

**CITY OF TUCUMCARI
MINUTES**

September 11, 2008

The Tucumcari City Commission met for their regular meeting on Thursday, September 11, 2008, at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were: Antonio Apodaca, Robert Lumpkin, Jim Witcher, Jim Lafferty, and Jimmy Sandoval.

City staff members present were John R. Sutherland, Jr., City Manager; Erin Baca, Executive Secretary; Mike Cherry, Fire Chief; Roger Hatcher, Chief of Police; Lorenzo Emilio, Patrolman; Vicki Strand, Deputy Finance Director; Elizabeth Morris, Community Development; Ron Wilmot, Convention Center Director; Joe Ramirez, Waste Water Director.

Dr. Thomas Broom, Minister of the Center Street Methodist Church, gave the invocation and Mayor Antonio Apodaca led the group in the Pledge of Allegiance. Mayor Apodaca called for roll call:

Sandoval	Lafferty	Apodaca	Lumpkin	Witcher
Here	Here	Here	Here	Here

Consideration of Additions or Deletions to Agenda

Item B. under Bids and Contracts was deleted. The City Manager, John Sutherland, requested to add the Grant agreement for USDOT-FAA for runway improvements to be added as item G under bids and contracts because we just received it at 3:30pm today and it has to be signed and returned to them by the 19th. Not voted on, Mayor just asked if there were any other additions or deletions. Item B. under New Business was deleted.

Approval of Minutes

A motion was made by Witcher and seconded by Lumpkin to approve the minutes of the last regular Commission meeting of August 28, 2008. Roll Call:

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
Abstain	Yes	Yes	Yes	Yes

Approval of Vouchers

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

Apodaca	Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes	Yes

Items from Citizens

Fern George, for the Quay County Extensioners Club requested that they be allowed to use the Convention Center for a reduced rate of \$1200 for their state convention here Oct. 20,21 &22nd, because this fits into their budget instead of the \$575/day.

Proclamations

Ms Parker received the Daughter's of the American Revolution Proclamation which Mayor Apodaca read, and Thanked the Commission. No-one was here to receive the Family Day Proclamation which the Mayor read.

Resolutions and Ordinances

A. RESOLUTION 2008-28 – A RESOLUTION BY THE CITY COMMISSION, THE GOVERNING BODY OF THE CITY OF TUCUMCARI, NEW MEXICO, ACCEPTING PARTICIPATION IN THE 2008-2009 COOPERATIVE AGREEMENT PROGRAM PROJECT SP-4-09(963) AND ASSURING THAT SUFFICIENT LOCAL MATCHING FUNDS ARE AVAILABLE. Elizabeth Morris stood up for this resolution /agreement for \$58k with a \$19k match by the

city. The City Manager recommended the resolution, Lumpkin made the motion and Witcher second it. Roll Call:

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

B. .RESOLUTION 2008-30 – A RESOLUTION BY THE CITY COMMISSION, THE GOVERNING BODY OF THE CITY OF TUCUMCARI, NEW MEXICO, ACCEPTING PARTICIPATION IN THE 2008-2009 MUNICIPAL ARTERIAL PROGRAM PROJECT NO. MAP-7637)902) AND ASSURING THAT SUFFICIENT LOCAL MATCHING FUNDS ARE AVAILABLE. Elizabeth Morris stood up for this resolution /agreement for over \$100k with a \$100k match by the city. As it is a public... it will require an engineer. The City Manager recommended the resolution, Witcher made the motion and Lumpkin second it. Roll Call:

Sandoval	Lafferty	Apodaca	Lumpkin	Witcher
Yes	Yes	Yes	Yes	Yes

C. RESOLUTION 2008-31 - A RESOLUTION RECOGNIZING THE UNITED STATES DEPARTMENT OF AGRICULTURE, FARM SERVICE AGENCY. The City Manager, John Sutherland, would like to accept the money from the USDA and recognize the USDA Farm Agency for sending us a check fore the \$4600 for the automated sprinkler systems for the parks. The City Manager recommended the resolution, Witcher made the motion and Lumpkin second it. Roll Call:

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes	Yes

D. RESOLUTION 2008-32 – BUDGET RESOLUTION FOR USDA FARM SERVICE AGENCY- PARKS. The City Manager, John Sutherland, suggested they pass the resolution to adjust the budget for the last resolution to accept the USDA Farm Agency money and to make the line item adjustments for the banners and billboards approved at the last meeting. The City Manager recommended the resolution, Witcher made the motion and Lumpkin second it. Lafferty voted no because he questioned / didn't like it being put under the utility line item Finance put it under. Roll Call:

