

**CITY OF TUCUMCARI
CITY COMMISSION MEETING MINUTES
April 14, 2011**

The Tucumcari City Commission met in a regular meeting on Thursday, April 14, 2011, at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were; Amiel Curnutt, Robert Lumpkin, Jimmy Sandoval, Antonio Apodaca and Jim Witcher.

City staff members present were Bobbye Rose, City Manager; Mike Cherry, Assistant City Manager/Fire Chief; Clara Rey, Deputy City Clerk/HR Director; Dennis Dysart, Finance Director; Charlie Sandoval, Water Superintendent, Paul Bell, Officer, Doug Powers, Planning and Development Director, and Jason Braziel, Chief of Police.

Mr. Lendy Borden of Abundant Life Church gave the invocation and Mr. Doug Powers led the group in the Pledge of Allegiance.

Consideration of Changes or Deletions to the Agenda

Mr. Witcher asked if there were any changes to the agenda. There were none.

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

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Abstain

Items from Commissioners

Before hearing Items from Commissioners, Mayor Witcher called on Charlie Sandoval, Water Superintendent. Mr. Sandoval presented two plaques to the City from the NM Rural Water Association. Both awards were for the City of Tucumcari's drinking water. One award was the People's Choice Award, and the other was for being a finalist. Both awards were received from the Drinking Water Taste Test. Mr. Sandoval reported that 22 different water samples were tested and he was proud that the awards were received once again. Mr. Sandoval was commended by the Commission for his hard work, and he stated that he has a great crew who all work very hard.

Commissioner Lumpkin reported that he has been contacted by Mrs. Lopez with the VFW Ladies Auxiliary who is interested in volunteering to do some work at the cemetery for fallen veterans, and requested that she be contacted by City staff to possibly work together on this project. He thanked everyone for their attendance and stated that the Commission appreciates input and assistance.

Mayor Witcher offered his congratulations to Mr. Sandoval for a job well done.

Approval of Minutes

A motion was made by Commissioner Lumpkin to approve the minutes of the March 24, 2011 Commission meeting and was seconded by Commissioner Curnutt. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Abstain	Yes	Yes	Yes

Approval of Vouchers

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

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

Items from Citizens

Mayor Witcher asked if there were any citizens wishing to address the Commission.

Dr. John Bauler addressed the Commission with the question of whether or not the City still has an animal ordinance. He stated that he has been reporting the same animals with the same problems for the past eight months. He stated that he has witnessed a man trying to protect himself with his cane from the dog he has been reporting. He stated that there are times he calls in to dispatch and that the dispatcher responds that they know who the dog belongs to. He stated that he does not understand why the issue has not been addressed, in addition to owners who have 6-10 dogs in their backyards. He stated that he has spoken to the Animal Control Officer and has been told that the owner has been cited, however, the problem persists.

Mayor Witcher directed Dr. Bauler to contact the City Manager, Bobbye Rose and that she would follow up on the issues.

Ordinances and Resolutions

Ms. Rose then presented Ordinance 1088, An ordinance Amending Chapters 13.16 of the Municipal Code regarding garbage collection. Ms. Rose stated that this ordinance would update the current ordinance to reflect that residential customers would be picked up once per week, and commercial customers would be picked up twice per week, or as often as is deemed practical and necessary for the good health of the community. Ms. Rose stated that this would help with rising fuel costs, and that the areas of town where there are 3 yard dumpsters will be tested to ensure that this schedule would work.

Commissioner Curnutt made a motion to approve Ordinance 1088, and Commissioner Lumpkin seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes	Yes

Ms. Bobbye Rose presented Resolution 2011-18, a resolution determining obsolete property to be sold at private sale. Ms. Rose reported that an offer has been made to purchase the block press at the old Worley Mills. She stated that it is of no use to the City, and an offer of \$30,000.00 has been made. She stated that it is legal to sell the block press in this manner; however, it does have to be published two times. She stated that Mr. Pat Vanderpool, Economic Development Director, is here to answer any questions.

Commissioner Curnutt made a motion to approve Resolution 2011-18, and Commissioner Lumpkin seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Commissioner Apodaca asked whether the City would be selling the excess vehicles. Ms. Rose stated that the resolution will be on the next agenda for approval.

Mr. Dysart then presented Resolution 2011-19, a Budget Amendment Request. Mr. Dysart explained that this resolution will get the dollar amounts into the narcotics fund line item. He also stated that the ambulance fund has been showing negative cash for several months, and a transfer is required from the general fund to address the \$125,000.00 shortfall. He stated that the transfer will reduce the contingency fund which has \$400,000.00 to cover funding for the EMS service.

