



OTHERS PRESENT:	Christina Calloway, Press John Guldemann, Constructors, Inc. Jim Landfair Cori Snobble Rosalie Richards Sandy Newsom	Pat Garcia, NMDOT Paul Smith, Constructors, Inc. Jessie Strauch David W. Essex Paul Newsom Jody Bailey
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Mayor King asked David Essex, Xcel Energies, to give the invocation, and Dawn Kryder, P.A.T. /Sr. Citizens Center Coordinator, 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 21, 2012.**

Mayor King asked for Council to consider and approve the minutes of the Regular Meeting of August 21, 2012. *Councilor Parker made the motion to approve the minutes of the regular meeting of August 21, 2012 as presented. Councilor Hunton seconded the motion. Six of the seven Council members present voted in favor of the motion. Councilor Robinson abstained. Motion carried.*

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

##### **1. Declaring September 5, 2012 as FTD® Good Neighbor Day® in Portales, New Mexico—Rosalie Richards, Hestand's Floral & Gifts.**

Mayor King asked Rosalie Richards, owner of Hestand's Floral & Gifts to come forward to receive the proclamation declaring September 5, 2012 as Good Neighbor Day. The Mayor read the proclamation aloud to the Council and audience that declared it as a day to give a dozen carnations to participants, with the condition that they keep one flower and give the rest to 11 other people. Ms. Richards told the Council that this is the 5<sup>th</sup> year of the promotion at Hestand's, and that Xcel Energies is sponsoring this event as they have in the past. Richards asked that patrons bring 3 cans of food items with them for a donation to the local food pantry. Mayor King thanked Ms. Richards for promotion of Good Neighbor Week.

##### **2. Declaring September 17<sup>th</sup> – 23<sup>rd</sup>, 2012 as "Constitution Week" – El Portal Chapter, Society of the Daughters of the American Revolution.**

Mayor King asked Jessie Strauch and Cori Snobble of El Portal Chapter, Society of the Daughters of the American Revolution to come forward to receive the proclamation commemorating Constitution Week. The Mayor read the proclamation aloud declaring the week of September 17<sup>th</sup> through 23<sup>rd</sup>, 2012 as Constitution Week to the audience and Council. She invited the community to celebrate the event. Mayor King asked Ms. Jessie Strauch to say a few words about the organization. Ms. Strauch told the group that the DAR had approached Congress in 1955 with the request to set aside the week of September 17<sup>th</sup> through 23<sup>rd</sup> to observe Constitution Week. She told the Council that President Dwight D. Eisenhower had signed it into law in 1956. Ms. Strauch told the Council that Constitution Hall, which is known for having the most wonderful acoustics in the world, is owned and operated by the Daughters of the American Revolution. She urged the audience to support the constitution and demand that Congress, the House and the President support the Constitution. She told the group that the DAR's purpose is to

support the constitution. Jessie Strauch gave pocket copies of the Constitution to the Mayor and members of the Council. Ms. Strauch thanked the Council for their support.

### **(C) UPDATE—U.S. HIGHWAY 70 IMPROVEMENTS**

Mayor King asked for a report on the U.S. Highway 70 improvements. John Guldemann of Constructors, Inc. reported that they are on 2<sup>nd</sup> Street working to get sidewalks and drive pads completed. He added that they have also started putting in concrete paving. He stated that his company has been working to open up Avenue K and J to alleviate the congestion around the university. Mayor King asked for questions or comments from the Council. Councilor Parker asked Mr. Guldemann how the company was doing as far as time on the work schedule. Mr. Guldemann stated that they were a little behind schedule but that they are working hard to get caught up. NMDOT representative Pat Garcia commented that Constructors, Inc. is trying to get back to putting in 3 blocks in a month and a half, which should help them get caught back up provided there aren't any major storms. Councilor Robinson asked about the cement being used on the project, if all the cement was coming from Roswell NM, because he had seen trucks with Roswell NM on them. He asked if any of it is coming from Clovis or Portales. Mr. Guldemann responded that the cement is being made here in Portales and that the trucks hauling the cement are from a Roswell based company. The Mayor asked for any other question. She thanked the contractor and NMDOT for the report.

