



**(A) MINUTES OF PREVIOUS MEETING(S):****1. Regular Meeting of April 17, 2012.**

Mayor King asked for Council to consider and approve the minutes of the Regular Meeting of April 17, 2012 as written and presented. *Mayor Pro-Tem Jackson made the motion to approve the minutes of the regular meeting of April 17, 2012 as presented. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

**(B) RESOLUTION #11-12-34. APPROVING PARTICIPATION IN THE PROGRAMS OF THE EASTERN PLAINS COUNCIL OF GOVERNMENTS & APPOINTING AN ALTERNATE TO THE BOARD FOR FY 2012-2013**

Mayor King asked City Manager Howell to introduce Resolution #11-12-34. Howell told the Council that Portales has been a member of the Eastern Plains Council of Governments (EPCOG) for a number of years. He commented that it is now time to renew membership for FY 12-13 and to appoint an alternate to the Board. Sandy Chancey of EPCOG gave a brief report on the services of EPCOG. She thanked the Councilors and Mayor for continued support and told them that the EPCOG had been asked for the first time to host a candidate forum for state senate and representative elections. She invited the City to attend the forum scheduled for May 24, 2012 in Clovis. She asked for questions from the Council. She commented that EPCOG was here to assist with anything that member communities need. She stated that EPCOG continues to attend the Regional Planning Organization meetings and explained that it is a way for the state to get input on transportation needs. She commented that SERPO serves this region and meets quarterly. She told the Council that the submittal of the Infrastructure Capital Improvements Plan will be due soon and that EPCOG is trying to get some training workshops put together for its members. She added that EPCOG will be helping with firefighter's grant training to be held in Tucumcari soon. Ray Mondragon commented that EPCOG is there to assist the City of Portales with anything needed. Sandy Chancey asked for questions. Mayor King asked for the pleasure of the Council. *Councilor Parker made the motion to adopt Resolution #11-12-34 approving participation in the programs of the Eastern Plains Council of Governments. Councilor Robinson seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. Motion carried. No abstentions.*

Mayor King told the Council that an alternate is needed for the EPCOG Board of Directors. Councilor Robinson is the representative to the EPCOG Board. Councilor Lovett volunteered as the alternate. *Mayor Pro-Tem Jackson nominated Councilor Lovett as the alternate to the EPCOG Board of Directors. Councilor Robinson seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

**(C) ITEM(S) FROM THE PLANNING DEPARTMENT:****1. Final Plat of Raven Wood Subdivision, Unit 2.**

Mayor King asked Sammy Standefer, Planning Director, to report on the final plat of Raven Wood Subdivision, Unit 2. Standefer told the Council that Mr. Bob Wood filed a final plat application for Raven Wood Subdivision, Unit 2, which will consist of 24 lots. Standefer told the Council that, although this phase of the subdivision will have a different developer, the original PUD zoning requirements will remain in effect, such as brick, garages, etc. He asked that the Council review the plat in the packet and asked for questions. He added that the Planning Commission had recommended approval of the subdivision.

Mayor Pro-Tem Jackson asked when construction would begin. Mr. Wood responded that the estimate to begin construction is 60 days. Mayor King asked for further questions or for the pleasure of the Council. ***Councilor Parker made the motion to accept the recommendation of the Planning Commission to approve the final plat of Raven Wood Subdivision, Unit 2. Mayor Pro-Tem Jackson seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.***

## **2. Contract for City HVAC Repair/Replacement Memorial Building, Recreation Center & Municipal Court.**

Mayor King asked Sammy Standefer, Planning Director, to present the contract for HVAC repair or replacement to the Memorial Building, Recreation Center and Municipal Court. Standefer told the Council that staff does not have a contract to present. He stated that he hoped to have a contract by the next Council meeting. He told the Council that the project was started by hiring CTE Mechanical to look at the old units in the city buildings that have been in place since the 1980s. He told the Council that the project is to replace and repair some of the units at the Memorial Building, Municipal Court and Recreation Center. He reported that the work at the Memorial Building would be to replace the units and to add a 3-ton mini-split for the computer server room. He commented that the Municipal Court has the oldest units that would be replaced completely. He reported that the Recreation Center has 11 units and many are in good shape, but that 5 of the units will be replaced. He told the Council that one of the main problems at the center is that there are 10 thermostats mostly located in the large room with the result that some of the units would be trying to heat the building while others were trying to cool it. He stated that existing thermostats will be removed and replaced with room sensors and a web-based off-site system to manage the temperature. Standefer commented that this may be something the City will use in the other buildings. Councilor Lovett asked about the next phase of the improvements. Standefer responded that the next phase has been started and will be to replace carpet and wallpaper; improve the bathrooms and will include complying with ADA requirements at the Memorial Building. Mayor King asked that the Council move to table this item for a later meeting. ***Councilor Parker made the motion to table the contract for HVAC repair and/or replacement for the Memorial Building, Recreation Center and Municipal Court. Councilor Lovett seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.***

