

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at Gallup City Hall, 110 West Aztec Avenue, at 6:00 p.m. on Tuesday, July 10, 2018.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

Mayor:	Jackie McKinney
Councilors:	Linda Garcia Allan Landavazo Yogash Kumar Fran Palochak
Also present:	Maryann Ustick, City Manager Curtis Hayes, City Attorney

The Mayor and Councilors presented a Commendation to Richard Matzke, Electric Director, for his commitment, dedication and service to the City of Gallup. Mr. Matzke will retire from employment on August 3, 2018.

Mayor McKinney announced that there will be a ribbon cutting ceremony for the Allison Road Solar Park on Tuesday, July 17, 2018 at 10:00 a.m.

Presented to the Mayor and Councilors for their approval were the Minutes of the Special Meeting of June 19, 2018 and Regular Meeting of June 26, 2018. Councilor Palochak made the motion to approve the aforementioned minutes. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Landavazo and Mayor McKinney all voted yes.

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

1. **Motion To Continue to the July 24, 2018 Regular Meeting:** Ordinance No. C2018-9; An Ordinance Creating the Keep Gallup Clean and Beautiful Board

Mayor McKinney said there are modifications being made to the proposed ordinance; therefore, he recommended continuing the ordinance until the next regular meeting.

Councilor Landavazo made the motion to continue Ordinance No. C2018-19; An Ordinance Creating the Keep Gallup Clean and Beautiful Board until the July 24, 2018 Regular Meeting. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar and Mayor McKinney all voted yes.

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2. Request by Southwest Indian Foundation (SWIF) to Sublease a Portion of the Gallup Cultural Center Parking Lot to Blunt Bros. Coffee – Bill McCarthy and James Eby, Southwest Indian Foundation

Mr. McCarthy introduced Mr. Eby, who is the new Director of the Gallup Cultural Center. Mr. McCarthy and Mr. Eby presented the request to sublease a portion of the City owned parking lot, west of the Cultural Center, for the placement and operation of a business kiosk owned by Blunt Bros. Coffee. Mr. McCarthy said SWIF is willing to share the rental income with the City as it will be used for the maintenance of the center. The kiosk will be in place for customers to walk-up to the window and will not to be used as a drive-thru.

Clyde (C.B.) Strain, Planning and Development Director, answered questions regarding the placement of the kiosk. Under the current code, there are no provisions for kiosks; however, there are regulations in the proposed Land Development Standards Update. In order to maintain the proper traffic flow in the parking lot, Mr. Strain said there is not enough space for a drive-thru to the window at the kiosk. The site plan submitted by SWIF allows for public parking spaces and requires customers to walk-up to the window at the kiosk.

Discussion followed concerning the expired status of the current lease for the Gallup Cultural Center between the City and SWIF, the automatic renewal clause in the current lease and the need to update the lease for future renewal.

Tiffany Benson expressed concerns with the possible loss of parking at the Gallup Cultural Center due to the placement of the proposed kiosk and opening of the new skate park. There are efforts being made to attract tour groups to Gallup and the back portion of the parking lot is the only area where tour buses would be able to park in the downtown area. She recommended placing the kiosk at another location where it does not interfere with spaces where large vehicles may be parked. Mr. Strain said there will be a loss of public parking spaces along the backside of the parking lot since the parking lot is heavily utilized by the public. Since the parking spaces are not dedicated to a specific structure or business, there are no minimum number of parking spaces required at the location. Although the lease between the City and SWIF allows SWIF to sublease a portion of the parking lot, Mr. Hayes said the sublease requires approval by the Mayor and Councilors at their discretion.

Discussion followed regarding the possible use of the parking lot east of the Gallup Cultural Center; however, parking in this area may be impacted by the skate park, once it opens, as well as other activities at the Cultural Center. Mr. Eby said there is space in the west side parking lot for three recreational vehicles or buses with the proposed kiosk in place. Originally, there was space for four recreational vehicles or buses.

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Following discussion, Councilor Landavazo made the motion to approve the request by Southwest Indian Foundation to sublease a portion of the Gallup Cultural Center parking lot to Blunt Bros. Coffee. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar and Mayor McKinney all voted yes.

3. Request by Southwest Indian Foundation to Sublease a Portion of the Gallup Cultural Center to Enchantment Skate Shop – Bill McCarthy and James Eby, Southwest Indian Foundation

Mr. McCarthy presented the request to sublease a portion of the Cultural Center to Enchantment Skate Shop for the operation of a private business. With the evolution of the new skate park, Mr. McCarthy said the proposed business is in line with SWIF's Charter to foster Native American businesses. The proposal consist of leasing a cubical located on the east side of the Cultural Center to Jeremy Todacheenie, owner of Enchantment Skate Shop. Ms. Ustick said the sublease provides for the following: lease of an area of the Cultural Center to Enchantment Skate Shop, \$150 rent per month to be paid by Enchantment Skate Park to SWIF beginning August 1<sup>st</sup> for a trial period of six months, payment will be due on the first of each month of the following work day if the first falls on a weekend and the sublease will be revisited on January 2, 2019. Mr. McCarthy said SWIF is willing to share the rental income with the City as it will be used for the maintenance of the center.

