

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, October 25, 2011.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

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|---------------|--|
| Mayor:        | Jackie McKinney  |
| Councilors:   | Mike Enfield<br>Cecil Garcia<br>Allan Landavazo<br>E. Bryan Wall |
| Also present: | Dan Dible, City Manager<br>George Kozeliski, City Attorney       |

The Senior Olympians from the Neighborhood Senior Center presented a plaque to Tammy Barton-Damon, Recreation Superintendent, honoring her for the outstanding work and support that she has given them.

Presented to the Mayor and Councilors were the Minutes of the Work Session and Regular Session of October 11, 2011.

Councilor Landavazo made the motion to approve the aforementioned Minutes. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Wall, Enfield and Mayor McKinney all voted aye.

Presented to the Mayor and Councilors were the following Discussion/Action Topics:

1. Acceptance of the Resignation of Bob Rosebrough from the Board of Directors of the Economic Development Corporation (EDC) and the Appointment of Patrick Mason to the Board of Directors of the EDC – Mayor Jackie McKinney

Mayor McKinney said he received a letter from Mr. Rosebrough last week stating that he was unable to continue as a Board Member of the EDC due to his personal and professional commitments. Mayor McKinney recommended the acceptance of Mr. Rosebrough's resignation and to appoint Mr. Mason to the EDC Board of Directors in Mr. Rosebrough's place.

Councilor Wall made the motion to accept Bob Rosebrough's resignation from the EDC Board of Directors and to appoint Patrick Mason to fill the vacancy caused by Mr. Rosebrough's resignation. Seconded by Councilor Garcia. Roll call: Councilors Wall, Garcia, Enfield, Landavazo and Mayor McKinney all voted aye.

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2. Request for the Closure of Aztec Avenue and the Court House Square Parking Lot for the Veterans' Day Parade and Activities to be Held on November 10-11, 2011 – Bill Martinez, American Legion Post #8

Mr. Martinez asked for the closure of Aztec Avenue from the Hillcrest Cemetery to the Court House Square for the Veterans' Day Parade to be held on November 11, 2011 beginning at 9:00 a.m. Mayor McKinney also recommended the closure of the Court House Square parking lot from November 10-11, 2011 for the Veterans' Day events.

Councilor Enfield made the motion to approve the requested street closure and parking lot closure for the Veterans' Day parade and activities. Seconded by Councilor Wall. Roll call: Councilors Enfield, Wall, Landavazo, Garcia and Mayor McKinney all voted aye.

3. Resolution No. R2011-32; Fiscal Year 2012 Budget Revision #3 – Judi Starkovich, Executive Director, Administrative Services Department

Ms. Starkovich presented the third revision of the current fiscal year budget consisting of changes through September 30, 2011. The General Fund's revenues increased by \$199,704 and the budgeted expenditures increased by \$231,334. The majority of the budget changes are due to the rollover of projects and grants in the amount of \$1,630; an increase for Gallup Express in the amount of \$25,000; and an increase of \$5,000 for the Northwest New Mexico Council of Governments; for an overall total of \$31,630. The actual cash balance for the first quarter ending September 30, 2011 was \$5,089,970.

Mayor McKinney asked about the increase of \$77,883 in the Senior Citizens' Fund. Ms. Starkovich said the adjustment is based on the acceptance of a grant this past August.

Councilor Enfield made the motion to approve Resolution No. R2011-32. Seconded by Councilor Landavazo. Roll call: Councilors Enfield, Landavazo, Garcia, Wall and Mayor McKinney all voted aye.

4. Resolution No. R2011-33; 2012 Legislative Priorities for Capital Improvements – Dan Dible, City Manager and Stan Henderson, Executive Director, Public Works Department

Mr. Dible said the City's lobbyist recommended the submission of the City's capital improvement priorities to the local state legislative delegation by the end of October 2011. Mr. Henderson presented the City's Infrastructure Capital Improvement Plan (ICIP) which was approved by the Mayor and Councilors in September 2011. The unfunded needs proposed by past City Councils include: Allison Corridor Improvements