### **(D) REPORT OF PORTALES AREA TRANSIT (P.A.T.) RIDERSHIP**

Mayor King asked Dawn Kryder, P.A.T. /Sr. Citizens Center Coordinator, to report on the ridership of the P.A.T. program. Kryder reported that in 2011 there were 18,154 riders—60 to 70 riders a day and that for 2012, she predicts that number to increase to approximately 20,932 riders, which is 80 to 90 riders a day for a total of 98,539 miles a year. She commented that for 2013 the number of riders is predicted to increase to 23,123 riders—88 to 98 riders a day, and that for 2014 the numbers are estimated at 25,000 riders—95 to 105 riders a day. She told the Council that the P.A.T. system offers rides to work, Wal-Mart, ENMU, Sunland Peanuts and other businesses in Portales. She stated that P.A.T. takes riders from the hospital to and from their homes; and to the meal site. Ms. Kryder commented that 70 to 75 kids are being transported to the recreation center, to babysitters or to their homes. She stated that the system transports children as young as 4 years old without parental assistance. She added that the system provides door to door service helping those who need the help up to their doors with a 4-bag limit. She stated that ENMU students, especially the international students, take the P.A.T. system to Wal-Mart and to jobs, and added that it is becoming more difficult for people to have their own vehicles. Kryder commented that the numbers of riders have increased dramatically since last year. She stated that they work a 5-mile outside the city limits. She stated that there have been no accidents or injuries since she has been in the position of Coordinator. Kryder told the Council that she believes there is a big need for the system. Councilor Parker asked how she got the word out. Ms. Kryder responded that advertising for the system is done through Channel 19, on the side of the buses; advertise on the radio, newspaper stories, word of mouth and the City website. She told the Council that there are 25 to 30 regular riders a day that are set up on a permanent schedule. Councilor Thomas asked about when the service begins. Ms. Kryder answered that the buses begin running at 6:00 a.m. Councilor Thomas commended the department for a good job. Mayor King asked about talking to Clovis to transport riders to Clovis. Kryder responded that she and Mary Lou Kemp of CATS are brainstorming about getting people to Clovis and back—trying to get it done for medical appointments for the elderly at least. She stated that they could not provide transport to Clovis with federal funding, but that they can do it with senior buses but only for seniors. She added that they are also working with Los Abuelitos and with Community Services Center and Safe Ride. Councilor Salguero commended Ms. Kryder for their hard work. Mayor King thanked Ms. Kryder for her report.

**(E) RESOLUTION #12-13-10. A RESOLUTION AMENDING & SUPERSEDING RESOLUTION #05-06-39 SETTING CITY OF PORTALES UTILITIES ADMINISTRATIVE POLICIES**

Mayor King asked John DeSha, Public Works Director, to present the resolution amending the utilities administrative policies. Mr. DeSha told the Council that the resolution was brought back to the Council with the corrections they had requested at the previous Council meeting and that they were shown in a different color for the Council's ease in reading the changes. He asked that the Council adopt the resolution. Councilor Parker asked Mr. DeSha when the policies would go into effect. DeSha stated that the changes to the policies would be effective October 1, 2012. Mayor King asked for approval or action from the Council. *Councilor Lovett made the motion to adopt Resolution 12-13-10, amending and superseding Resolution #05-06-39, setting City of Portales Utilities Administrative Policies. Councilor Parker seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. Motion carried. No abstentions.*

**(F) RESOLUTION #12-13-11. A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE TO DECLARE CERTAIN CITY PROPERTY AS SURPLUS; AND SALE OF SAME**

Mayor King asked for Council discussion on the resolution to declare surplus property. She commented that per state law, the City cannot give things away and cannot even throw it away unless it meets certain guidelines. Mayor King told the Council that the resolution is needed to declare excess City property as surplus for sale and to authorize an internet auction. City Manager Howell commented that this is an ongoing thing, but deferred the topic to General Services Director Mike Parkey since he is the one that puts the surplus list together. He added that it is to take advantage of the excess property and asked Mr. Parkey how much the City made last year. General Services Director Parkey responded that the previous sale of surplus property two years prior had brought in about \$10,000.00. Parkey commented that since the City had begun to sell the surplus property at internet auction, the results were slightly better and he could do it by himself (doesn't have to take 3 or 4 men to move the surplus items). Councilor Robinson asked if there was no physical requirement for a notice to be prepared. He wanted to know how someone would find out about the auction. City Manager Howell told the Council that the list could be posted on the doors of the City Hall with information about how to bid. Councilor Lovett asked how the sale of surplus items impacts the budget. City Manager Howell responded that the funds go into the General Fund. Councilor Parker asked what happened to items not picked up by the bidder. Parkey stated that depending on the value the items are placed back onto the auction list. Councilor Salguero asked what the cost to the City is through the internet auction. City Manager Howell responded that the cost is 7% of bid amount. Mayor King asked the pleasure of the Council. *Councilor Parker made the motion to adopt Resolution #12-13-11 declaring the listed items as surplus and authorizing the sale by internet auction. Councilor Lovett seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. Motion carried. No abstentions.*

