

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 22, 2011.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

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

Mayor McKinney said Councilor Enfield is experiencing some health issues and cannot be in attendance for the meeting.

Presented to the Mayor and Councilors were the Minutes of the Work Session and Regular Session of November 8, 2011.

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

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

1. Approval of the Following Appointments to the Sustainable Energy Board:
  - Re-Appointments of Bill Bright, Chris Chavez and Don Hyde
  - New Appointments of David Brunt and John Milligan
 – Mayor Jackie McKinney
2. Appointment of Leah McFadden to the Octavia Fellin Public Library Advisory Board – Mayor Jackie McKinney
3. Request for Street Closures for an Arts Crawl to be held on the Second Saturday of Every Month from 7:00 P.M. to 9:00 P.M. – Nate Haveman, Gallup Journey
4. Construction Acceptance of the Community Development Block Grant (CDBG) Sky City Public Housing Curtis Avenue Reconstruction Project – Stan Henderson, Executive Director, Public Works Department

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Councilor Landavazo said he called Mr. Haveman regarding Consent Agenda item #2 and said the closure of Coal Avenue from Second Street to Third Street would be suitable for the arts crawl events. Councilor Garcia recommended the closure of Coal Avenue for the events to ensure pedestrian safety. Mayor McKinney said he would like to see the arts crawl events grow to a larger magnitude thereby requiring the closure of additional blocks on Coal Avenue.

Following discussion, Councilor Landavazo made the motion to approve Consent Agenda items 1-4. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Wall and Mayor McKinney all voted aye.

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

5. Resolution No. R2011-34; Methodology Regarding Application of New Mexico Cost-Share to Cost Allocation and Repayment for the Navajo-Gallup Water Supply Project – Lance Allgood, Executive Director, Gallup Joint Utilities Department

Mr. Allgood said the proposed Resolution would affirm the City's concurrence with the methodology utilized in determining the application and allocation of the State's cost-share credit for the project.

Councilor Garcia made the motion to approve Resolution No. R2011-34. Seconded by Councilor Wall. Roll call: Councilors Garcia, Wall, Landavazo and Mayor McKinney all voted aye.

6. Resolution No. R2011-35; Memorandum of Understanding Between the New Mexico Interstate Stream Commission, the New Mexico Environment Department, the New Mexico Finance Authority and the City of Gallup for Determining Entity Responsibilities Relating to the State of New Mexico Cost Share Credit Request for Funds Expended on the Navajo-Gallup Water Supply Project – Lance Allgood, Executive Director, Gallup Joint Utilities Department

Mayor McKinney said Mr. Kozeliski reviewed the proposed Resolution following the previous work session and recommended presentation of the item for consideration by the Council. Mr. Allgood said the proposed Resolution would approve the Memorandum of Understanding between the aforementioned parties, which establishes the responsibilities of all the parties to provide documentation in support of the State's application for credit requests with the Bureau of Reclamation for State funds expended on the project.

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Mayor McKinney commended Mr. Allgood and City staff for their extensive work on the project.

Councilor Landavazo made the motion to approve Resolution No. R2011-35. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Wall and Mayor McKinney all voted aye.

7. Resolution No. R2011-37; Condemnation of the Days Inn Motel Located at 3201 West Highway 66 – Clyde “C.B.” Strain, Planning Director

Mr. Strain recommended approval of the proposed Resolution, which would declare the structure at 3201 West Highway 66 a menace to the comfort, health, peace and safety of the public, thereby requiring demolition and removal of said structure.

Councilor Wall asked if there was interest charged on the lien that was filed on the property. Mr. Kozeliski responded no and said the City will enter into the civil lawsuit between the insurance company, mortgage holder and the owner by petitioning the Court to seize sufficient funds from the settlement to cover the demolition costs.

Councilor Wall made the motion to approve Resolution No. R2011-37. Seconded by Councilor Garcia. Roll call: Councilors Wall, Garcia, Landavazo and Mayor McKinney all voted aye.

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

None.

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

Councilor Landavazo encouraged all citizens to “buy and believe Gallup” by shopping at local businesses.

Councilor Wall recommended the placement of three speed bumps on Kit Carson Drive to slow down the speeding traffic in this area. He asked that City staff proceed with the project since the asphalt plant will be closing very soon for the winter. Mr. Dible said the Public Works Department budget line item for such projects has been depleted. Mr. Dible said it will cost about \$15,000 for the traffic calming project on Kit Carson Drive and Burke Drive. Mr. Dible asked for a consensus from the Mayor and Councilors concerning the situation. Councilor Garcia said he asked City staff about installing speed bumps on Stagecoach Road, Freedom Drive and Viro Circle in an effort to slow down speeding traffic. Councilor Garcia said he was informed that the City does not install speed bumps due to liability issues. Councilor Garcia said if speed bumps are going to be installed in Councilor Wall’s district, speed bumps should be installed in all

