

TABLE OF CONTENTS FOR COUNCIL MEETING HELD SEPTEMBER 3, 2013:

- A. Minutes of Previous Meeting(s):
    - 1. Regular Meeting of August 20, 2013.
  - B. Proclamation(s):
    - 1. Declaring September 11, 2013 as FTD® Good Neighbor Day in Portales, New Mexico – Rosalie Richards, Hestand’s Floral & Gifts.
    - 2. Declaring the Week of September 17 – 23, 2013 “Constitution Week” – El Portal Chapter, Society of the Daughters of the American Revolution.
  - C. Update on Improvements to U.S. Highway 70.
  - D. Resolution #13-14-12, Supporting New Greyhound Stadium.
  - E. Presentation of the Infrastructure Capital Improvement Plan (ICIP) for FY 2015-2019.
  - F. Presentation Regarding City Hall and Memorial Building Use.
  - G. Authorization of Mayor’s Signature on DWI Distribution Reversion Application for DWI Grant Program.
  - H. Other Business/Citizens to be Heard.
  - I. Executive Session/Closed Executive Meeting:
    - 1. Action to Convene in a Closed Session/Meeting to Discuss Matters as Provided for under New Mexico Statutes Pertaining to Open Meetings Referencing §10-15-1 H.(2), 1995 Limited Personnel Matters.
    - 2. Action to Convene in Open Session.
    - 3. Action Required as a Result of the Closed Session.
- 

**THE CITY COUNCIL OF THE CITY OF PORTALES** met in regular session Tuesday, September 3, 2013, at 7:00 p.m., in the Council Chambers in the Memorial Building in full conformity with the rules and regulations. Mayor King called the meeting to order and asked City Clerk Martinez-Terry to call roll. Those present and constituting a quorum were:

MAYOR:	Sharon L. King	
MAYOR PRO-TEM:	Ronald L. Jackson	
COUNCIL MEMBERS:	Matthew Tod Hunton Leo Lovett Lenard Michael Lucero Dianne Y. Parker	Oscar Robinson Antonio O. Salguero Keith A. Thomas
STAFF PRESENT:	Doug Redmond, City Manager Joan Martinez-City Clerk Gary Nuckols, Fire Chief	Johnny DeSha, Public Works Dir. Susan Baysinger, Public Wks. Proj. Adm Dennis Hales, I.T. Director
OTHERS PRESENT:	Christina Calloway, Press Steve Doerr, ENMU Foundation President	Karl Terry, Exec. Dir., RC Chamber

Mayor King asked Councilor Parker to give the invocation, and Karl Terry, Executive Director, Roosevelt Co. Chamber of Commerce, to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

**(A) MINUTES OF PREVIOUS MEETING(S):**

**1. Regular Meeting of August 20, 2013.**

Mayor King asked the Council to consider the minutes of August 20, 2013. Mayor King asked the pleasure of the Council. *Mayor Pro-Tem Jackson made the motion to approve the minutes of the regular meeting of August 20, 2013 as presented. Councilor Hunton seconded the*

*motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

**(B) PROCLAMATION(S):**

**1. Declaring September 11, 2013 as FTD® Good Neighbor Day in Portales, New Mexico – Rosalie Richards, Hestand's Floral & Gifts.**

Mayor King read the proclamation aloud declaring September 11, 2013 as Good Neighbor Day in Portales, New Mexico. Ms. Richards was unable to be present to receive the proclamation.

**2. Declaring the Week of September 17 – 23, 2013 "Constitution Week" – El Portal Chapter, Society of the Daughters of the American Revolution.**

Mayor King asked Vickie Stratton to accept the proclamation declaring September 17 – 23, 2013 as Constitution Week for the El Portal Chapter, Society of the Daughters of the American Revolution. Mayor King read the proclamation aloud for the audience, staff and Council. The proclamation commemorates the signing of the Constitution. Ms. Stratton thanked the Council for their support of the Daughters of the American Revolution. She told the Council that Ms. Jessie Strauch goes to all the schools in Clovis teaching about the Constitution, and that people here in Portales do the same.

**(C) UPDATE ON IMPROVEMENTS TO U.S. HIGHWAY 70**

Mayor King asked Public Works Director John DeSha for a report on U.S. Highway 70 improvements. Mr. DeSha told the Council that he had spoken to Wes Hancock of Constructors, Inc. who said that their plan is to complete the project in November of this year depending on the weather. DeSha reported that the project will begin in front of City Hall in the next week and that Constructors, Inc. will put in an ADA ramp behind the building. He commented that the lights on top of the City Hall building are working. He told the Council that the purpose of the lights on the building is to light up the downtown square. Councilor Thomas asked about the possibility of asking J.D. Heiskell to open up Commercial Street from Main to Boston. Mayor King responded that it would not be just J. D. Heiskell that the City would have to ask—it would also have to ask the EPA. Mayor King asked City Manager Redmond to look into the feasibility of opening up the street. Councilor Robinson asked how far the project would go on Highway 70. Mr. DeSha stated that it would go to Bryan. Councilor Robinson asked about the asphalt patches in the construction. Mr. DeSha responded that it was a temporary fix so that traffic could go down the highway and that the contractor will go back in with bump outs just like the other side of the square. Councilor Lucero asked about the bump on Second Street by the Municipal Court. Mr. DeSha said that Constructors, Inc. intends to reduce the size of it. Mayor King commented that cattle trucks bottom out on the bump. Mayor King thanked Mr. DeSha for reporting on the Highway 70 project.

