

CITY OF TUCUMCARI
MINUTES
March 12, 2009

The Tukumcari City Commission met for their regular meeting on Thursday, March 12, 2009, at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were Antonio Apodaca, Jim Lafferty, Robert Lumpkin, Jimmy Sandoval, and Jim Witcher

City staff members present were Mike Cherry, Interim City Manager; Christine Dougherty, City Clerk; Doug Powers, Community Development Director; Ron Wilmot, Convention Center Director; Suzann Martin, Senior Programs Director; Scott Simpson, Recreation Director; Kim Crockett, Police Detective; Lorenzo Emilio, Community Resource Officer; and Charlie Maciel, Golf Professional.

Jim Witcher, Reverend of the First Christian Church, gave the invocation and led the group in the Pledge of Allegiance.

Consideration of Additions or Deletions to Agenda

Commissioner Lumpkin suggested that the second *Items From Commissioners*, be moved to occur before the Executive Session so that the public would not have to wait until after the Executive Session to hear the Commissioners comments.

Items From Commissioners

Commissioner Lumpkin thanked the Library Staff for their work on the March 3rd Dr. Seuss Birthday Celebration held at Tukumcari Elementary School. Mr. Lumpkin noted that there were over 200 people in attendance. Commissioner Lumpkin also thanked the Altrusa Club for providing and serving refreshments. He also mentioned that many community businesses donated prizes for the event.

Mayor Pro Tem Witcher welcomed new City Manager Bobbye Rose who was in the audience at the meeting. He also stated that as long as things are running smoothly in Tukumcari, he would like Ms. Rose to be available to the Village of San Jon if they have an emergency.

Commissioners Lafferty and Sandoval had no comments neither did Mayor Apodaca.

Approval of Minutes

A motion was made by Mayor Pro Tem Witcher and seconded by Commissioner Lumpkin to approve the minutes of the February 26, 2009 Regular Commission meeting.
Roll Call:

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes	Yes

A motion was made by Mayor Pro Tem Witcher and seconded by Commissioner Lumpkin to approve the minutes of the March 2, 2009 Special Meeting. Roll Call:

Apodaca	Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Abstain	Yes

Approval of Vouchers

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

Lumpkin	Witcher	Sandoval	Lafferty	Apodaca
Yes	Yes	Yes	Yes	Yes

Items from Citizens

There were no citizens in the audience that wished to address the Commission.

Ordinances and Resolutions

Interim City Manager, Mike Cherry presented Resolution 2009-10 to the Commission. The resolution reads:

The Governing Body of the City of Tucumcari, New Mexico meeting in regular session on March 12, 2009 resolve to request a budget revision for the 2008-2009 fiscal year as follows:

FUND 02-40: LODGERS' TAX EXECUTIVE

Expense

Increase:02-40-57020 Transfer to Convention Capital Improvements	\$17,500
Resource: Cash Balance	

FUND 03-36: CONVENTION CAPITAL IMPROVEMENTS

Income

Increase:03-36-47001 Transfer from Lodgers' Tax Executive	\$17,500
Increase:03-36-41419 Scenic Byways Grant	\$52,500

Expense

Increase:03-36-50615 Convention Center Improvements	\$70,000
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Mr. Cherry explained that this budget amendment was discussed by the Commission at the February 26, 2009 regular meeting. Mayor Pro Tem Witcher made a motion to approve Resolution 2009-10, a budget amendment request and Commissioner Lumpkin seconded the motion. Roll Call:

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

City Manager's Report

Interim City Manager, Mike Cherry called upon Detective Kim Crockett to give the Police Report for the month of February. Detective Crockett reported that in February alarm, animal, and burglary calls all decreased. Visitors to the lobby also decreased. However, suspicious subject calls increased. Detective Crockett explained that the Commissioners will see a difference next month in the reports from the Police Department as she is working to add categories for dispatchers to classify incoming calls. She explained that these changes will decrease the number of calls in the miscellaneous category. Detective Crockett informed the Commission that the department recently acquired five new police units that were purchased with drug seizure funds. The units are currently being striped.

Ms. Crockett also explained that one new recruit is half way through his training at the Academy in Santa Fe and another will be leaving for the Academy on April 13. Due to an officer shortage, both Detective Crockett and Chief Hatcher have been scheduled for patrol shifts. All the officers are working 12 hour shifts in order to ensure public safety at all times.

Mr. Cherry then called on Ron Wilmot, Convention Center Director to give the February Convention Center report. Mr. Wilmot reported that there were 10 events held at the Convention Center in February. Rental fees were not charged for seven of the events due to Joint Powers Agreements with various entities. Mr. Wilmot reported that there were nine events held at the Del Norte Center in February.

Mr. Cherry asked the Commission if the new reporting format, which accounts for events at the Del Norte Center as well as noting how many events were held without rent being charged was acceptable to the Commission. Mayor Pro Tem Witcher stated that the format was acceptable.