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– Phase I, \$5,000,000; Business Improvement District (BID) Downtown Highway 66 Pedestrian Safety Improvements, \$460,000; Chiaramonte Mine Storm Drainage Diversion, \$450,000; Downtown Coal Avenue Alley Reconstruction – Phase I, \$440,000; Hospital Drive Reconstruction, \$480,000; and the Hillcrest Memorial Veterans Cemetery, \$1,100,000. Other City needs from the ICIP include: Black Diamond Canyon Cul-De-Sac Construction, \$175,000; Country Club Storm Drainage Improvements, \$2,300,000; Ciniza Drive Reconstruction, \$2,000,000; East Nizhoni Boulevard Pedestrian Safety Improvements, \$2,000,000; Sandstorm Place Storm Drainage Channel Improvements, \$1,000,000; College Drive Pedestrian Safety Improvements, \$2,000,000; East Nizhoni Boulevard Pedestrian Safety Improvements, \$2,000,000; Fire Station #1 Renovation, \$345,000; Industrial Drive Bridge Reconstruction, \$2,300,000; Old Zuni Road Bridge Reconstruction, \$175,000; Sports Complex Ball Fields Artificial Turf, \$4,600,000; Sky City Public Housing Roadway Reconstruction – Phase III, \$660,000; and the West Jefferson Avenue Pavement Reconstruction, \$635,000. In addition, the City needs: Harold Runnels Pool Facility Life Study, \$100,000; and the City Master Transportation Plan, \$300,000.

Councilor Wall recommended the Allison Corridor Improvements – Phase I; Hospital Drive Reconstruction; Downtown Coal Avenue Alley Reconstruction – Phase I; and the Chiaramonte Mine Storm Drainage Diversion.

Mayor McKinney recommended submitting as many as ten priorities to the local state legislative delegation for possible funding. He would like to give the legislators as much flexibility as possible if there are cases where funding for some projects may be more available than other projects.

Councilor Landavazo asked if there were funds available from the New Mexico Department of Transportation in the amount of \$4 million or \$5 million for the first phase of the Allison Corridor Improvements. Mr. Henderson said the City is preparing a grant application (similar to the third phase of the American Recovery and Reinvestment Act (ARRA) funding) for \$5 million for the construction of the project. Mr. Henderson also said State Rep. Patty Lundstrom may be able to provide state funding in the amount of about \$300,000 for the design of the project. Councilor Landavazo asked if Hospital Drive was a dedicated street. Mr. Henderson responded yes. Councilor Landavazo asked about the proposed renovations for Fire Station #1. Chief Johnny Greene, Gallup Fire Department, said the renovations would provide improvements to the living quarters, HVAC system, and ventilation system at the fire station. Councilor Landavazo recommended the Allison Corridor Improvements – Phase I; BID Downtown Highway 66 Pedestrian Safety Improvements; Hospital Drive Reconstruction; and Fire Station #1 Renovation.

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Councilor Enfield recommended the Chiaramonte Mine Storm Drainage Diversion as a crucial priority. He also agreed with the other recommendations as previously presented.

Councilor Garcia recommended the BID Downtown Highway 66 Pedestrian Safety Improvements; Allison Corridor Improvements – Phase I; Hillcrest Memorial Veterans Cemetery; and the Old Zuni Road Bridge Reconstruction.

Mayor McKinney recommended improvements to the Gallup Municipal Airport as listed in the ICIP.

Following discussion, Mayor McKinney instructed Mr. Henderson to include the following nine projects as the City's priorities for possible legislative funding: Allison Corridor Improvements – Phase 1; BID Downtown Highway 66 Pedestrian Safety Improvements; Chiaramonte Mine Storm Drainage Diversion; Downtown Coal Avenue Alley Reconstruction – Phase I; Hospital Drive Reconstruction; Hillcrest Memorial Veterans Cemetery; Gallup Municipal Airport Improvements; East Nizhoni Boulevard Pedestrian Safety Improvements and the Old Zuni Road Bridge Reconstruction.

Councilor Landavazo asked if the City had any plans or designs for the Old Zuni Road Bridge Reconstruction Project. Mr. Henderson responded no as the City only has a conceptual cost estimate for the project. Mayor McKinney asked about the cost estimate of \$175,000 for the Old Zuni Bridge. Mr. Henderson said the \$175,000 would be for the design and construction of the project based on the cost estimate from three years ago.