**(D) RESOLUTION #13-14-12, SUPPORTING NEW GREYHOUND STADIUM**

Mayor King asked that Mr. Stephen Doerr be listed in the minutes as President of the Eastern New Mexico University Foundation. City Manager Redmond told the Council that the resolution of support for a new stadium had been adopted by the Roosevelt County Chamber of Commerce at their last meeting. Stephen Doerr told the Council that he had been appointed to get the project going. He commented that next he would be presenting the resolution to the School Board; and the Roosevelt County Commissioners after that. He stated that the ENMU students would have to vote on increasing their tuition by \$40.00 a semester for raising their part of the money for a new stadium, which would be in the

amount of \$4,000,000.00. Mr. Doerr told the Council that ENMU would be fundraising for the rest. Mr. Redmond and Susan Baysinger held the drawings of the proposed stadium up for viewing by the Council and the audience. Doerr commented that the stadium would be for football games that could be played at night, a track field, and a concert venue. Doerr told the Council and audience that the stadium would have artificial turf, and that the foundation would be dug all the way down to caliche. He stated that there would be a walkway coming across from the bridge. He commented that the \$8,000,000.00 stadium would seat 5,000 on the home side with locker rooms and concessions underneath, and bathrooms under seating for 1,000 on the other side. Mr. Doerr told the Council that ENMU has \$1,000,000.00, and that they will be asking the schools for funding another \$1,000,000.00. He told the Council that the Rams and Greyhounds have not played a home game in 20 years. City Manager Redmond told the Council that the \$8,000,000.00 stadium would be a great economic development project for the City of Portales. Doerr told the Council that a letter had been sent to the Secretary of Tourism and Economic Development and had received support, have offered funding and some good ideas. He commented that changes are needed to the LEDA ordinance to allow construction of athletic facilities. Doerr stated that the group will be asking for Lodger's Tax funds toward the building. Mr. Doerr asked that the Council let the community know that the City supports the stadium. He commented that the ENMU Foundation had received unanimous support from the Roosevelt County Chamber of Commerce. Mr. Doerr asked for questions from the Council. Councilor Thomas stated that the economic development impact will be very positive. Mayor King asked if the plans included parking. Doerr responded that the initial plan is to have grass parking, but special parking for disabled and elderly. He stated that ENMU will irrigate the grass. He commented that the Foundation will look to ENMU, County, City and State to chip seal the parking lot. He told the Council that the estimate of cost per parking space is \$2,000.00. Councilor Thomas asked about the seating capacity of the current facility. Doerr answered that it is about 2,500. Mayor King stated that the ripple effect will be great for the City. Doerr commented that the stadium should bring teams from outside to stay in Portales—it will be a great economic development tool. Councilor Salguero commented that he is aware that teams that come to play at the current stadium never come into Portales, they go back to Clovis. Mayor Pro-Tem Jackson asked if the Portales Municipal School District would have to pay for use of the new stadium if they passed the \$1,000,000.00 bond. Mr. Doerr responded affirmatively. Councilor Robinson commented that he thinks it is great plan. He pledged his support for the stadium. Councilor Lovett stated that he is also on the ENMU Foundation Board. Doerr ended his presentation and asked for the Council's support. Mayor King asked the pleasure of the Council. ***Councilor Lovett made the motion to adopt Resolution #13-14-12, supporting the new Greyhound Stadium. Councilor Parker seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

### **(E) PRESENTATION OF THE INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP) FOR FY 2015-2019**

Mayor King asked Susan Baysinger, Public Works Project Administrator, to present the ICIP to the Council. Ms. Baysinger reported that a public meeting was held earlier this evening. She reviewed the process by which the plan is developed with the Council. She commented that the ICIP is a valuable tool to plan for the growth of the community. She stated that a series of meetings were previously held with the staff and Council to determine the City's planning process, goals, trends and come up with the details and summary of projects that the City plans for the next 5 years. She reviewed the listing of all the projects on the ICIP with ranking of the top 5 projects. Baysinger told the Council that the changes to the ICIP made at the public meeting were: 1) the project title for "Cemetery Improvements" became "Cemetery Expansion;" 2) project number 15 moved to priority number 12; and project #12 was made number 15 within the 2015 project year Ms. Baysinger explained that the ICIP must be adopted by resolution in a subsequent public hearing, which normally occurs during a regular Council meeting. Mayor King thanked Ms. Baysinger for her presentation to the Council.