Mr. Cherry then called upon Recreation Center Director, Scott Simpson to give a report on recent events coordinated by his department. Mr. Simpson reported to the Commission that the City hosted its 15th Annual basketball tournament in which 31 teams were registered. Mr. Simpson explained that 26 of the teams that participated were from out of town. Mr. Simpson estimated that 750 to 1000 people came to Tucumcari for the tournament. He explained that this brings significant gross receipts to the City through hotel stays, retail expenses, as well as dining. The gate collections for the tournament were the highest in the history of the tournament with a total collected of \$2250.

Mr. Simpson further reported that it will soon be time to open the swimming pool. He was pleased that the newly installed pool cover did a very good job of keeping debris out

of the pool and he anticipates that opening the pool will be easier this year. Mr. Simpson told the Commission that installation of a slide for the pool will go to bid soon.

In anticipation of T-ball, softball and baseball seasons, Mr. Simpson reported that he was grateful to the Fire Department for testing the ladder truck at the fields which allowed his department to change the burned out bulbs there. The last Saturday in April is Comcast Cares Day which Mr. Simpson reported is a program where Comcast furnishes \$50 for each person that participates in a community project. The project chosen this year will be the completion of softball field number three.

Mr. Simpson also explained that the Recreation Center incurred an unexpected expense when the center was recently vandalized.

Commissioner Lumpkin thanked Mr. Simpson for his good work and stated that he has heard many positive comments about the softball fields. Mr. Simpson replied that Donnie Garcia provides part-time help to his department in the summer and much of the credit for the condition of the fields goes to Mr. Garcia as he puts in many hours.

Mr. Cherry reported to the Commission that a meeting is scheduled with Xcel Energy tomorrow to discuss the issues with the burned out street lights at the far west and east ends of town. Mr. Cherry expressed that he intends to find a resolution to this long standing problem.

Mr. Cherry also told the Commission that Bobbye Rose was in attendance at the Department Head meeting that was held today. Ms. Rose also spent some time with Mr. Cherry today familiarizing herself with current City projects.

Mr. Cherry informed the Commission that after 31 years with the City, Pat Petrak will be retiring in March. The Commission is invited to a farewell potluck that will be held in Pat's honor in City Hall on March 23rd. Mr. Cherry stated that Janet Garcia has been working under Ms. Petrak for some time and will take over as Lab Director.

Bids and Contracts

Lorenzo Emilio, Community Resource Officer, presented the Law Enforcement Protection Application to the Commission in Chief Hatcher's absence. Mr. Emilio stated that these funds come to the City through the Department of Finance Administration from excise taxes. The funds require no match and are dispersed on an annual basis. The formula for the funds is based on population and the number of officers the department employs. Mr. Emilio stated that the funds can be used for anything that will enhance the service the department provides.

Commissioner Sandoval asked if cameras could be purchased with the funds. Mr. Emilio responded in the positive.

Mayor Pro Tem Witcher made a motion to approve the application for Law Enforcement Protection Funds. Commissioner Lumpkin seconded the motion. Roll Call:

Sandoval	Lafferty	Apodaca	Lumpkin	Witcher
Yes	Yes	Yes	Yes	Yes

At this point in the meeting, Mayor Apodaca called on Charlie Maciel, Golf Professional to present the Proposed Amendment to the Golf Professional and Course Consultant Services Contract. Mr. Maciel stated that the amendment makes no changes to the contract other than the way the payment is dispersed. The contract was originally worded with payment of two lump sums during the contract year and monthly amounts during the first year and then only monthly sums in subsequent years. Mr. Maciel told the Commission that the amendment, if approved, modifies the payment schedule to mimic the first year payment schedule for the remainder of the contract.

Mayor Pro Tem Witcher made a motion to approve the amendment to the Golf Professional and Course Consultant Services Contract. Commissioner Lumpkin seconded the motion. Roll Call:

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes	Yes

Old Business

Mayor Apodaca acknowledged reading the Museum Advisory Board minutes of January 5, 2009.

New Business

Mayor Apodaca called on Mr. Tom Even to approach the Commission regarding waiver of the rental fee for the Convention Center. Mr. Even explained to the Commissioners that a comedian named Johnny Biscuit is doing a tour along Route 66 and is working to find sponsorship to make the shows free of charge. Mr. Even asked that the rental fee for the Convention Center be waived for the show scheduled to occur on Saturday, April 25. Mr. Even explained to the Commission that the Convention Center will have the bar open to recuperate the costs associated with staffing the Center on a Saturday. He further explained that the show will be promoted from Albuquerque to Amarillo and will draw visitors to Tucumcari for overnight stays as well as shopping and dining.

Commissioner Lumpkin asked if the show will be suitable for families to attend. Mr. Even replied that Johnny Biscuit is a clean comedian who does not curse during his act.