Mayor Witcher asked if we receives additional funding, this action can be reversed. Mr. Dysart stated that it can be reversed in the same manner, with a resolution.

Mr. Apodaca asked how the ambulance service is doing on collections. Mr. Cherry explained that there is currently an outside billing service, and is receiving 35-50% of billed amounts. Part of this is due to the fact that with both Medicare and Medicaid, we must accept what they pay.

Mr. Sandoval asked what the problem is. Mr. Cherry stated that they will be meeting with another provider on Tuesday to find out about alternatives. Mr. Apodaca questioned whether the reimbursements come directly to the City, and Mr. Cherry answered in the affirmative. Mr. Curnutt wanted to know whether we will be meeting with the other entities. He stated that it is silly to continue going down the same road with nobody pitching in, when the service is used in other areas as well. Mr. Cherry reported that they have met with both Presbyterian and County officials, and everybody agrees that help is

needed, but the problem is lack of funding. He also reported that 17% of the runs are outside the City limits, and of the approximate 1200 runs, 300 are out of town transports.

Ms. Rose stated that alternatives are being looked at. She stated that the building is in disrepair and the entire EMS department needs to be addressed. Mr. Curnutt stated that this needs to be addressed, along with a plan to avoid this problem again next year.

Commissioner Lumpkin made a motion to approve Resolution 2011-19, a Budget Amendment Request and Commissioner Curnutt seconded the motion. Roll Call:

Lumpkin	Apodaca	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

City Manager's Report

Ms. Rose reported the following:

Small Cities Assistance - \$172,706.80. We budgeted \$129,277 which is the amount received in 2008. We received \$231,432 in 2009 but must remain conservative in this figure as the economy does affect this amount. These funds will be needed to pay the excess EMS costs for this year.

We are paying \$65.00 per trip and \$40.00 per animal for euthanasia. Our budget is \$12,000 and at the end of March we will have spent \$11,145.12. We will likely need a BAR in this department. She will be recommending a part-time position and increase in budget in this dept. We need to get aggressive as the animal problems are increasing

She reported that fuel prices are having a negative effect on our budget.

We are close to submission of our audit to the State Auditor and it is time to hire for the next audit. Since we are combining the Housing and City Audits it will likely be over \$50,000 which will require bids. We have advertised in this RFP and will open them on April 25 and ask for your approval on the 28th.

I would like to commend Dennis, Vicky and their staff for all the hours they have put in to get our financials in good shape. We are making great strides and I appreciate their work.

Ms. Rose called on Doug Powers, Planning and Development Director who gave a report on the projects, which included the Date St. Lift Station, which is approximately 2 weeks from completion; the Wastewater Treatment Plant where the contractor is moving toward a target date at the end of August. The contract runs out in October. The landfill is going well and Xcel will be setting up the power lines. This project is moving ahead well. They are currently working on the specifications for the scales and everything is coming together. He invited everybody to go by the Convention Center and take a look at the

kiosk as part of the Scenic By-ways. He stated it has many pictures of Highway 66 through town. This project was done in cooperation with the Chamber of Commerce and almost 25,000 have also been printed. He stated that the RFP for design services for the Whitmore project is due next week. The final work on 3rd Street is being done and the punch list for the contractor is being done. Some sealing still needs to be completed. He reported that the window restoration project at the depot is 1/3 complete, and they have been working on the roof. He stated there was a lot of damage to the tiles, and they are also replacing the tail rafters. The next phase is the breezeway and the pre-bid will be held next week. He stated that it should be on the next agenda for approval. He reported that the YCC program will be beginning soon, and Clara and Yvette have advertised the position for seven youth from the community. They will be working with Chris Gries. There was a walk through on the energy efficient lights which were installed at City Hall, and Rick Martinez has been pleased with the project and it is wrapping up. He reported that Yvette continues to work with youth groups in litter control and cleanups, and has worked with approximately 16 groups this year.

Mayor Witcher commended Doug and his staff for the awesome work they are doing.

Ms. Rose reported that she and Steve, Doug and Mike have met with State Aviation and the engineers at the Airport. They are trying to get enough money for the state grant to include: roof, windows, doors, heating/AC, ceilings, lights and paint and possibly a nice new sign. Our part of this would be about \$25,000 of this half million dollar project - which has already been approved. She hopes to have all the improvements completed by September and in time for the Air Show.