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Council districts. Mr. Dible said he prefers speed humps or speed tables opposed to concrete dips. Councilor Landavazo asked if the City was financially prepared to handle the multiple requests for speed bumps in all Council districts in addition to the speed bumps planned for Kit Carson Drive and Burke Drive. Mr. Dible said if the speed bumps are a priority of the Mayor and Councilors, the City would use its ample cash reserves for the projects. Mr. Dible said staff is currently projecting the use of \$1 million in cash reserves for various projects which would result a \$4.6 million balance, which is a sufficient balance to maintain in reserve. In the short-term, Mr. Dible said the City could install the speed bumps on Kit Carson Drive and Burke Drive and during mid-year budget adjustments, an amount specified by the Mayor and Councilors could be allocated for additional speed bumps. Councilor Garcia asked if one speed bump project could be done in Councilor Wall's district and a second speed bump project could be done in District 4. Councilor Wall said he requested his speed bump projects a long time ago and would like to have the Kit Carson Drive and Burke Drive projects completed prior to proceeding with additional projects. Councilor Garcia asked if the liability issues with speed bumps are still a problem. Mayor McKinney said he has spoken with many members of the public regarding their concerns with the concrete dips in many roadways throughout town that are used for flood and speed control. Mr. Henderson said City staff will execute whatever policy has been authorized by the Council. Mr. Henderson said the City previously would not install speed bumps due to liability issues since it was the existing policy of the Council when he discussed the matter with Councilor Garcia months ago. Mr. Henderson said the concrete dips are primarily used for drainage control to move water across the crowns in the roadways to eliminate the ponding and freezing of water. The concrete dips will also act as a traffic calming measure but are primarily used for drainage control. Mr. Henderson distributed a handout containing aerial photographs of Kit Carson Drive and Burke Drive, the official State street classification map and documentation concerning the methods, measures and tools that are used to calm or slow down traffic. Mr. Henderson provided an overview of what has been done by the City in its attempt to slow down the traffic on Kit Carson Drive; the proposed installation of speed tables to resolve the speeding problem on Kit Carson Drive; the problem with drivers speeding through a 90 degree turn on Burke Drive; and the proposed installation of a rollover median to resolve the speeding problem on Burke Drive. Mr. Henderson said Kit Carson Drive will be used as a test street to see if the speed tables will work to slow speeding traffic down. Mayor McKinney asked if signs would be placed to alert motorists of the location of a speed table. Mr. Henderson responded yes. Mayor McKinney said the snow plow operators should see the signs when approaching a speed table while plowing the street. Mr. Henderson concurred and said rubber blades will be installed on the plows as well. Discussion followed concerning possible projects involving the installation of speed tables. Councilor Landavazo recommended installing the speed tables on one street to see if the speed tables will resolve the speeding problem. If the speed tables work,

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Councilor Landavazo said the City can proceed with the expense of installing additional speed tables in other problem areas of town. Mr. Henderson said if the Mayor and Councilors have any concerns with any drainage dip to advise him of their concerns since staff is preparing the budget for next fiscal year.

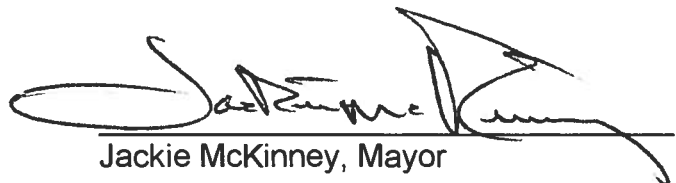
Councilor Garcia made reference to an article in the newspaper entitled, "Is Our Community Desensitized To Drunken Drivers?" He expressed concerns with the number of drunk drivers with multiple Driving While Intoxicated (DWI) convictions that continue to drive inebriated on the local streets and highways, which places the public at great risk. He said the City needs to address the issue by adopting an Ordinance with severe penalties for DWI, possibly by confiscating the vehicles of DWI offenders. He believes the community is desensitized to drunken drivers and the community's mindset on the matter needs to be changed. He would like to place the matter on the agenda of the next regular meeting.

Mayor McKinney wished everyone a happy and safe Thanksgiving.

**Comments by City Manager**

Mr. Dible presented the City Manager's Report, dated November 22, 2011. A copy of the City Manager's Report is attached hereto and made a part of these official Minutes. The report describes how gross receipts tax is used to compare the local economic strength of cities. Gallup is unique since it is the only incorporated city (pop. 21,678) in the county (pop. 71,492) and is a retail/service center for county residents and residents from Arizona. In order to obtain a fair measure of Gallup's economy, Mr. Dible said Gallup's gross receipts tax per capita should be measured based on the county's population due to the City's huge service delivery burden to county residents. In its interaction with the State Legislature, Mr. Dible said the City needs to inform the Legislature that Gallup's gross receipts tax per capita cannot be compared with other cities in New Mexico due to its unique situation and challenges.

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



Jackie McKinney, Mayor

ATTEST:



Alfred Abeita, City Clerk

Approved 12/13/2011

## CITY MANAGER'S REPORT

November 22, 2011

The City of Gallup faces unique service delivery challenges compared to other New Mexico cities. The cities of Farmington and Grants have more in common with Gallup than other cities in the state because they share similar problems. I feel Gallup's challenges are more severe. Gallup (21,678) is the only incorporated city in McKinley County (71,492). The unincorporated portion of McKinley County includes a large population that lives in poverty with very limited public services or retail services available where they live. Gallup is a retail/service center for a service area that extends beyond McKinley County into Arizona and also serves the large traffic volume on I-40.

The City of Gallup uses the cities of Alamogordo, Carlsbad, Clovis, Deming, Farmington, Hobbs, Roswell and Silver City as our market area. These cities are the centers of their counties economies. These cities are located significantly outside the regional economic centers of Albuquerque, Amarillo, El Paso, Las Cruces, Lubbock and Santa Fe. The uniqueness of Gallup is most easily shown by comparing the 2010 Uniform Crime Report data with the other cities in our market area. Violent crime is 245% higher than the average for the other eight cities whereas property crime is 178% higher.

Gross receipts tax is the best measure of comparative local economic strength. Analysts often use gross receipts tax per capita (city population) to compare cities. On the surface this seems reasonable; however it is not a fair measure of the City of Gallup's comparative service delivery burden. Due to our huge service delivery burden to county residents measuring the City of Gallup's gross receipts tax per capita ***based on the county population makes much more sense***. The graph below shows how Gallup compares with our market area and the regional economic centers of Albuquerque, Las Cruces and Santa Fe using this method from a long term perspective.

