

CITY OF TUCUMCARI
MINUTES
February 12, 2009

The Tucumcari City Commission met for their regular meeting on Thursday, February 12, 2009, 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 Mike Cherry, Interim City Manager; Christine Dougherty, City Clerk; Doug Powers, Community Development Director; Yvette Fazekas, Planning and Zoning Coordinator; Russell Shafer, Police Sergeant; Ron Wilmot, Convention Center Director; Rex Maddaford, Golf Professional; Suzann Martin, Senior Programs Director; and Clara Rey, Administrative Assistant.

Margaret Koontz, Reverend of the First Presbyterian Church, gave the invocation and Mayor Apodaca led the group in the Pledge of Allegiance.

Consideration of Additions or Deletions to Agenda

Commissioner Lumpkin suggested that Items From Commissioners be listed twice on each agenda. He felt it would be beneficial to have Commissioners speak at both the beginning and the end of each meeting.

Approval of Minutes

A motion was made by Mayor Pro Tem Witcher and seconded by Commissioner Lafferty to approve the minutes of the January 22, 2009 Regular Commission meeting. Roll Call:

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes	Yes

Approval of Vouchers

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

Apodaca	Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes	Yes

Items from Citizens

Don Schutte, a local attorney, asked the Commission to consider modifying City Ordinance to make consumption of alcohol by a minor against City Code. Mayor Apodaca responded that the Commission will appoint a task force to look into this issue and confer with the City's Attorney regarding the matter. Mayor Pro Tem Witcher commented that he would like to serve on that task force.

Citizen, Liz Garcia addressed the Commission regarding her concerns about a re-hired police officer. She inquired how a citizen could formally go about petitioning the Commission to review the decision

to re-hire an officer. Mayor Apodaca instructed Ms. Garcia to confer with the City Clerk.

Resolutions and Ordinances

Planning and Zoning Coordinator, Yvette Fazekas presented Resolution 2009-03 to the Commission. The resolution reads:

A RESOLUTION BY THE CITY COMMISSION, THE GOVERNING BODY OF THE CITY OF TUCUMCARI, NEW MEXICO REQUESTING PARTICIPATION IN THE 2009/2010 COOPERATIVE AGREEMENT PROGRAM AND ASSURING THAT SUFFICIENT LOCAL MATCHING FUNDS ARE AVAILABLE.

Mayor Pro Tem Witcher made a motion to approve Resolution 2009-03 requesting participation in the 2009/2010 cooperative agreement program from the New Mexico Department of Transportation. Commissioner Lumpkin seconded the motion. Roll Call:

Lumpkin	Witcher	Sandoval	Lafferty	Apodaca
Yes	Yes	Yes	Yes	Yes

Planning and Zoning Coordinator, Yvette Fazekas presented Resolution 2009-04 to the Commission. The resolution reads:

A RESOLUTION BY THE CITY COMMISSION, THE GOVERNING BODY OF THE CITY OF TUCUMCARI, NEW MEXICO REQUESTING PARTICIPATION IN THE 2009/2010 MUNICIPAL ARTIRIAL PROGRAM AND ASSURING THAT SUFFICIENT LOCAL MATCHING FUNDS ARE AVAILABLE.

Mayor Pro Tem Witcher made a motion to approve Resolution 2009-04 requesting participation in the 2009/2010 Municipal Arterial Program from the New Mexico Department of Transportation. Commissioner Lumpkin seconded the motion. Roll Call:

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Interim City Manager, Mike Cherry presented Resolution 2009-05 amending Resolution 2007-20 regarding the procurement process of the municipality pursuant to the requirements of the procurement code (sections 13-1-28 through 13-1-199 NMSA 1978 as amended.) Mr. Cherry explained that the current process is cumbersome. He described that the amendment removes the use of the Small Purchase Requisition for purchases under \$500. Commissioner Lafferty asked if every purchase over \$500 will be required to have signatures. Mr. Cherry responded that purchases under \$500 will still be reviewed and that purchases over \$500 will require signatures.

Mayor Pro Tem Witcher made a motion to approve Resolution 2009-05 amending Resolution 2007-20 regarding the procurement process of the municipality pursuant to the requirements of the procurement code (sections 13-1-28 through 13-1-199 NMSA 1978 as amended.) Commissioner Lafferty seconded the motion. Roll Call:

Sandoval	Lafferty	Apodaca	Lumpkin	Witcher
Yes	Yes	Yes	Yes	Yes

Commissioner Lumpkin presented Resolution 2009-06 authorizing submission of a nomination for outstanding New Mexico Women on behalf of Jeannette Maddaford to the New Mexico Commission of the Status of Women. Mr. Lumpkin explained that since 1972 when he came to this community, he had been aware of an outstanding woman that was involved in many community issues. He asked the Commission to approve the resolution and nominate Jeannette Maddaford for the award.