Councilor Enfield made the motion to approve Resolution No. R2011-33 and to include the nine projects as previously listed by Mayor McKinney as the City's priorities for possible legislative funding. Seconded by Councilor Wall. Roll call: Councilors Enfield, Wall, Landavazo, Garcia and Mayor McKinney all voted aye.

### 5. Discussion on the Future of Harold Runnels Pool – Dan Dible, City Manager

Mr. Dible said he began grappling with the \$2.8 million deficit in the City's General Fund when he became City Manager a few months ago. In reviewing the City's budget, he identified the duplication of services which revealed the City's operation of two indoor swimming facilities, which is fairly uncommon for a city the size of Gallup. He has had productive meetings with the Friends of the Runnels Pool Committee; however, based on his presentation during the previous Work Session, he is projecting that the City is going to lose over \$1 million this year. Although the City's reserve funds are ample, he

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encouraged the Mayor and Councilors to be proactive in this matter rather than running the reserves down to a crisis level.

Mayor McKinney thanked Mr. Dible and City staff for the Gallup Aquatic Center's revised schedule which is focused at addressing the needs of the patrons of the Harold Runnels Pool.

Mr. Dible also said personnel services are the dominant line item that is reviewed in the budget process. If the City is going to achieve financial savings by reducing a duplicated service, it will not achieve a substantial savings by transferring all of the Harold Runnels Pool personnel to the Aquatic Center. He asked the Mayor and Councilors to include personnel services in their policy decision for Harold Runnels Pool.

Mayor McKinney opened the floor for discussion on the matter.

Rosemary Bolza addressed the Mayor and Councilors and said price and value of the pool has been evaluated. With the high price of the pool, the City cannot afford to repair the pool and maintain the existing personnel costs. The value of the pool on the other hand is health, compassion, and the ability to improve the vitality and reputation of the City. She believes Gallup has the potential to become a destination for hikers, bicyclists, art lovers and shoppers. She said the committee is asking for additional time to search for grants to develop the area of the pool, such as the rest area, picnic area, children's playground, and recreation center, in order to make the area attractive for local residents, area shoppers and travelers on Interstate 40.

Betta Duncan said the committee was asked to do their best to find funding resources to keep the Harold Runnels Pool open. She said the committee is actively working on writing grants and other fundraising efforts for the pool. The committee has contacted the Navajo Nation, major corporations, and local businesses for their assistance as many of the entities are under the assumption that the pool facility is not in an adverse condition. She said it is impossible for the committee to generate \$100,000 within two months and asked for additional time for the committee to continue its fund raising efforts and to lobby the State Legislature.

Pat Garcia said the Harold Runnels Pool is used not only as a recreation center but as a health and fitness center. Rather than using crutches, he may have been walking this evening to address the Mayor and Councilors; however, he has not been able to use the pool since it has been closed during the past two weeks. He asked the Mayor and Councilor to consider the needs of the people and to keep the swimming pool open.

Emily Jim said her mother died from diabetes and her father died from hypertension.

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She said diabetes is the number one health complication in this area as she tries to keep herself physically active by using the Harold Runnels Pool facility. She said the facility needs to stay open because others have a difficult time utilizing the Aquatic Center. She asked the Mayor and Councilors to consider the needs of the people.

Bill Martinez said he cannot stand the noise at the Aquatic Center and prefers the peaceful environment at Harold Runnels Pool. He recommended the use of lodgers' tax funds for the pool and does not believe the school system pays enough for the students utilizing the facility at the Aquatic Center.

Janice Martinez said she utilizes both pools and recommended having a better management system for the pools. She recommended increased advertising for the pools in order to have increased utilization of the pools. Although a city the size of Gallup has two indoor pools, the pools are vital to the community and should be utilized at the maximum level.

Mel Rousseau said if there was proper planning when the Aquatic Center was constructed, the Aquatic Center would fulfill the needs of the patrons of the Harold Runnels Pool. He utilizes the Harold Runnels Pool for therapy for his hip as well as the steam room. As a former pool manager, he said a pool never makes a profit but is primarily provided as a quality of life incentive for the community. He asked for the true facts concerning the pool rather than playing a political game over the matter. Overall, he asked the Mayor and Councilors to consider the needs of the patrons of the Harold Runnels Pool which are not being met at the Aquatic Center.

