presented the EMS Fund Act Application for the Fire Department. Mr. Lafferty explained that this is the same type of application as the one just presented; however this application is to support the rescue services for the Fire Department. The request is for \$21,000.

Commissioner Lumpkin made a motion to approve the EMS Fund Act Application for the Fire Department and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Lumpkin
Yes	Yes	Yes	Yes

Old Business

Mayor Witcher acknowledged reading the Senior Advisory Board Minutes of November 9, 2010 and December 7, 2010.

Ms. Rey informed the Commission that there are two vacancies on the Senior Programs Advisory Board that need to be filled. Ms. Rey explained that the Commission has applications from four individuals interested in serving on the Board in their packets.

Commissioner Curnutt made a motion to appoint Evelyn Coughenour and Antonio Pacheco to serve on the Senior Programs Advisory Board and Commissioner Lumpkin seconded the motion. Roll Call:

Curnutt	Witcher	Lumpkin	Sandoval
Yes	Yes	Yes	Yes

Mayor Witcher then acknowledged reading the Museum Advisory Board minutes of January 4, 2011.

New Business

Ms. Rose then presented the Legislative Capital Outlay Request/Severance Tax application. Ms. Rose explained that although the State is in a difficult financial situation, the City must apply for the possibility to receive any funding from this source. Ms. Rose stated that the request is for \$150,000 and will be used to purchase a new trash truck if received. Ms. Rose stated that the proposal is ready to go and would like the Commissions approval to send in the application. Ms. Rose also explained that if the award is for less than the proposal, dumpsters will be purchased for the Sanitation Department.

Commissioner Lumpkin made a motion to approve the Legislative Capital Outlay Request/Severance Tax and Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Lumpkin thanked Ms. Rose and the staff for their work. He agreed that inspection of roofs is a good idea. Mr. Lumpkin also thanked staff for their initiative to seek out training. Mr. Lumpkin also applauded the energy efficiency efforts with the new lighting and the money saving efforts with the new phone system. Mr. Lumpkin also applauded the airport grant as the airport is a great asset to our community. Mr. Lumpkin was also glad to hear that local contractors were being worked with as much as possible.

Mr. Lumpkin also agreed that the Town Hall Meeting should be postponed until the budget can be further reviewed for ways to overcome shortfalls. He thanked everyone for their concern and said he is doing fine.

Commissioner Curnutt thanked everyone in attendance for coming to the meeting.

Commissioner Sandoval thanked everyone for coming and asked that everyone wish the City luck in Santa Fe this legislative session.

Mayor Witcher stated that he is going to Santa Fe for the Governors Prayer Breakfast and will see the legislators and try to see the Governor. Mayor Witcher also thanked everyone for coming to the meeting.

Adjournment

There being no further business, a motion to adjourn was made by Commissioner Lumpkin and seconded by Commissioner Curnutt. Time noted 6:45 p.m. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes

James L. Witcher, Sr., Mayor

ATTEST:

Christine Dougherty, City Clerk