Commissioner Lafferty asked Ron Wilmot, Convention Center Director what his thoughts were on this request. Mr. Wilmot replied that it is not his place to make the fee waiver decision; it is up to the Commission. Mr. Wilmot did comment, however that a

free show will be good for the community. Mr. Lafferty also asked what the City Manager thought about the waiver request. Mr. Cherry replied that he feels it is a good idea to waive the fee. Mr. Even explained that Johnny Biscuit plans to have a film crew documenting his Route 66 tour experience. Mr. Even does not know what the plans are for the video after the tour is complete. However, he suggested it might be used to promote Route 66. Mr. Witcher suggested that the City of Tucumcari logo be prominently placed on the stage for the performance.

Mayor Pro Tem Witcher made a motion to approve the request for rental fee waiver for the Convention Center by the Lodgers' Tax Board. Commissioner Lumpkin seconded the motion. Roll Call:

Apodaca	Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes	Yes

Mayor Apodaca stated that he has been asked what the City plans to do to commend the performance of the Tucumcari High School Wrestling Team that recently competed in the State Competition. Mayor Apodaca would like to execute a proclamation regarding the success of the team. Mayor Pro Tem Witcher agreed that the team should be commended and suggested that something also be done to commend the Mesalands Rodeo Team that is performing well this year.

The Mayor commented that Comcast Cable Company has also requested the City execute a Proclamation for Comcast Cares Day. Mayor Apodaca stated that he will be working on these projects with the City Clerk for presentation at the next Commission meeting. Commissioner Lumpkin stated that he thinks these are good ideas.

Mayor Apodaca then stated that he would like to see the Youth Conservation Corporation (YCC) grant funding utilized to erect a gazebo at Veteran's Park. He then called upon Lydia Fazekas to speak to the Commission.

Mrs. Fazekas informed the Commission that she has been coordinating the funding for Veteran's Park for some time. She further stated that she would like to raise enough money to put a gazebo at the park and perhaps a waterfall.

Mayor Pro Tem Witcher commented that the park looks great and suggested the United States Representative Ben Ray Lujan might be able to locate funding for the park. Mayor Apodaca stated that he would like to see the YCC grant money utilized for Veteran's Park. Commissioner Lumpkin stated that the YCC grant money for this year is already committed to the Recreation Center and asked if Mayor Apodaca intended for the grant funds the City will apply for next year could be committed to the Veterans Park project. The Mayor replied in the positive.

Mayor Pro Tem Witcher made a motion that the City Manager should instruct staff to plan a project for beautification at Veteran's Park. Commissioner Lumpkin seconded the motion. Roll Call:

Witcher	Sandoval	Lafferty	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Items From Commissioners

Commissioner Lafferty asked if a staff person has been hired by United States Representative Lujan to staff his regional office inside the Tucumcari Chamber of Commerce office. Mr. Cherry responded that this has not been finalized. He replied that interviews are on-going and a decision should be made within three weeks.

Commissioner Lafferty then asked if a rate structure for the sale of affluent water has been developed. Mr. Cherry reported that an engineer has provided the City with a formula to use for calculation of the rates. Mr. Powers further clarified that a rate analysis is in process.

Commissioner Lafferty asked what is planned for the police vehicles that will be retired as a result of the acquisition of new vehicles. Mr. Cherry explained that Roger Hatcher, Police Chief is going to provide Mr. Cherry with an inventory of the vehicles that details the status of each vehicle. Mr. Cherry explained that the inoperable vehicles will be stripped of any usable equipment for future use and removed from the inventory. Commissioner Lafferty stated that the police vehicles are parked next to City Hall and that the vehicles in disrepair reflect poorly on the City. Mr. Cherry replied that he would insure the problem would be taken care of the next day.

Commissioner Lumpkin reported that many are involved in the planning of the Second Annual Renewable Energy Conference to be held in Tucumcari. The tentative dates for the conference are June 23 and 24. The conference will be called Renew New Mexico.

Mayor Pro Tem Witcher, Commissioner Sandoval and Mayor Apodaca had no comments.

Executive Session

Mayor Pro Tem Witcher made a motion to convene in executive session regarding threatened and pending litigation pursuant to NMSA 1978, section 10-15-1(H)(7). Commissioner Lumpkin seconded the motion. Time noted: 6:45 p.m. Roll Call:

Sandoval	Lafferty	Apodaca	Lumpkin	Witcher
Yes	Yes	Yes	Yes	Yes

Mayor Pro Tem Witcher made a motion to reconvene after executive session. Commissioner Lumpkin seconded the motion. Time noted: 7:14 p.m. Roll Call:

Lafferty	Apodaca	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes	Yes

Mayor Apodaca stated that the only items discussed in the executive session were threatened and pending litigation pursuant to NMSA 1978, section 10-15-1(H)(7).

Adjournment

There being no further business, a motion to adjourn was made by Mayor Pro Tem Witcher and seconded by Commissioner Lumpkin. Time noted: 7:15 p.m. Roll Call:

Lumpkin	Witcher	Sandoval	Lafferty	Apodaca
Yes	Yes	Yes	Yes	Yes

Antonio Apodaca, Mayor

ATTEST:

Christine Dougherty, City Clerk