Ms. Duncan thanked the Mayor and Councilors for listening and asked them to take all of the comments that were previously presented into serious consideration.

Councilor Landavazo asked if a steam room could be provided at the Aquatic Center and if the temperature of the pool at the Aquatic Center could be adjusted for the regular patrons of the Harold Runnels Pool. He also asked if hand rails could be provided for patrons with special needs at the Aquatic Center. Mr. Dible said a survey was conducted of the pools in Flagstaff, Farmington, Grants/Milan and Bloomfield and it was discovered that Gallup is the only city in the region that has a steam room. Mr. Dible said a steam room would normally be found in a health and fitness center rather than a swimming pool. The City has a steam room at the Fitness Center. Mr. Dible and Michelle Burrola, Aquatics Manager, said the temperature of the Harold Runnels Pool is warmer due to the improper ventilation at the facility since the equipment is not working properly. Ms. Burrola said the temperature of the Harold Runnels Pool and the Aquatic Center Pool are both set at 83 degrees. The doors are kept open at Harold Runnels

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Pool in order to keep the air flowing as much as possible. If the HVAC system is replaced at Harold Runnels Pool, the temperature of the pool will be the same as the pool at the Aquatic Center. Ms. Burrola said the system at Harold Runnels Pool, which was designed and installed over 30 years ago, should function in the same manner as the current system at the Aquatic Center. Ms. Burrola also said a steam room could be installed in one of the two family locker rooms that are rarely used. The facility is also equipped with specialized hand rails and lifts to accommodate patrons with disabilities. The noise levels at the Aquatic Center will continue to be prominent due to the number of school groups utilizing the facility; however, the current atmosphere is not as noisy since the students will not be utilizing the facility until the springtime. Discussion followed concerning the current schedule of the Aquatic Center, which has been altered to accommodate the needs of Harold Runnels Pool patrons. Councilor Landavazo recommended a temporary closure of the Harold Runnels Pool and to give the Friends of the Runnels Pool Committee a chance to apply for grants and to obtain funding for the pool. Councilor Landavazo said the City cannot afford the improvements for the pool which are expected to cost about \$650,000 to \$750,000, not including the operational cost of about \$25,000 per month.

Councilor Enfield said he utilized Harold Runnels Pool as part of his physical therapy after his back surgery; however, as a City Councilor, he is also responsible for the City's budget. He supports Councilor Landavazo's suggestion of temporarily closing the pool and to allow the Friends of the Runnels Pool Committee additional time to raise funds for the pool. He understands the public's preference of the peaceful environment at the Harold Runnels Pool versus the noisy environment at the Aquatic Center. Ever since he has been in office, this is first time the Council has had a realistic view of the City's finances.

Councilor Garcia expressed his concerns with allowing the Harold Runnels Pool to be dormant during the winter months, which may cause damage to the pool. He is disappointed with the County and the Navajo Nation for not providing financial assistance for the pool since most of the patrons of the Harold Runnels Pool are county and Native American residents. He said he was not sure of the amount of time to give the Friends of the Runnels Pool Committee for their fundraising efforts since it seems that the Committee has not made any headway during the past two months.

Councilor Wall agreed with comments by Councilors Landavazo, Enfield and Garcia. He was concerned with the accessibility of pool by disabled patrons at the Aquatic Center, the capacity to meet the needs of the Harold Runnels Pool patrons and the City's current financial condition. He cautioned City staff concerning possible damage that may occur to the Harold Runnels Pool if the pool is drained and allowed to be dormant for an extended amount of time.

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Mayor McKinney asked about the protection of the pool's structure in the event a decision is made to close Harold Runnels Pool on a temporary or long-term basis. Mr. Dible said the water in the pool could be drained and the pool could be filled with a material that would maintain the structural integrity of the pool. Mr. Kozeliski said when the interior of the facility of Harold Runnels Pool was being worked on a few years ago the pool could not be drained since it would compromise the structure of the pool. Mr. Kozeliski said it was very expensive to bridge the pool with scaffolding when repairs were being made to the roof at the time.

Mr. Dible suggested negotiating with the Gallup-McKinley County Schools concerning their financial obligation and usage of the Aquatic Center.

