

Minutes of the Special Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at City Hall, 110 West Aztec, at 4:30 p.m. on Tuesday, September 27, 2011.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

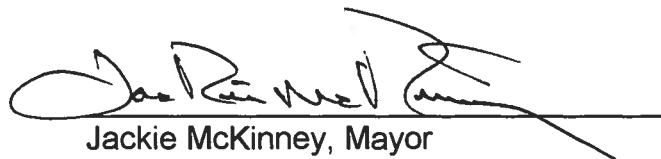
Mayor: Jackie McKinney

Councilors: Mike Enfield
Cecil Garcia
Allan Landavazo
E. Bryan Wall

Also present: Dan Dible, City Manager


Councilor Garcia made the motion to adjourn into closed session for the purpose of discussing bargaining strategy preliminary to collective bargaining negotiations. Seconded by Councilor Enfield. Roll call: Councilors Garcia, Enfield, Wall, Landavazo and Mayor McKinney all voted aye.

The Mayor and Councilors adjourned into closed session, pursuant to §10-15-1-H.(5) NMSA 1978 Comp. (as revised).



Jackie McKinney, Mayor

ATTEST:



Alfred Abeita, City Clerk

Approved 10/11/2011

Minutes of the Work Session of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at City Hall, 110 West Aztec, at 6:00 P.M. on Tuesday, September 27, 2011.

The meeting was called to order by Mayor Jackie McKinney.

At such meeting, the following were present, constituting a quorum:

Mayor: Jackie McKinney

Councilors: Mike Enfield
Cecil Garcia
Allan Landavazo
E. Bryan Wall

Also present: Dan Dible, City Manager

Mr. Dible certified for the record that the only matters discussed during the closed session on September 27, 2011 at 4:30 p.m. was bargaining strategy preliminary to collective bargaining negotiations. The certification by Mr. Dible is made pursuant to Section 10-15-1-J of the Open Meeting Act, NMSA 1978.

The following items were presented to the Mayor and Councilors for discussion only:

1. Request for Land for Habitat for Humanity – Jerry Young, Habitat for Humanity

Mr. Young said the City Council in 2006 approved the transfer of the land that was previously known as Rocky View Park to Habitat for Humanity to be used for the construction of a home. For unknown reasons, the property was never transferred to Habitat for Humanity. He asked that the City convey the property to Habitat for Humanity so their organization may proceed with another housing project.

Councilor Landavazo asked if a family has been selected for the next housing project. Mr. Young responded no. Councilor Landavazo asked how many parcels of property Habitat for Humanity has in its inventory for families. Mr. Young said Habitat for Humanity does not currently have any available parcels of property.

Discussion followed concerning the action taken by the City Council in 2006 and if in fact, the Mayor and Councilors at the time actually approved the transfer of the property. The City Clerk will review the matter and will report his findings to the Mayor and Councilors. Mr. Dible said staff could also check with George Kozeliski who was City Attorney in 2006 concerning the matter once he returns to the City Attorney's position next week. Mayor McKinney said he would like to know if the Mayor and Councilors' action in 2006 included the entire parcel of land or a certain section of land.

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2. General Fund Vehicle Analysis – Dan Dible, City Manager

Mr. Dible presented a preliminary overview of the current condition of the City's vehicle inventory that is funded by the General Fund. He recommended finalization of the vehicle inventory listing and to move forward with the implementation of a vehicle replacement plan by gathering information related to the costs for replacing vehicles over time. In Fiscal Year 2012, the City budgeted \$374,000 for four police cars; one protective custody van; one dump truck with a snow plow and spreader; and one pickup truck for the Street Department. There are 25 pieces of major equipment that have an average model year of 1998 and the total purchase price of \$2.9 million. He estimates that the current replacement costs for the 25 pieces of equipment would range from about \$4 million to \$5 million. There are also 85 police vehicles in the City's inventory that have excessive mileage with a high percentage of the vehicles being taken home by police officers. According to the police union contact, the police officers repay the City about 5 cents per mile for the privilege of taking their City issued vehicles home. He recommended consideration of a fair percentage of the Internal Revenue Service (IRS) mileage rate for the City's pending take-home vehicle policy. There are public relations, recruitment and enhanced response benefits in allowing police officers to take their City issued vehicles home. Since the City's vehicle needs have been underfunded, he recommended the creation of a fleet replacement fund to be funded at an amount to be determined. The Fire Department staff and command vehicles will need to be added to the list as such vehicles are not funded with other fire equipment through the State's Fire Protection Fund. The final vehicle analysis will consist of three separate lists; one list consisting of vehicles funded through the General Fund; a second list consisting of vehicles funded through the Fire Protection Fund; and a third list entailing the vehicles funded by the Joint Utilities Fund.