Commissioner Lumpkin made a motion to approve Resolution 2009-06 authorizing the submission of a nomination for outstanding New Mexico women on behalf of Jeannette Maddaford to the New Mexico Commission of the Status of Women. Mayor Pro Tem Witcher seconded the motion. Roll Call:

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes	Yes

City Manager's Report

Sergeant Shafer reported that the calls to the police department increased in the month of January. Sergeant Shafer also stated that a bill is being introduced in the current legislative session changing the way cities euthanize stray animals. The bill, if passed, will increase the cost to the City of Tucumcari by over \$50 per animal. The bill would force cities to use lethal injection rather than a gas chamber to euthanize animals. The bill requires that the City have enhanced facilities as well as pharmacists and veterinarians on contract to oversee the process.

Mayor Apodaca asked if the EMS personnel already on staff could oversee the new process if it is mandated. Officer Shafer responded in the negative.

Mr. Cherry stated that he has been in communication with Senator Hardin regarding the options that might be available to the City if this bill becomes law to make euthanization of stray animals affordable for the City. Mayor Apodaca suggested that as Tucumcari is one of only four cities in the state that uses gas instead of injection for euthanization of animals, perhaps we should ask for funding in a formal way to assist the City in making the transition.

Commissioner Lafferty suggested that the City provide Senator Hardin with figures detailing the financial impact the change would have on Tucumcari if the bill becomes law. Mr. Lafferty further explained that if nothing less, this would provide an opportunity shed light on the problem of unfunded mandates.

Mr. Ron Wilmot reported that in the month of January, the Convention Center hosted four events with a total attendance of 200 people, \$220 in rental fees, and \$1212 in bar proceeds. Mr. Wilmot further reported that signs have been posted at Exit 331 directing visitors to the Convention Center.

Commissioner Lafferty requested that Mr. Wilmot include the number of governmental meetings hosted by the Convention Center and events at the Del Norte Center each month in his report.

Mr. Cherry reported that he attended the Quay County Gaming Authority meeting and that a decision was made to extend the option on the property where the proposed race track and casino were to be built. Mr. Cherry stated that there is still a possibility that the Racing Commission could grant a racing license to the Tucumcari.

Mr. Cherry further reported that he, several City staff members, and Commissioners traveled to Santa Fe February 2-4 to attend the Association of Commerce and Industry's annual event and Quay Day at

the Legislature. Mr. Cherry and the Commissioners met with Senator Hardin and Representative Roch while in Santa Fe to detail the City's financial requests. Due to the budget crunch, Mr. Cherry stated that new money is unlikely to be funded for City requests.

On February 5, Mr. Cherry met with waste water representatives from HDR as well as engineers involved in the Wastewater Treatment Plant Project. The estimated completion of the project on Date Street is August, 2009. On February 6, Mr. Cherry met with representatives from Congressman Udall's office regarding the Federal Stimulus Package. On February 9, Mr. Cherry attended the Main Street meeting. Additionally, Mr. Cherry stated that the monthly Department Head meeting was held.

Mr. Cherry reminded the Commissioners that February 24 and 25 are Municipal Days at the Legislature, that Congressman Ben Ray Lujan will be at City Hall on February 20 at 8 am, and that the Library will be closed February 23-27 in order to affix new security tags on books. Mr. Cherry informed the Commission that the City has a new Risk Manager on staff, Veronica Sandy.

Mr. Cherry informed the Commission that James Dominguez from the State Game and Fish Department asked the City to donate water and a tank for a fishing clinic to be held at the Elk's Lodge. Mr. Cherry said this request will be put on the next agenda for the Commission's approval.

Mr. Cherry also reported that there had been a fire in one of the City's trash trucks. Soon after the trash truck fire had been extinguished, a fire started nearby on the roof of Mesalands Community College. Mr. Cherry stated that the matter has been turned over to the insurance company for investigation.

Mr. Cherry also informed the Commission that due to the death of a firefighter in Clayton, members of the Tucumcari Fire Department will be manning the Clayton Fire Station on Monday, February 16 so that all the Clayton firefighters may attend the funeral services for their coworker.

Mayor Apodaca asked if the City has a committee to develop a recycling program. Mr. Powers responded in the positive and commented that his department is working on another grant request for a trailer where citizens can deposit recyclable materials. Ms. Fazekas further explained that the grant proposal is being developed for a city wide recycling program. Mayor Apodaca complimented City staff for staying on top of this issue.