## **(D) CONSULTANT'S FINAL REPORT ON POLICE DEPARTMENT PROCEDURES**

Mayor King thanked the Portales Police Officers present at this meeting. She stated that the report provided by the consultant was a constructive final report. She added that she knew that the consultant would find some weaknesses, but that she was pleased with the results. She told the audience that the consultant was complimentary of the staff and that they were pleased with the prompt reaction of the department to correct the issues found. Mayor Pro-Tem Jackson asked that the Police Chief or a representative talk about the results. Chief Gill stated that he is now, and always has been, proud of all his officers. He told the Council that they work hard and that it is an excellent department. He stated that only half of the department is police officers; that the department includes dispatchers, records, animal control and code enforcement. He praised Keith Wattenbarger as supervisor over Dispatch and that there were no deficiencies in that area. He stated that there was nothing wrong with the Dispatch Center. Chief Gill told the Council that the department cooperated fully with the consultant during the review. He stated that ultimately, the department was his responsibility. He reported that the department has corrected many of the issues and are working hard to update their internal policies. He told the Council that the department is in the process of assigning a compliance officer and that he has had department meetings with sergeants and officers who are working very hard to get all the issues resolved. Chief Gill asked for questions from the Council. Mayor Pro-Tem Jackson commented that he understood that the size of the internal policy was too big for our department. Chief Gill interjected that

the policy will be in compliance with accreditation requirements, but will be downsized to be more user-friendly for the department. Councilor Thomas asked about an item talking about concerns on intimidation in the department. Chief Gill responded that this was a misunderstanding between the consultant and an officer. He added that it was addressed immediately. Gill told the Council that training has been instituted and taken and that he maintains an open door policy. He added that there are no roadblocks to department personnel to come to him for any reason. Councilor Thomas brought up the issue of evidence being missing. Chief Gill responded that there was no evidence missing from the evidence room. He pointed out that the Evidence Tech is present at this meeting. He added that old evidence was kept longer than necessary, but that the evidence room is secure and intact. Councilor Thomas asked if there would be problems in court. Chief Gill stated that there would be no problems. Mayor King asked that rumors and innuendos be brought up here and cleared up. Councilor Hunton commented that the results included a comment in the report on the potential for the Portales Police Department to be the model agency in the state. Councilor Thomas stated that he is proud of the department dispatchers and others in the department. Councilor Lucero commented that he had received a phone call the previous night from a citizen that had gone to the department regarding stolen property and had been pleasantly surprised. He told the Chief that the citizen had stated that he had been treated courteously. Chief Gill stated that if citizens had problems to call him. Councilor Lucero commented that it is good to know that there is progress and that many people had been concerned about issues in the past. Councilor Robinson reported that he and Councilor Hunton had recently received a call about someone speeding through Elbe Street. He stated that there has been police presence on the street and although the perpetrator has not been caught yet, the citizen had expressed appreciation of the reaction of the department. Chief Gill told the Council that he has a suggestion box for more open communication. He further stated that he wants to move forward with his department and views the results in the final report as positive for continuing to be a professional department. Councilor Lovett thanked the department for taking the 40 hours of training from the NM State Police Academy. He asked about documentation on use of force. Chief Gill responded that the department has one officer certified as a Taser Instructor and that another officer will be trained in the next 30 days. Councilor Lovett asked about the question on firearm qualifications by the department. Chief Gill assured the Council that the department has met the firearm qualifications. Councilor Lovett commented on the great officers in the department. Chief Gill invited the Council to come out to the department, and, if they want to ride with an officer, just to let him know. He invited the Council to come out to watch the Adopt-a-Cop Olympics on May 21<sup>st</sup> at Rotary Park. He commented that it is the 18<sup>th</sup> year of the program, which is an all-day event with kids from all the elementary schools. Councilor Parker stated that she had read the report, but not the newspaper, and that she had total confidence in the department and that the Chief, in 18-1/2 years in the department, had not given the Council a reason to distrust him. She stated that she understands the bad boy image of police officers assumed by the public because her father had been a police officer. She thanked the Portales Police Department for being a great department. Councilor Salguero stated that the public looks to the police officer to be upstanding. He commented that he hoped that the department had learned a lesson regarding the image they present. Mayor Pro-Tem Jackson commended the Police Department for the work they have been doing. He stated that he believes that this is the safest community in the country. City Attorney Knudson stated that he has dealt with the police department for a number of years, and stated that we are fortunate to have such a department.