Councilor Landavazo asked about the liability for an off-duty City employee that is using a City vehicle for personal use. Since there are many scenarios and factors concerning liability, Mr. Dible said the matter needs to be examined by legal counsel. He recommended a review by the Mayor and Councilors of the following components under one package in October: the City's vehicle policy, the City's vehicle analysis and the City's vehicle replacement program. Councilor Landavazo said he would like to minimize the City's exposure to liability through the City's vehicle policy. Mr. Dible said options for the City's vehicle policy will be presented to the Mayor and Councilors for their consideration. Councilor Enfield asked if City employees are adhering to the IRS regulations for take-home vehicles unless the take home vehicles are a condition of employment. Mr. Dible said he does not have access to the tax returns of City employees. Discussion followed concerning the IRS regulations and City employees that are allowed to take their City-issued vehicle home as a benefit rather than as a condition of employment. Mayor McKinney said by creating a recurring fund for the

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replacement of vehicles, it will impact the City's budget; however, the fund will protect future administrations to come as vehicles will be replaced on a timely basis. Mayor McKinney said once the City Attorney begins his employment, issues concerning the benefits, practice and procedures of take-home vehicles can be addressed in the City's vehicle policy. Councilor Wall said information concerning the depreciation of the vehicles that are going to be disposed of through the City's auction was not included in the presentation from the previous regular meeting. Councilor Wall asked if the City will have extra money to purchase additional vehicles once the older vehicles are disposed of and taken off the books. Mr. Dible said some cities will have automated systems to calculate the fuel and repair costs to determine the cost per mile for each vehicle. Once the data is graphed, the cost per mile parameters for each vehicle can be determined to ascertain the time for when the vehicles should be disposed of. The timeframe for the disposal of the vehicles should be when the vehicles are still in a wanted condition by the consumer. The reason for including the Information Technology Division and the Vehicle Service Center together under the General Services Department is to create an automated system to generate information need for the City's fleet management system.

3. Demolition of Dilapidated Structures – Clyde "C.B." Strain, City Planner

Mr. Strain provided an overview of the demolition proceedings of two structures; one structure located at 309 East Lincoln Avenue and the second structure at 105 West Princeton Avenue. Angelita Chavez, the owner of the property at 309 East Lincoln Avenue, donated the property to the City since she no longer lives there and is unable to abate the numerous violations on the property. Sam Koike, the owner of the property at 105 West Princeton Avenue, has two structures on the property and is willing to donate the property to the City for the same reasons as Ms. Chavez. The City has entered into an agreement with Mr. Koike which would give the City permission to enter the property, demolish the structures and to file a lien on the property until the mortgage is paid-off by Mr. Koike in June, 2013. When the mortgage is paid-off, Mr. Koike will deed the property to the City. Both of the aforementioned properties are in major disrepair and have become nuisances for attracting squatters and illegal drug activities. There are several other nuisance properties throughout the city; however, the City has been able to expedite the demolition process for the Chavez and Koike properties since the owners have granted permission for the City to enter upon the properties and have or will convey ownership of the properties to the City. The demolition costs averages about \$7,500 to \$8,500 per structure depending on the size of the structure. He explained the condemnation process which requires giving the property owner due process by issuing a notice to abate the violation(s). If the property owner does not comply with the notice, the City is able to condemn the property, demolish the structures on the property and file a lien on the property. The overall process requires funding as