## **(F) PRESENTATION REGARDING CITY HALL AND MEMORIAL BUILDING USE**

Mayor King asked City Manager Redmond to report on the remodel of City Hall and the Memorial Building. She reminded the Council that they had talked about making City Hall a one-stop shop for City services, and that they recently had an opportunity to sell the municipal court building, which has since gone away. Mr. Redmond stated that one of his concerns about selling the municipal court building is that they won't recover what the City has invested in it. He stated that he and the Mayor have discussed possible alternatives and that the Council has also made comments about changes. Mr. Redmond stated that at the last meeting the Council had seemed concerned with remodeling of the two buildings. He stated that he wanted some additional dialogue on the issue. Redmond told the Council that he doesn't see the need to move the Planning/Building Department to City Hall. He commented that one issue is that the Memorial Building was used 234 times last year, and that this would mean that someone would have to open up the building to show the facility. He explained that this would fall to the Department Secretary and that would not be the best use of her time. He commented that the Municipal Court building might be better used to house public works and the billing clerks. Redmond stated that there is a need to do an assessment of the City Hall building regarding the electrical and air conditioning systems. He commented that work on the building can be accomplished in phases if the cost of upgrading it is too high to do it all at one time. He stated that the Memorial Building may have to be used as City Hall. Mr. Redmond stated that the assessments can be done as task orders—one for City Hall and one for the Memorial Building. He stated that this would give the Council the information to make an informed decision. Councilor Robinson asked what the confusion was about since he felt that all had been decided. Mayor King commented that so many things have changed since the Council met last. Mr. Redmond commented that he was not in favor of breaking up the old Council Chambers because it is used almost every day for meetings and training sessions. Mayor Pro-Tem Jackson was in favor of having the architect do the assessment of both buildings. Councilors Lovett and Thomas were in agreement with having an assessment completed on both buildings. Councilor Lucero asked if the architect would still do the assessment. Redmond responded that the architect would do the assessment, and that if his recommendation was to move City Hall to the Memorial Building, then the City would try to get funding to remodel the building. Mayor King asked for further questions or concerns. She stated that the City needs to slow down and look at the issue more carefully.

## **(G) AUTHORIZATION OF MAYOR'S SIGNATURE ON DWI DISTRIBUTION REVERSION APPLICATION FOR DWI GRANT PROGRAM**

Mayor King asked DWI Coordinator Riki Seat to report on the reversion application for the DWI grant program. Ms. Seat told the Council that the document presented is an amendment to include reversion of funds in the amount of \$3,878.00 to the original grant. She stated that it would increase the grant to \$13,400.69 and that the in-kind match is \$2,900.00. She asked the Council for approval of the reversion application. Mayor King asked the pleasure of the Council. ***Councilor Parker made the motion to approve the DWI distribution reversion application as presented. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

## **(H) OTHER BUSINESS/CITIZENS TO BE HEARD**

Mayor King asked for items of other business.

**Report on NMML Conference:** Mayor Pro-Tem Jackson stated that the conference held in Taos, New Mexico had a good turnout with a good program, excellent speakers and a great location. He commented that the City should send a new flag to hang at League events.

**Proposed Ordinance on the Sale of Spice:** Councilor Thomas asked that the Council review the copy of an ordinance to control the sale of spice in Portales that he had passed out to the Council earlier in the meeting. He commented that the example he had handed out was one that was adopted in Borger, Texas. He asked that the Council read through the ordinance because he intends to move forward with it. Mayor King asked that the Clerk set it to be discussed at the next meeting. City Clerk Martine-Terry asked if it should be a Notice of Intent or simply discussion. Mayor King asked for a Notice of Intent. Councilor Lovett asked that the City Attorney check to make sure it is legal in New Mexico. Councilor Thomas stated that it was a three (3) strikes and the business is closed.

**Traffic Light Requested for Chicago Street:** Councilor Salguero asked about a traffic light at the intersection of Amazon and Chicago (Highway 70). He stated that traffic is very bad when schools are in session. Mayor King asked City Manager Redmond to review the request and propose it to the NM Department of Transportation.

### **(L) EXECUTIVE SESSION/CLOSED EXECUTIVE MEETING:**

**1. Action to Convene in a Closed Session/Meeting to Discuss Matters as Provided for Under New Mexico Statutes Pertaining to Open Meetings Referencing §10-15-1 H.(2), 1995, Limited Personnel Matters.**

Mayor King asked the Council to take action to enter into closed meeting to discuss matters as allowed under the NM Statutes Section 10-15-1 H.(2), 2008, Pertaining to Limited Personnel Matters. *Mayor Pro-Tem Jackson made the motion to enter into closed session as allowed by the Open Meetings act and read by the Mayor. Councilor Hunton seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. Motion carried.*

**2. Action to Convene in Open Session.**

Mayor King asked for action to convene in Open Session. *Mayor Pro-Tem Jackson made the motion to convene in open meeting. Councilor Hunton seconded the motion. All Council members present voted in support of the motion. Motion carried.*

**3. Action Required as a Result of the Closed Session.**

Mayor King declared that the matters discussed in the closed meeting were limited only to those specified in the motion for closure and as in the notice of the separate closed meeting and stated that no action was taken as a result of the closed session.

### **ADJOURNMENT:**

There being no further business or comments, Mayor King adjourned the meeting at 8:55 p.m.

---

Joan Martinez-Terry, City Clerk