Sgt. Kirk Wilson told the Council that he had been with the department for 13 years. He commented that he is the Evidence Tech and that he had read the report. He stated that he wants to set some things straight regarding the newspaper article on Sunday. He commented that he did not get into the job for great accolades. He stated that there is some confusion about evidence—that the report concludes that there are some things in evidence that the department does not have. He told the Council that he is certified as an evidence tech and believes that he is up to date with the training. He stated that the consultant was concerned that the department had evidence back to 2003. He added that the case in question is still active, and that there is an active warrant out. He commented that the newspaper had reported that the department had failed to destroy evidence that it no longer needed and that the

department needs to return found property in a timely manner. Wilson stated that he didn't know if there was a miscommunication about that, because he had stated that he needs the space. He welcomed the Council to inspect the evidence room if they wish. Wilson asked for questions. Mayor King thanked the officers present and stated that she hoped that the City and department can go on with business.

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

Mayor King asked for items of other business.

Councilor Hunton commented that ComCast Cares Day was lots of fun. He told the Council that he had planted trees with City Manager Howell and Mayor Pro-Tem Jackson. He stated that he felt that the event had turned out well. Hunton asked about code enforcement. Chief Gill explained that the Code Enforcement Officer contacts the resident or owner of property in violation; sends a certified letter to the owner; and the City mows or picks up trash when there is no response. Gill told the Council that the process cannot be instantaneous—that there has to be a process and that when dealing with taking a property from a citizen, the City must take the owner to court.

Councilor Robinson commented on the Military Affairs Committee meeting and stated that he was impressed with the happenings set for September—MainStreet people will have events, homecoming is upcoming—lots of activities in Portales in September. Mayor King commented that Portales MainStreet will be holding a combined winefest and beerfest at the Yam Theatre.

Mayor King stated that she would bring back a proposal from the Military Affairs community for the City to partner as a sister city with a City in Florida.

Mayor Pro-Tem Jackson asked for a well field update. City Manager Howell stated that the City is working on the contract for the Los Lomas well field improvements. Public Works Director DeSha stated that there are two wells in Los Lomas with the capability of 196,000 gallons of water a day. He commented that all but the electrical work has been completed and that the rest of the work will be completed by the end of the month. Mayor Pro-Tem Jackson commented that he appreciated the work done at the softball complex. He added that 18 teams have signed up for the Cinco de Mayo tournament hosted by the Portales Softball Association.

Councilor Lovett thanked Mr. DeSha for the repairs to the Morrison Field fencing and the sprinkler. He thanked Chief Gill for having the appliances removed from the house on Avenue D. He reported that the RCCDC had held a meeting, but had no quorum. He commented that the committee will meet again for another application for LEDA money.

Councilor Parker commented that she had turned in some properties in violation of the nuisance ordinance to the Police Chief, but that they are vacant properties. She thanked DeSha for putting in a pipe apparatus to block people from driving onto Rotary Park. Desha stated that the Parks Department will be working to put more blocks in place to keep vehicles out of the park.

Councilor Thomas asked if the City had applied for a CDBG grant this year. City Manager responded that the City could not make application this year, because it has an active grant—that the rules require that projects be complete before the City can apply again.

Mayor King reported on the LGMC and stated that Mr. Draker had resigned his contract. She commented that the committee had met to talk about completing the project. She stated that staff had met to discuss the actions needed. Councilor Thomas commented that the Mayor is now the vice-chair of the LGMC.

City Manager reminded the Council that he will not be present for the next Council meeting. He stated that he would be visiting his son.

Mayor King told the Council that Portales would be showcased on Today in America's segment, Hidden Gems, Terry Bradshaw's TV program, which will be about how well Portales has done during the recession. She stated that Today in America will be in Portales on Wednesday to film the community. She commented that she, Jimmy Shearer, Randy Knudson, Colonel Elton, and Dr. Gamble will be talking about growth and each has 15 seconds in the film. She stated that the City will own rights to the video when it is done and will use it on our website and Channel 19.

Mayor King asked for items of other business from the audience.

Rosalie Richards asked who she should call about excessive trash in the alleys. She told the group that she and her husband operate Hestand Floral, which is flanked by Something Different Grill, Subway restaurant and several homes. She stated that the Solid Waste Department had gone by and picked up the trash out of the alley, and that by the end of the day, there was more trash back in the alley. She commented that this is going to be a bigger problem when the state highway project reaches that area and has to direct traffic through the alley, which may be full of trash. City Manager Howell and Public Works Director DeSha responded that they would direct the problem to the Solid Waste Supervisor.

There were no further items of other business.

**(E) EXECUTIVE SESSION/CLOSED EXECUTIVE MEETING:**

The scheduled closed executive session was tabled due to lack of action.

**ADJOURNMENT:**

There being no further business or comments, Mayor King adjourned the meeting at 8:05 p.m.

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Joan Martinez-Terry, City Clerk