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Mr. Strain recommended the allocation of about \$25,000 to cover the demolition costs of the structures located at 309 East Lincoln Avenue and 105 West Princeton Avenue. He also recommended creating a line item in the City's budget of about \$150,000 to cover the future costs of condemnation and demolition of nuisance properties in the city. With the proposed budgetary line item, he estimates that the City will be able to condemn and demolish three to four nuisance properties per district. Councilor Enfield said he prefers Mr. Strain's recommendation of providing the demolished properties to Habitat for Humanity for the construction of new homes and the revitalization of neighborhoods. Councilors Enfield and Landavazo asked about the bond funds that were previously set-aside for the purpose of condemning and demolishing nuisance properties. Judi Starkovich, Executive Director, Administrative Services Division, said the funds in the amount of \$100,000 were allocated and used for the condemnation/demolition purposes two fiscal years ago. Councilors Enfield and Landavazo believed a substantial amount of funds were to be previously allocated for condemnation/demolition purposes. Ms. Starkovich said she will research the matter and provide the information to the Mayor and Councilors at a later time. Councilor Garcia said there are nuisance properties within his district that have been abandoned for about ten years. He asked about the process of locating property owners that reside out-of-town. Mr. Strain said City staff normally locates the property owners in a reasonable amount of time; however, the condemnation process requires funding and a priority scale needs to be established for the process. Councilor Wall recommended contacting the County Assessor's Office and the County Treasurer's Office for obtaining information pertaining to the property owners of the nuisance properties and whether the owners have been paying taxes on the properties. If the property taxes have not been paid on the nuisance properties, the County will be able to foreclose the properties for public auction. Mayor McKinney said the tasks of the condemnations of nuisance properties will be given to the City Attorney once he begins employment. Mayor McKinney also instructed Mr. Strain to meet with Mr. Dible and Ms. Starkovich to identify the funds needed for the demolition of the structures at 309 East Lincoln Avenue and 105 West Princeton Avenue. Mayor McKinney said his administration will proceed with the demolition process of residential and commercial properties that are detrimental to the health, welfare and safety of the public.

In additional business, Betta Duncan, speaking on behalf of the Friends of the Runnels Pool, addressed the Mayor and Councilors regarding their committee's recommendations for keeping the Harold Runnels Pool open. Ms. Duncan's presentation is outlined in the Friends of the Runnels Pool Report to the Gallup City Council, September 27, 2011. A copy of the Report is attached hereto and made a part of these official Minutes.

Councilor Enfield said he is impressed with the work and the commitment of Ms.

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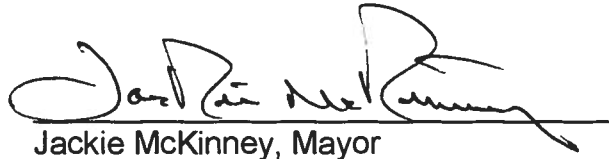
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Duncan and her committee. He encouraged the group to continue their hard work and he will assist them in any way he can.

Mayor McKinney said the Council is working against a timeframe where a decision will need to be made concerning Harold Runnels Pool at the end of October 2011. He said the Council's decision will be based on the amount of funds that have been generated for the pool. He applauds the work and commitment of the committee and is hopeful they will succeed with their fundraising efforts. Ms. Duncan asked the Mayor and Councilors for authorization to sell lane flags and the wall magnets to generate funds for the pool. Mayor McKinney said the sale of the flags and the magnets creates a catch-22 situation where the pool may be closed even though the flag and the magnets have been sold. Mayor McKinney asked Ms. Duncan to continue meeting with Mr. Dible on the matter as Mr. Dible will advise the Mayor and Councilors of what can or cannot be done by the City to assist in the committee in their efforts.

Due to time limitations, the Work Session adjourned.



Jackie McKinney, Mayor

ATTEST:



Alfred Abeita, City Clerk

Approved 10/11/2011