**(G) ITEM(S) FROM PLANNING COMMISSION:**

**1. Preliminary Plat for a Subdivision with Variance—Paul & Sandra Newsom.**

Mayor King asked Sammy Standefer, Planning Director, to present the preliminary plat. Mr. Standefer told the Council that Paul and Sandra Newsom had applied for preliminary plat for a subdivision with 5 lots described as "A Tract of Land in Block 8, Leach Townsite." Standefer told the Council that the applicants are also asking for a variance to the lot size requirement. He added that the preliminary plat

included an easement on the east side of the lots to get the sewer lines back to the lots. Standefer told the Council that the variance to the lot size is for 53' X 98' lots instead of the City's requirement of 60' X 100" (6,000 sq. ft.) minimum lots. He told the Council that Mr. and Mrs. Newsom are remodeling a house on the corner of 14<sup>th</sup> and G and that they plan to build new houses on the rest of the lots. Standefer told the Council that the Planning Commission had unanimously approved both the preliminary plat and the variance as to the size of the lots at their hearing of August 20, 2012. He told the Council that the Newsoms had built a new house at 517 S. Avenue B and that pictures of the house had been included in their packet as an example of their plans. He asked for questions from the Council. Councilor Parker thanked them for the improvements to the properties. Standefer asked for the Council to approve the preliminary plat and the variance. Mayor King asked the pleasure of the Council regarding the preliminary plat. ***Councilor Parker made the motion to approve the preliminary plat of the subdivision on the land in Block 8 of Leach Townsite as presented. Councilor Robinson seconded the motion. All Council members present voted in support of the motion. Motion carried. No abstentions.***

Mayor King asked the pleasure of the Council regarding the variance of the lot size. ***Councilor Thomas made the motion to approve the variance to lot size as presented. Councilor Parker seconded the motion. All Council members present voted in support of the motion. Motion carried. No abstentions.***

## **2. Amendment to Preliminary Plat of Boston HomeSpot Subdivision with Variance—Jane & Scott Christensen.**

Mayor King asked Mr. Standefer to report on the application for an amendment to the preliminary plat of Boston HomeSpot Subdivision submitted by Jane and Scott Christensen. Standefer pointed out the proposed change to the configuration of the subdivision. He commented that the initial plat had one road down in the subdivision and that the proposal is to have two cul de sacs, which is a cleaner plan. He told the Council that the application included a variance to lot sizes (130' X 48') for single-wide homes. He told the Council that the Planning Commission had unanimously approved both the preliminary plat and the variance as to the size of the lots at their hearing of August 20, 2012. Councilor Hunton asked if the homes were to be manufactured homes or mobile homes. Standefer responded that they would be manufactured homes. Mayor King asked the pleasure of the Council. ***Councilor Robinson made the motion to approve the amended preliminary plat of Boston HomeSpot subdivision as presented. Councilor Thomas seconded the motion. All Council members present voted in support of the motion. Motion carried. No abstentions.***

Mayor King asked the pleasure of the Council regarding the variance of the lot size. ***Councilor Parker made the motion to accept the recommendation of the Planning Commission in approving the variance to lot size in the preliminary plat of Boston HomeSpot as presented. Councilor Thomas seconded the motion. Six of the seven Council members present voted in favor of the motion. Councilor Lovett abstained. Motion carried.***

## **(H) PUBLIC MEETING FOR FY 2014-2018 ICIP (INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN) CITIZEN PARTICIPATION & DISCUSSION**

### **1. Action to enter into public meeting to receive comments on the FY 2014-2018 Draft ICIP 5-Year Plan.**

Mayor King asked for a motion to enter into public meeting. ***Councilor Lovett made the motion to enter into public meeting. Councilor Parker seconded the motion. All Council members present voted in support of the motion. Motion carried. No abstentions.***

## **2. PowerPoint Presentation on the Proposed FY 2014-2018 ICIP 5-Year Plan by Susan Baysinger, Capital Projects Administrator.**

Mayor King asked Susan Baysinger to make the PowerPoint presentation on the 2014-2018 ICIP 5-year plan. Ms. Baysinger told the Council that the ICIP is a tool to plan for community growth. She stated that the ICIP process helps in identifying the top 5 infrastructure plans for the City and identifies new and ongoing projects across all city departments. She added that it directs staff efforts toward finding outside funding sources. She reported that it involves a series of meetings that engages city management with department heads and representatives conducted to determine the city's planning process, goals, trends and detail plans over the next 5 years. This group recommends its top 5 ICIP priorities for the city for the purpose of earmarking projects for the legislative session. She told the Council that these recommendation of priorities must be presented in a public meeting (as done now) to get public feedback and input on the proposed ICIP plan. She stated that the top 5 projects are to be presented to the City Council for recommendation at this meeting and that at the next meeting, staff will ask for adoption by the Council by resolution. She listed the top 5 ICIP priorities by recommendation were:

1. Well field improvements.
2. Wastewater facilities upgrade & rebuild.
3. Cemetery land acquisition, construction and upgrades.
4. Kaywood and Maple Street drainage improvements project.
5. Fire Protection/Water circulation upgrade.