The Commission has approved the airport terminal project at \$300,000 with \$15,000 coming from local City funds. At that time, she advised that this money was not budgeted and would need to come from Lodgers Tax, EDC or Emergency Funding. The Engineers feel we should increase this amount to a \$450,000 project with our share being \$22,500. We would then submit to the state and see if they will revise their grant share as well. This is simply to state that the City has the funds available and are willing to use those funds on this project if the agreement is changed. These funds will be for the roof, windows, doors, heating A/C and restroom upgrades and compliance issues. Steve has advised that the roof leaks, doors and windows are awful and they only have one heater left in the entire building.

As we presented the Federal Grant will pay for runway improvements and our share we approved for \$23,000 and found out that the City will only be required to 2.5% of that project. So we will have all but \$5,250 in the present budget.

This includes the Improvement Plan for the airport for the next 5 years. The total for the plan will be \$8,720,000 with \$266,886.31 coming from City Funds, \$266,886.31 from State Funds and \$8,266,447.38 from Federal Funds. We are in hopes that these funds are not cut from the Federal or State Budgets but we need to be prepared to fund our part of the projects if we want to keep and/or improve the airport.

Ms. Rose reported that she met with Mr. Abel Esquibel from DOT, who is our new contact person. He wanted to visit about what our needs we have and they had a great meeting. DOT will be starting a project very soon to replace approximately 16 lights on the interchange at Mountain Road. He said they have about \$500,000 but didn't expect it would take that much money. She explained the problems we're having on all interchanges and he said they would be interested in assisting with all of them to get them lit again. He said in Las Vegas they were doing all the interchange lights, donating the light poles back to the City and in fact they could donate millings, culverts and etc. to low income communities.

He said they were working on 54 north of Tucumcari to Logan now. She stated the county had asked about getting turning lanes in at Mine Canyon Road. He said if we could give him some plans or sketches of what was needed, he would see if their crews could do this work. He said there is a NERPO Meeting in Santa Rosa in a few weeks and would like to further discuss all our needs and the lighting project. This sounds like a new great start for us and DOT.

The Firehouse at the museum is finished. Everybody is invited to come see how great it looks. They will also be starting on the installation of the playground equipment from Five Mile Park soon.

The following individuals helped with the Sr. Citizens Landscaping, and we are very grateful for their volunteerism. The landscaping looks great. A special thank you to Jim Bivens, Myrle Bivens, Sue Gholson, Antonio Pacheco, Kirk Kuykendall, and Ralph Dudley.

Ms. Rose reported that she has Phase I from Daniel B. Stephens on the Sands Dorsey Building. At the present time, there is a contract which expires today, and is in review by the governor's office. She stated that she believes it will be several weeks before the contract is approved. When this happens, the Phase II work will be scheduled and the Phase III work will occur. It will probably be another month to six weeks. Everything, of course, is contingent upon funding.

Ms. Rose reported that she has received an email from Raymond Mondragon, who has accepted the position of Economic and Community Development Planner with EPCOG.

A new board is now in place for the Racing Commission. Mr. Frost is attending this board meeting today so we hope to have more information soon and how we can proceed with the Race Track Application in Tucumcari.

Ms. Rose reported that she has received a letter from Comcast advising that they have awarded scholarships to 25 high school seniors in NM. They will be honored in Albuquerque on April 20th where the Governor will be the keynote speaker. I am proud to inform you that Chris Arias of Tucumcari will be among those receiving a scholarship for his outstanding demonstration of community service, leadership skills, positive attitude and academic achievement.

Ms. Rose also reported that the City of Tucumcari has received designation as a “Tree City” and has held this designation since 1998.

There was a request that Ms. Rose contact the state regarding the need for a light near Flying J and Love’s Truck Stop. Mr. Powers reported that this had been requested in the past, and that he will pull the file and get with Ms. Rose regarding a request.

Ms. Rose reported the following from her calendar:

April 4th – Clara, Christine and I attended the NMML District meeting in Portales

3.75% administrative fee for Food and Medical – not sure what the cost to the City will

April 5th – Steve, Doug, Mike and I met with State Aviation and the engineer’s at the Airport.

April 7th – Mayor and Mayor Pro Tem and I met with the Main Street team to do an assessment of the program and then I met with them at 5:30 for a follow-up meeting. They feel Tucumcari is on target and they are impressed with the work which has been done.

April 11th – The Mayor and I attended the EDC meeting – The EDC Contract expires June 1st so we will need to decide at our work session what we want to do. I feel we have justification to do a Sole Source Contract with them but we need to get this done soon so they can prepare their budget. Danielle will be moving and Pat stated he did not feel they would replace her at this time but would need some help with the financials.