Councilor Enfield said he agreed with Councilor Garcia's comments that the County and the Navajo Nation should provide financial assistance for Harold Runnels Pool since there are many residents from outside of the city limits that utilize the facility. In speaking with one of the County Commissioners a few weeks ago, Councilor Landavazo suggested that the City give Harold Runnels Pool to the County to operate and the response he received from the Commissioner was that the County does not want the pool. Mr. Kozeliski said when he returned to Gallup in 1977 to start his practice the construction of the Harold Runnels Pool originally began as a County project. The City eventually took over the development of the project when the County abandoned it.

Following discussion, Councilor Landavazo made the motion to close the Harold Runnels Pool on a temporary basis and to give the Friends of the Runnels Pool Committee additional time to continue its fundraising efforts for the pool and if there are not sufficient funds to repair and operate the pool by July 1, 2012, the pool shall be closed on a permanent basis. Seconded by Councilor Enfield. Roll call: Councilors Landavazo, Enfield, Wall, Garcia and Mayor McKinney all voted aye.

Councilor Enfield said consideration of the Harold Runnels Pool personnel for the duration of the temporary closure would need to be taken into account. He asked how many employees would be affected. Ms. Starkovich said there are three full-time employees at the pool. Mr. Dible said the annual personnel costs at the pool are about \$160,000. Mayor McKinney said the Council has approved the closure of the pool and Mr. Dible will need to address the personnel issue. Mr. Dible said he will ask the City Attorney for a legal opinion concerning the personnel issue.

### **Comments by Public on Non-Agenda Items**

None.

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### **Comments by Mayor and City Councilors**

Councilor Landavazo provided information he received during an Adventure Gallup and Beyond meeting concerning the historical taxable gross receipts dollars that has decreased from \$563 million in 2005 to \$405 million in 2010. He said residents are leaving Gallup to purchase goods and services from out-of-town sources and encouraged local business owners to expand their businesses to entice residents to spend their money in Gallup. By spending money in Gallup, it helps increase the local economic activity and provides gross receipt tax revenues to keep facilities, such as the Harold Runnels Pool, operating. Councilor Landavazo strongly encouraged citizens to “buy Gallup, believe Gallup.”

Councilor Garcia said that when he first ran for office his district was the most neglected district in the city. He said his district continues to be the most neglected district in the city and cited the following problems in his district: the burned structure of the Days Inn, the dilapidated structure of the Shalimar Inn, the odor problems at the Waste Water Treatment Plant, the graffiti at the skate park, and the deplorable condition of Hillcrest Cemetery. He said all of the previously listed problems have existed for a long time and need to be addressed. He asked for an update of the Days Inn building at the next regular meeting. Mr. Kozeliski said there will be a hearing tomorrow, October 26, 2011, at 1:30 p.m. concerning the Days Inn building. Mr. Kozeliski said the City’s legal counsel will ask the Judge to order the insurance company, mortgage holder and business owner to tear down the structure.

Mayor McKinney said the TDFL championship football tournament will take place this weekend. He said the tournament will generate about 4,500 spectators and asked local residents to attend the games, which will take place at almost every field in Gallup.

### **Comments by City Manager and City Attorney**

Mr. Dible had no comments.

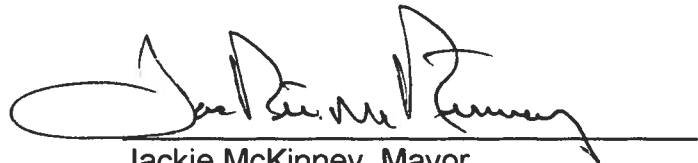
Mr. Kozeliski said the City’s legal counsel and the City Clerk were recently able to collect \$163,000 in back lodgers’ tax revenues from the old Holiday Inn. He said the State Court of Appeals issued an opinion upholding the City’s collection of the lodger’s tax liens that were being litigated against the City by the mortgage holder.

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There being no further business, Councilor Garcia made the motion to adjourn the meeting. Seconded by Councilor Enfield. Roll call: Councilors Garcia, Enfield, Wall, Landavazo and Mayor McKinney all voted aye.



Jackie McKinney, Mayor

ATTEST:



Alfred Abeita, City Clerk

Approved 11/8/2011