Ms. Baysinger went on to list the other items on the list to include Recreation Center floor renovation; acquire, plan, design and construct storm water drainage plan; pool rehab, repair and upgrade; purchase new loader for Street Department; Lift Station rehab; purchase new convenience center scales; plan, design, construct senior center improvements; plan, design, construct Memorial Building improvements; Lindsey Park improvements; City Park improvements; Parks vehicle replacements; SQL Server Express GIS network and hardware upgrades; 7<sup>th</sup> and 9<sup>th</sup> Streets and drainage improvement project; install water well and piping system at the Airport; repair/upgrade airport apron; brush truck vehicle replacement; plan, design, construct Downtown Gateway improvements; plan, design, construct Downtown pedestrian facility improvements; design and construct Depot Focus area; plan, design and construct Stargazer building renovations. Ms. Baysinger went through the list for 2015, 2016, 2017 and 2018 for the Council. She told the Council that the next step in the ICIP process is to enter the capital outlay projects by priority order into the Local Government capital outlay web-based system. She commented that this takes quite a bit of time since the system has a few problems that have caused some delays. Baysinger told the Council that she would present the ICIP at the next Council meeting for adoption by resolution; and then a printed copy of the final ICIP with a copy of the resolution must be presented to the State Capital Outlay Unit of DFA by September 30<sup>th</sup>. She stated that this document is then used to help us seek funding resources identified in the ICIP; and, if capital outlay funds are available and announced in the January legislative session, the City would use this priority list to seek capital outlay funds. She asked for questions from the Council and Mayor. Mayor King asked about the renumbering of the projects in the next year—why are the projects from 2014 not listed as priority projects in the following years. Ms. Baysinger responded that they are in a priority listing but that they can only be listed in the year that funding is requested. City Manager Howell interjected that the purpose of the process is to comply with the new Governor's mandate that any project not on the ICIP not be funded. He added that realistically it's all dependent on funding. Baysinger commented that part of it is due to the system used. City Manager Howell commented that the purpose of this meeting is to allow the Council to include any projects that they feel are a priority. Councilor Robinson asked that Senior Citizens Park be included for equipment improvements and Councilor Lucero asked that the railroad crossing improvements be added also. Mayor King asked if the City had to name each park. Howell stated that it does have to be listed specifically. Mayor King asked about the ladder truck—wasn't that on the list in the past. City Manager Howell stated that it is being funded already. Mayor King asked for other questions or comments.

Councilor Lovett stated that he had learned the City should be very specific this at the NMML conference meeting in Las Cruces. He told the Council that Udall's staff was pleased at the City taking the initiative to obtain funding for the fire truck. Mayor King asked for other questions from the Council.

**3. Action to open the floor for public comment and discussion.**

Mayor King declared the floor open for public comment. There were no further comments.

**4. Action to Close Public Meeting.**

Mayor King asked for a motion to close the public meeting. *Councilor Lovett made the motion to close the public meeting. Councilor Robinson seconded the motion. All Council members present voted in support of the motion. Motion carried. No abstentions.*

**5. Action regarding FY 2014-2018 ICIP Draft 5-Year Plan for revisions before final presentation at City Council meeting to be held 7:00 p.m., September 18<sup>th</sup>, 2012 for adoption by resolution.**

Mayor King asked Ms. Baysinger what action was required regarding the ICIP draft 5-year plan. Ms. Baysinger told the Council that they should take action to add the items they had discussed. Mayor King asked for a motion from the Council. *Councilor Robinson made the motion to approve the ICIP 5-year plan for 2014-2018 with the addition of the Senior Citizens Park and railroad crossings to the ICIP. Councilor Salguero seconded the motion. All Council members present voted in support of the motion. Motion carried. No abstentions.*

**(I) OTHER BUSINESS/CITIZENS TO BE HEARD**

Mayor King asked for items of other business.

Mayor King asked if the City planned to take payments online. City Manager Howell stated that City staff is working to upgrade the web page and that online payments will be included in the upgrade.

