

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at City Hall, 110 West Aztec, at 7:00 p.m. on Tuesday, November 9, 2010.

The meeting was called to order by Mayor Harry Mendoza.

Upon roll call, the following were present:

Mayor: Harry Mendoza

**Councilors: John J. Azua
Mike Enfield
Allan Landavazo
E. Bryan Wall**

Also present: R. David Pederson, City Manager/City Attorney

Presented to the Mayor and Councilors for their approval were the Minutes of the Work Session and Regular Session of October 14, 2010, the Work Session and Regular Session of October 26, 2010 and the Emergency Session of November 3, 2010.

Councilor Enfield made the motion to approve the aforementioned Minutes. Seconded by Councilor Landavazo. All voted aye.

Presented to the Mayor and Councilors were the following Consent Agenda Items:

- 1. Request for Street Closure for the City Christmas Parade to be Held on Saturday, December 4, 2010 at 2:00 P.M. – Debbie Garcia, Gallup Convention and Visitors Bureau**
- 2. Ordinance S2010-2; An Ordinance Authorizing the Issuance of the City of Gallup, New Mexico General Obligation Refunding Bonds, Series 2010
Chris Muirhead, Modrall Sperling Law Firm**
- 3. Ordinance C2010-8: An Ordinance Concerning Solid Waste Rates and Charges, Amending the Value and Quantity of the Coupons Provided to Residential Solid Waste Customers to be Used and Redeemed at the Northwest New Mexico Regional Solid Waste Authority McKinley Transfer Station; Amending Subsection 8-6-7-D.2 of the Gallup Municipal Code –
Lance Allgood, Executive Director, Gallup Joint Utilities Division**
- 4. Resolution R2010-35: A Resolution Requesting Urgent Federal Action for the Replacement of the Gallup Indian Medical Center – Mayor Harry Mendoza and R. David Pederson, City Manager/City Attorney**

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Councilor Azua made the motion to approve Consent Agenda Items 1-4 Seconded by Councilor Enfield. All voted aye.

Comments by Public on Non-Agenda Items:

None.

Comments by Mayor and City Councilors:

Mayor Mendoza expressed his concerns about the actions taken by Councilor Wall against city employees that were deliberate, willful and intentional harassment by bringing up the names of certain employees in a public meeting and through the news media. Mayor Mendoza also stated that the Councilors are entitled to know about the activities of City employees, but the Councilors need to follow proper procedures by going through the City Manager. Mayor Mendoza advised Councilor Wall that he has the right to ask about certain City employees, but he does not have the right to bring up such issues in public meetings or through the news media. Mayor Mendoza said he received confirmation from the City's insurance carrier that deliberate, willful and intentional actions of harassment would not be covered by the City's insurance policy and Councilor Wall would be "on his own" if a lawsuit was filed by an employee.

Councilor Wall said he has never tried to harass or harm any individual. When talking to reporters, he never released the names of the individuals; just the title of the individuals. During a previous Council meeting when grant funding was discussed for CARE 66, Councilor Wall said the Grant Writer was bringing forth the grant funding as a new issue when it was an issue that Councilor Wall brought to the Council on three different occasions. Councilor Wall said he requested a report on the grants the Grant Writer was working on and never received the report. Councilor Wall said he has the right as a Councilor and a citizen to ask for the information during the City Council Meeting. Councilor Wall said whatever he talked about with the media was already reported in the newspaper and he was only following through with what was already written.

Mayor Mendoza reminded Councilor Wall that the CARE 66 housing project was acted upon by previous administrations well before Councilor Wall was elected to office and Councilor Wall should not take sole credit for the project. Mayor Mendoza also said Councilor Wall was following everything that Bob Zollinger, Publisher of the Gallup Independent, was telling him to do and was falling right in line with Mr. Zollinger.

Councilor Wall said he has heard similar claims many times before, but Mr. Zollinger, as well as other media outlets, was not telling him what to do as a Councilor. Councilor Wall also thought Mayor Mendoza's statements were nothing but a campaign smear.

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Comments by City Manager:

With regards to Councilor Wall's request for documents, Mr. Pederson said staff was gathering everything he requested. Mr. Pederson also said Councilor Wall was given the same documents that were given to the Gallup Independent.

Mr. Pederson reminded the Mayor and Councilors that the next Regular Council Meeting scheduled for November 23, 2010 had been moved to November 30, 2010 due to the Thanksgiving Holiday.

Mr. Pederson also spoke about the recent death of Marcella Simunovich of Belen, who was the sister of former City Manager, David Ruiz and the death of Frank Martinelli. Mr. Pederson expressed condolences to the families of the deceased.

There being no further business, Councilor Landavazo made the motion to adjourn the meeting. Seconded by Councilor Azua. All voted aye.



Harry Mendoza, Mayor

ATTEST:



Brenda Romero, Deputy City Clerk

Approved 11/30/2010