April 12 and 13th – City staff attended a Customer Service workshop at the Convention Center

April 13th – Phone Conference with the County, Logan, CDM and Kyle Harwood to discuss Ute Lake Water issues. Mr. Verhines had a meeting with the Logan residents about the intake structure that would be installed at Logan. Due to the size of the facility, they will need an additional lot. Logan is very upset as they understood that the facility would blend into the neighborhood and it is huge. They are also concerned about the noise from this plant and that it will be built but not operated for another 10 years.

April 18th – We will be meeting again with Western Industrial about the Electronic Meters, Water Loss and expected savings to the City based upon figures. We have applied for funding for this project and the water storage tank and have been rated high.

I will be attending the Historic Museum Annual meeting at the Elks Club. The speaker will be Johnny Meir – Rt. 66 Historian who is interested in moving to Tucumcari. I encourage you to attend and support the museum.

April 20th – Santa Fe to the Water Trust Board Meeting. As you recall we have decided to place a pond at the sewer plant for Reuse water. This will give us the ability to deliver a steady supply of water. This however was not in the original plans so we will be asking for permission to change to scope of work to include the pond. The Ag Science Center will also be attending this meeting to discuss the positive impacts this projects will have.

April 21st – We will be meeting with RCAC –Rural Community Assistance Services to discuss our Asset Management Plan and Rate Study. They do not believe we will have the rate study results until late in May but should be available prior to the final approved budget. This is one of those items that has been neglected in Tucumcari and I appreciate

all the staff's additional work to ensure this project is completed and successful. It will give us a plan for the future on how to repair and replace our assets.

On April 21st between 4:30 – 6:30 the Chamber will host the Chamber after hours at the Museum.

April 25 or 26th Meeting with the NM Rural Water Association – Wastewater Division regarding our Wastewater Ordinance. I sent a copy of them of our Ordinance and they suggested it needed to be revised and that our testing fees at the Cheese Factory may not be fair. We will be working with them and the Cheese Factory to come up with solutions to our industrial waste issues.

April 27th 4:30 – 6:30 Housing training for boards. Alb. at HUD Office of Remote

April 28th – We will have a mandatory Defensive Driving Course for employees. Housing and next City Commission Meeting

April 29th – Board of Finance meets at 10:00

Ms. Rose also reported that Martin Encinias-Angel, Convention Center Director, has issued his 2 week resignation.

Mayor Witcher told Ms. Rose that she and the staff are doing an awesome job.

Bids and Contracts

Ms. Rose requested approval for a Task Order Amendment for CMD as it was agreed at the last meeting that additional studies on Ute Lake were not approved at this time. There is existing money in the contract. This amendment will reduce the contract by \$10,823.00 and they will continue to assist us with the Intake Structure and the amendment also extends the contract until March 2012.

Commissioner Apodaca asked if this is in line with the 40 year water plan. Ms. Rose stated that it is. Commissioner Apodaca stated that he understood the plan is to get the water closer to the municipality. He also stated that he is adamant that we need to get the water here, as it is our future, for the City and possibly the County.

Commissioner Lumpkin made a motion to approve the task order amendment, and Commissioner Curnutt seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Old Business

Liquor License Transfer - Clara reported that Christine had contacted Alcohol and Gaming regarding the request to move the license from First and Tucumcari Blvd. to First Street between McDonalds and Subway. Annette Gurule from Alcohol and Gaming called back and clarified that the distance should be measured from the property line of the church to the door of the business establishment. Clara reported that based on

Ms. Gurule's instructions, the surveyors measurements are correct and Circle K does not need a waiver and this liquor license transfer can be considered by the Commission.

Commissioner Lumpkin made a motion to approve liquor license transfer request number 453, and Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	No	Yes	Yes	Yes

Ms. Rose reported that SPIRIT Dues are \$1198.00 per year. She stated that Main Street and EDC are members and they split the cost. She also reported that Pat and Mark are attending these meetings. She stated that although it is very important, she felt that we are being represented by Pat and Mark and recommended that the City NOT pay SPIRIT dues this year.

Commissioner Lumpkin made a motion to NOT pay SPIRIT dues this year, and Commissioner Curnutt seconded the motion. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

New Business

Mayor Witcher called on Carol Keith who presented handouts to the Commission regarding Volunteer Month. She stated that ideas have been discussed at the Wednesday morning meetings on how to assist after hearing of the financial woes affecting the municipality, and the complaints of citizens at the recent meeting at the Convention Center. She stated that they are forming a group called the C.L.E.A.N. team, which stands for Citizens Lending Energy and Neatness. They would like to begin volunteering in the parks where they will assist in picking up the trash and replacing liners. She stated that she did not realize how many properties the City maintains and hopes the group can help free up some of the time for other jobs which need to be completed. With April being National Volunteer Month, she would like permission to move forward.