Mayor King stated that Mayor Pro-Tem Jackson, Councilors Lovett and Thomas, City Manager Howell, Public Works Director Desha and she had attended the New Mexico Municipal League Conference in Las Cruces, NM. Councilor Lovett commented on the good meetings and the great opportunity to network. City Manager Howell told the Council that the City's budget for 2012-2013 had finally been approved and that the pay increase would take effect on September 1, 2012. Councilor Thomas commented on meeting with people from Smith Engineering and the NM Aviation Division at the conference sessions he had attended. He described them as interesting meetings and interesting people. Mayor King commented that she and Gayla Brumfield had the opportunity to meet with a man from the Interstate Stream Commission at the conference and that all the key players in the Ute Water Project were at this conference.

Councilor Lucero told the Council that he had some people in his ward talk to him about the importance of an alternative crossing route from the north side to the hospital. Fire Chief Nuckols commented that the ambulance may have to divert to the university crossing depending on which crossing is blocked. He commented that this had been looked at about 5 or 6 years ago. He added that the worst time of the day for crossing the railroad tracks is at lunchtime—that the train blocks Avenue I and B, but doesn't block the crossing at Boston. Councilor Lucero asked if the substation at the airport is manned. Chief Nuckols responded that sometimes it is manned when there is sufficient manpower to cover the substation. Councilor Lucero asked how the Council could help. Chief Nuckols responded that the

answer would be to hire more personnel. He stated that transfers are the problem—that it would take 1 to 2 additional persons per shift, which would mean an additional 6 persons. Mayor King asked if the department was okay when there were no transfers. City Manager Howell stated that the serious problem is out-of-state transfers. Chief Nuckols commented that he and the City Manager had met to discuss the problem. Chief Nuckols commented that the county ambulance services are taking some of the transfers. Mayor King asked if the department could work with retirees. Nuckols commented that certification of attendants is an issue, but that drivers do not have to be certified. City Manager Howell stated that the number of calls should be reviewed, and that it might be easier to build an overpass. Mayor King asked that City Manager Howell, Chief Nuckols and Councilors Lucero and Salguero meet to come up with a solution. Councilor Thomas asked to serve on this committee. Mayor King agreed to his request.

Councilor Salguero expressed concern over a vehicle parked on the outside of the county courthouse on 2<sup>nd</sup> Street in front of the Vines Restaurant and if that is allowed. City Manager Howell commented that the highway project would allow parking spots in that area.

Councilor Robinson expressed concern over the stop signs and pedestrians at Main and 3<sup>rd</sup> Street. He suggested that a sign be put up to warn the public about the traffic and crossing the street. City Manager stated that the street could be re-marked. Councilor Thomas commented that most people have indicated that they like the stop signs at that intersection now, even though initially they didn't like them. Public Works Director DeSha commented that it seems that the traffic has slowed down. Councilor Robinson commented on a job well done.

Councilor Parker asked who was in charge of the Cannon Meadows picnic. Mayor King commented that it was the Chamber of Commerce that was in charge over that event.

Councilor Thomas asked about the proposal to mark the water towers with the school's team logos. DeSha responded that Seth with Signman Signs has not responded with quotes because he had been out of town. He said he would look into it for the next Council meeting. Councilor Thomas asked the Council about putting "State Champions" and the year on the water towers. Councilor Lovett responded that he thought it would be better to put that information on signs that could be put up on the way into town.

Fire Chief Nuckols reported that the Department's campaign to "Fill the Boot" had resulted in \$4,600.00 in donations. He commented that the effort at the county fair didn't go too well. And, he stated that overall donations were down a little from the last couple of years.

Police Lieutenant Mark Cage told the Council that the department has a new Code Enforcement Officer, Bella Loomis, and that she had issued 30 violation letters on the temporary swimming pools and that all complied. He commented that Santa Cop program will be revamped. He also stated that another column had been added to the monthly report to show the numbers for each month for the previous year as comparison.

Dawn Kryder, P.A.T. /Sr. Citizens Center Coordinator, told the council that the senior's Flash mob, which was started last month, is being invited to show up at different venues. She was asked what the flash mob was and here response is that it is "a spontaneous song and dance in public places." She commented that it was for persons of any age and that they had done it at the fair. She invited the Council and audience to come out to practice.

Public Works Director DeSha reported that, although the Water Department is at half strength, they are keeping up with the work. He added that new personnel are scheduled to be hired for the Water Department and Solid Waste Department in the next few days and that everything is moving right along.

**(K) 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, for Limited Personnel Matters.**

No Executive Session held.

**ADJOURNMENT:**

There being no further business or comments, Mayor King adjourned the meeting at 8:30 p.m.

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Joan Martinez-Terry, City Clerk