Apodaca	Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes	NO

E. ORDINANCE 1061 – AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 13.16 OF THE TUCUMCARI MUNICIPAL CODE PERTAINING TO PUBLIC SERVICES FOR GARBAGE COLLECTION. The City Manager, John Sutherland, proposed Commissioner Witcher's request to add \$1.00 to the waste disposal bills in order to do quarterly bulk trash pickups and allow residents to bring pickup loads to the dump for free by showing their water/sanitation bill. There was discussion and explanation of how the service would work. The Mayor didn't like the ordinance because we didn't budget the raise in price which was already advertised. He also stated that he has numerous complaints that we don't pickup the garbage twice a week like we're supposed to, so what makes us think that they will do the extra pickups. Commissioner Witcher explained that this idea was brought to him by the residents and would help everyone; especially those elderly and disabled who can not make pickup loads and that they had discussed this earlier in the summer and no-one had a problem with it. Witcher stated that the revenue could be used to pay overtime, but Lafferty opposed paying overtime and wanted to know the data on revenues at the landfill and what it would generate.

He asked the city manager if the plan was to use the revenue to pay overtime and the City Manager said No; that they would work out a schedule to do the quarterly pickups during regular scheduled hours. Lafferty also opposed it as it was not advertised as a rate increase. There was more discussion, the Mayor started talking about the enforcement of residents covering their loads. . .but he didn't support the ordinance because some people can't afford it. Sandoval said we needed further discussion and Lumpkin had questions regarding commercial use and abuse also, then Witcher made the motion anyways and no-one second it so the motion died.

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
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City Manager's Report

The City Manager, John Sutherland, introduced Chief Hatcher to give the monthly PD report. The drug dog died, & Lorenzo Emilio was given a commendation for reporting a suspect that he pulled over and thought to be on the FBI Terrorist

Watch group, who was indeed. Fire Chief Cherry gave a Fire Dept. report. Ron Wilmot gave the monthly convention center report. Then the City Manager gave some updates. The 2006 & 2007 audit reports are ready and there will be an exit conference Thursday, 9/18. Street lights are an ongoing project and would be very expensive to rewire, so they just have to be fixed one at a time. The Waste Water Treatment Plant project has been extended an additional 30 days to work around winter weather and the USDA is discussing holding a formal check presentation for the second check for the additional million dollars that was awarded. Street paving project is continuing slowly. The rail road depot contractor has started progress. The Water reuse project for irrigation grant has been received and applications for reuse are going into the NM Environment to get permits to reuse it. The Sands Dorsey geotechnical investigation was done including soil borings. The National Guard called and requested for city leaders and anyone in general to go to the National Guard armory and welcome the soldiers back from hurricane disaster duty at 5pm on Friday.

Bids and Contracts

A. MUNICIPAL COOPERATIVE PROGRAM AGREEMENT SP-4-09(963). The City Manager recommended the agreement, Witcher made the motion and Lumpkin second it.

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

B. MUNICIPAL ARTERIAL PROGRAM COOPERATIVE AGREEMENT MAP-7637(902). The City Manager recommended the agreement, Witcher made the motion and Lumpkin second it.

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

C. LODGERS TAX BILLBOARD CONTRACTS WITH THE LAMAR COMPANIES AND SUN VISTA OUTDOOR ADVERTISING LLC. Sharon Quarles said the Lodger’s thought it was on the next agenda so they were not prepared, so Jim Lafferty explained it as the contract for the funds the Commission had approved in the last meeting. Then the City Manager recommended the agreement, Lafferty made the motion and Lumpkin second it.

Sandoval	Lafferty	Apodaca	Lumpkin	Witcher
Yes	Yes	Yes	Yes	Yes

D. STATE OF NEW MEXICO DEPT. OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION ENHANCED 911 GRANT PROGRAM – AMENDMENT NO. 3. Fire Chief Mike Cherry explained the agreement, the City Manager recommended the agreement, Witcher made the motion and Lumpkin second it.

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes	Yes

E. AGREEMENT WITH WILSON & CO FOR ENGINEERING SERVICES FOR THE CITY TRANSPORTATION AND UTILITY ASSET MANAGEMENT PLAN (CDBG 2008). Elizabeth Morris explained the agreement and the City Manager recommended the agreement, Witcher made the motion and Lumpkin second it.

Apodaca	Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes	Yes

F. INTERSTATE INTERLOCAL PARTICIPATION AGREEMENT WITH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE. The City Manager recommended the agreement, Witcher made the motion and Lumpkin second it.

Lumpkin	Witcher	Sandoval	Lafferty	Apodaca
Yes	Yes	Yes	Yes	Yes

G. USDOT-FAA AGREEMENT AND CONTRACT FOR REHABILITATION OF TAXIWAYS AND APRONS. The City Manager recommended the agreement, Witcher made the motion and Lumpkin second it.