Bids and Contracts

Mr. Maddaford presented the bids for a sprinkler system at the golf course. He stated that the current system needs updating and that suppliers visited the City and then submitted bids that were high. After some negotiations, Austin Turf and Tractor, a John Deere dealer provided a revised bid that was lower and was also the only company to submit a complete bid. Mr. Maddaford recommended that the Austin Turf and Tractor bid be approved. Mayor Pro Tem Witcher made a motion to approve the bid for golf course sprinkler system from Austin Turf and Tractor. Commissioner Lumpkin seconded the motion. Roll Call:

Apodaca	Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes	Yes

Mr. Powers presented the State Grant Agreement for Airport Projects from the New Mexico Department of Transportation Aviation Division. Mayor Pro Tem Witcher made a motion to approve the grant agreement and Commissioner Lumpkin seconded the motion. Roll Call:

Lumpkin	Witcher	Sandoval	Lafferty	Apodaca
Yes	Yes	Yes	Yes	Yes

Ms. Suzann Martin presented the Nutrition Service Incentive Program Contract Amendment Number One regarding the City’s contract number 2008-09 68040. The amendment provides additional funds for the Senior Meal programs. Mayor Pro Tem Witcher made a motion to approve the amendment and Commissioner Lumpkin seconded the motion. Roll Call:

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

New Business

Mr. Cherry stated that there are two openings on the Lodger’s Tax Board that the City advertised to fill. There are three applications and the Commission needs to appoint people to fill the two openings that are both tourist related openings. Mayor Pro Tem Witcher made a motion to appoint Donna Dyke and Ron Wilmot to fill the two positions. The motion died for lack of a second. Commissioner Lafferty explained that he felt it was wiser to appoint the new members individually. Commissioner Lafferty then made a motion to appoint Gary Cardwell to the Lodgers Tax Board. Commissioner Lumpkin seconded the motion. Roll Call:

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Commissioner Lafferty then made a motion to appoint Ron Wilmot to fill the remaining opening on the Lodger’s Tax Board. Commissioner Sandoval seconded the motion. Roll Call:

Lumpkin	Witcher	Sandoval	Lafferty	Apodaca
Yes	Yes	Yes	Yes	Yes

Keith Henderson presented the All Hazards Emergency Operation Plan to the Commission. Mr. Henderson explained that the plan details what each agency is in charge of in the event of an emergency. Mayor Apodaca pointed out that a typographical error needs to be corrected on page four of the plan. Mayor Pro Tem Witcher made a motion to accept the plan with corrections. Commissioner Lafferty seconded the motion. Roll Call:

Apodaca	Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Mayor Apodaca asked the Commissioners if they had any comments. Mayor Pro Tem Witcher had none.

Commissioner Lumpkin commented that Doug Quarles Tucumcari murals were featured in New Mexico Magazine. Mr. Lumpkin said this is an honor for Tucumcari and thanked Mr. Quarles for his work. Mr. Lumpkin further commented that CNBC provided national publicity for Tucumcari when it featured the Wind Energy Program at the college. Mr. Lumpkin also thanked Mr. Schutte and the

Montiel Family for their presence and presentation to the Commission. Mr. Lumpkin stated that some great things are going on in Tucumcari and encouraged the development of websites to promote the City. Mr. Lumpkin also thanked those involved in the development of the All Hazards Plan.

Commissioner Sandoval also thanked those involved in the development of the All Hazards Plan.

Commissioner Lafferty thanked City Staff for including the minutes of the Department Head meeting in the Commission Meeting packet. He also thanked Mr. Cherry for his department's support of the Clayton firefighters. Mr. Lafferty also clarified that he would like the City Manager to consult with the attorney regarding a possible ordinance involving underaged drinking. Mr. Lafferty suggested that the City form a Task Force that is broad enough to make system wide changes to the laws. Mr. Lafferty said he would like to see the issue on the next agenda.

Regarding the appointment of members to the Lodger's Tax Board, Mr. Lafferty clarified that he felt it was prudent to nominate people individually on their own merits. He did not want to lump candidates into one motion for appointment and apologized if his actions offended anyone.

Mayor Apodaca thanked City Staff for making appointments with Senator Hardin and Representative Roch for the Commission to meet privately with the Legislators.

Adjournment

There being no further business, a motion to adjourn was made by Commissioner Lumpkin and seconded by Commissioner Lafferty. Time noted 7:05 p.m. Roll Call:

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes	Yes

Antonio Apodaca, Mayor

ATTEST:

Christine Dougherty, City Clerk