Mayor Witcher stated that he sees nothing but good coming from this, and requested that staff make sure that we have the necessary insurance to cover us in case of liability.

Commissioner Lumpkin made a motion to allow the C.L.E.A.N. team to volunteer, and Commissioner Curnutt seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes	Yes

Mayor Witcher called on Fire Chief Mike Cherry to present the Fire Protection Distribution Application. Mr. Cherry stated that this is the standard annual application

for the 3% excise tax which is distributed to Fire Departments. He stated that they received \$220,000.00 last year, but anticipate only receiving \$185,000.00 this year. They will not know actual figures until July.

Commissioner Lumpkin made a motion to allow the submission of the Fire Protection Distribution Application, and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Mayor Witcher called on Clara to present the Memorandum of Understanding between the City of Tucumcari and Motor Vehicle Division. Clara reported that the City currently uses SAMBA to do drivers license checks on our employees. SAMBA is provided free of charge because we are members of NM Mutual. This would serve as a backup in the event we were no longer allowed to use SAMBA. New Mexico Tax and Revenue Motor Vehicle office will also now do this for us at no charge. We would like to request approval of the MOU and use when needed and see which one is more useful to us.

Commissioner Lumpkin made a motion to allow the submission of the Fire Protection Distribution Application, and Commissioner Curnutt seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Mayor Witcher called on Officer Paul Bell to present the CDWI Application for 2011-2012. Officer Bell reported that this is a 100% grant from the State of NM and is a joint grant between the City and State. It will provide \$2,015.00 per entity to be used for overtime to combat DWI.

Commissioner Curnutt made a motion to allow the submission of the CDWI Application, and Commissioner Lumpkin seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes	Yes

Mayor Witcher called on Cathy Estrada, Code Compliance Officer, to present Approval of Free Dumping at the landfill May 6-7, 2011 for the Great American Cleanup. Ms. Estrada stated that she is the project coordinator for the Great American Cleanup and is respectfully requesting approval to ask for Free Dumping for residents with a paid utility bill for May 6-7, and a change in the hours for Saturday to be open from 10am – 2pm which would give residents more time to get to the landfill. She reported that 70.5 tons of trash was collected last year. There will be a charge for tires. Mr. Bell asked if there was a provision for inclement weather. Ms. Rose stated that there is not.

Mayor Witcher asked if the children will be planting flowers in the planters again in front of City Hall. Ms. Estrada stated that they will be doing this project in May. Mayor

Witcher invited everybody to come and watch the children as they enjoy this project and take great pride in it.

Ms. Estrada reported that she has 21 local sponsors who will be providing various items for the Great American Clean Up, and she is very grateful that community businesses support keeping our City looking clean.

Commissioner Curnutt made a motion to allow free dumping at the landfill for the Great American Cleanup on May 6 and 7, 2011 and change the hours on May 7, 2011 to 10am – 2pm, and Commissioner Lumpkin seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

Mayor Witcher called on Clara to present Approval of Contract Amendment No. 1 with the State of NM Aging and Long Term Services. Clara reported that the City is the sponsoring agent for the Senior Companion Program, and unfortunately due to the issues with getting participants finger printed and screened it took longer than expected and not all funds will be expended by June 30th. This amendment reduces the amount of the grant by \$3,279.00 for this fiscal year only.

Commissioner Apodaca made a motion to approve the contract amendment as presented, and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Lumpkin thanked all those in attendance for coming to the meeting, and thanked staff for their efforts.

Commissioner Curnutt thanked all those in attendance for coming to the meeting.

Mayor Witcher said he thanked all City staff for the work being done. He also thanked the Fire Department for not only what they do for the City, but also for assisting where needed.

Mayor Witcher reminded and invited all to attend the Budget Worksession which will be held on April 19th beginning at 9:00 a.m. in the Commission Chambers. If necessary, lunch will be dutch treat.

Adjournment

There being no further business, a motion to adjourn was made by Commissioner Lumpkin and seconded by Commissioner Curnutt. Time noted 7:22 p.m. Roll Call:

Lumpkin
Yes

Sandoval
Yes

Curnutt
Yes

Witcher
Yes

Apodaca
Yes

James L. Witcher, Sr., Mayor

ATTEST:

Christine Dougherty, City Clerk