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
No	Yes	Yes	Yes	No

Old Business

Mayor Apodaca acknowledged reading the minutes from each or the reports and board meeting minutes for:

- A. COMMUNITY DEVELOPMENT MINUTES – AUGUST 25, 2008
- B. TUCUMCARI PLANNING COMMISSION MINUTES – JULY 22, 2008
- C. MUSEUM ADVISORY BOARD MINUTES – JULY 7, 2008
- D. LIBRARY JULY 2008 REPORT
- E. GOLF COURSE ADVISORY BOARD MINUTES – AUGUST 5, 2008

New Business

A. REQUEST FROM WASTE WATER TREATMENT PLANT TO PAY INVOICES FROM 07-72-50712 JOINT UTILITY CAPITAL IMPROVEMENTS/CAPITAL SEWER IMPROVEMENTS LINE ITEM Joe Ramirez explained the invoices to be paid and why. Lafferty questioned why the invoices weren't paid earlier, Joe Ramirez explained why. Then, Witcher made the motion and Lumpkin second it.

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

B. ANNUAL REPORT ON MITIGATION PLAN. Fire Chief Mike Cherry briefed the Commission on the progress of the TUCUMCARI/QUAY COUNTY REGIONAL EMERGENCY COMMUNICATION CENTER PLAN

C. REQUEST TO HOLD MEETINGS IN CITY COMMISSION CHAMBERS. Commissioner Lumpkin expressed his opinion and that of the people he had talked to in his district to not move the Commission meetings around, because some of the districts do not have adequate accommodations for this. But instead have district meetings with the City Manager and some department heads in order to bring government to the people. Mayor Apodaca did not like this opinion. Then, Lumpkin reiterated himself, made the motion and Witcher second it.

Apodaca	Lumpkin	Witcher	Sandoval	Lafferty
NO	Yes	Yes	No	No

E. APPROVAL OF WASTE WATER POSITION DESCRIPTIONS AND PAY GRADES. The City Manager, John Sutherland, explained and requested, with the help of Joe Ramirez, Waste Water Director, the approval of new Waste Water position descriptions and pay grades so that the City can hire and retain employees in that department. Jim Lafferty was opposed to approve/vote on it until he had the budget numbers in front of him, even though the City Manager and Deputy Finance Director, Vicki Strand explained how it would work into the budget and told the commissioner that they had carefully gone over the budget with the Finance Director, Marty Garcia. The City Manager stated that the future budgets and balancing would be up to Mr. Ramirez, the Finance Director and himself to balance. There was more discussion and the City Manager then stated that fixing all the problems with salaries was an on going effort which will be brought to the Commission each time and dealt with each budget, but this Commission/City needed to pay attention to the salaries that they are offering and the effort that has been put forth to systematically approach the salary system here in order for the city to move forward. Jim Lafferty said that he was all for it, but again refused to approve/vote on it until he had the budget numbers in front of him, even though the City Manager and Deputy Finance Director, Vicki Strand had explained that it would work into the budget and told the commissioner that they had carefully gone over the budget with the Finance Director, Marty Garcia. There was more discussion and comments by Commissioner's Witcher and Lumpkin as to their acceptance of the City Manager's statements, but Lafferty said he needed to be "shown, not told" and argued more about the figures and budget until Mayor Apodaca said maybe they should table it to go over it more. Commissioner Witcher finally made a motion to table the issue for one month so Lafferty could go over the budget. He stated that if he was City Manager and staff, he would be frustrated because everytime the Commission asks for them to do something, they work to get it done and then it gets picked to death by the Commissioner and that he was requesting a month because he was going to miss the next Commission meeting. Jim Lafferty seconds the motion and added that he didn't think that it was too much to ask staff to meet His expectations.

Lumpkin	Witcher	Sandoval	Lafferty	Apodaca
NO	Yes	Yes	Yes	Yes

Finance Report

A. ACKNOWLEDGEMENT OF 2008-2009 APPROVED BUDGET FROM THE NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION. Vicki Strand passed out the acknowledgement letter. Mayor Apodaca called for a motion to approve the budget which had already been approved and sent to the NM Department of Finance. There was some argument over whether they needed to approve the budget, so Jim Lafferty moved to acknowledge the letter of acknowledgement accepting our approved budget from the DFA and Witcher second it.

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

None of the Commissioners had any comments except Lumpkin wanted to thank everyone for coming, and Mayor Apodaca wanted everyone to keep in mind the problem of trash debris coming from uncovered trash loads and how we can enforce it, maybe at the landfill. He also reminded us that it is the anniversary of 9/11 and requested that we all stand for a moment of silence.

Adjournment

There being no further business, Mayor Apodaca called for motion to adjourn which was made by Commissioner Witcher and second by Lumpkin. Time noted 8:15 p.m. Roll Call:

Sandoval	Lafferty	Apodaca	Lumpkin	Witcher
Yes	Yes	Yes	Yes	Yes

Antonio Apodaca, Mayor

ATTEST:

Erin Baca, Executive Secretary