Discussion followed regarding the business owner's responsibility to obtain a business license and to create a business plan for the operation of the business; specifically, for the business owner to remain closed until a business license has been issued for the business even though no sales transactions are taking place. Also discussed was the hours for the operation of the skate shop and the skate park, the use or uses of the facility by the business and the need for compliance with the fire and building code with regards to assembly and occupant loads.

Eric Babcock, Fire Chief, recommended the submission of a written business plan by the owner regarding the use of the facility. Mr. Strain also recommended that the business location be unoccupied until a business license has been issued.

Following discussion, Councilor Garcia made the motion to table Discussion/Action Topic 3 until the next regular meeting in order to provide time to address the outstanding issues. The motion died for a lack of a second.

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Councilor Landavazo made the motion approve the request by Southwest Indian Foundation to sublease a portion of the Gallup Cultural Center to Enchantment Skate Shop with the provision requiring Enchantment Skate Shop to stay closed and to refrain from showing products until all of the proper steps are taken to obtain a business license and the proper inspections by the Fire Chief and any City personnel required in the process. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Kumar, Palochak and Mayor McKinney all voted yes.

4. Settlement Agreement Between the City of Gallup and Gallup Police Officers Association, Fraternal Order of Police (FOP), McKinley Lodge #7 – Klo Abeita, Human Resources Director

Ms. Abeita presented the Settlement Agreement which provides for both economic and non-economic agreements that sets forth a 4.00% wage increase, 80/20 employer-employee health insurance cost share and shift bidding for bargaining unit members based on the provisions of Section 41, "Terms of Agreements" of the existing collective bargaining agreement. The wage increases and shift bidding will take effect on the first day of the first full pay-period (commencing July 16, 2018) following approval by the Mayor and Councilors. The health insurance cost sharing will follow the health care plan year that begins October 1, 2018. The Gallup Police Officers Association has ratified the agreement. The total fiscal impact is \$108,728 for the 4.00% wage increase, which includes contributions to the Public Employees Retirement Association (PERA) and Medicare taxes. The fiscal impact for the 80/20 health insurance cost share is \$97,248. Funding for the cost associated with the proposed agreement will be provided by a hiring freeze of four police officer positions.

Councilor Palochak asked about the total number of full-time police officer positions that will be available after freezing four positions. Ms. Abeita said there will be 67 full-time police officer positions available and once the full level of police officers are achieved, staff will present a proposal to the Mayor and Councilors to increase the number of full-time police officers.

Following discussion, Councilor Garcia made the motion to approve the Settlement Agreement Between the City of Gallup and Police Officers Association, Fraternal Order of Police, McKinley County Lodge #7. Seconded by Councilor Palochak. Roll call: Councilors Garcia, Palochak, Landavazo, Kumar and Mayor McKinney all voted yes.

5. Bill Print Services Contract Award – Jon DeYoung, Assistant City Manager

Mr. DeYoung said a Request for Proposals (RFP) was solicited for utility bill print services for the City. Based on the evaluation of the proposals submitted, the RFP committee

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recommended award of the contract with Infosend. The cost to produce two-sided bills in full color will cost \$68,376 per year to process 11,000 bills per month. In the past the City previously had to budget \$110,000 per year for utility bill print services to produce two-sided bills in black and white. Mr. DeYoung answered questions concerning the enhanced design of the bills to be produced by Infosend and the cost savings of about \$40,000 per year to the City based on the established costs in the contract.

Following discussion, Councilor Kumar made the motion to approve the base contract amount of \$68,376 for the bill print services contract award with adjustments of up to \$110,000 for services provided. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Palochak, Garcia and Mayor McKinney all voted yes.

6. Appointment of Patty Holland and Dennis Romero to the New Mexico Municipal Energy Acquisition Authority (NMMEAA) Board – Mayor Jackie McKinney

Mayor McKinney said Ms. Holland and Mr. Matzke, were appointed to the NMMEAA Board of Directors in June, 2014. Both Ms. Holland and Mr. Matzke's terms expired last month. Ms. Holland has expressed an interest in serving another four-year term; however due to Mr. Matzke's pending retirement, Mayor McKinney recommended appointing Mr. Romero in Mr. Matzke's place.

Councilor Palochak made the motion to approve the appointment of Patty Holland and Dennis Romero to the New Mexico Municipal Energy Acquisition Authority Board. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Landavazo and Mayor McKinney all voted yes.

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

Helen Matzke addressed the Mayor and Councilors concerning her and Mr. Matzke's pleasant experience living in Gallup during the past 5 years.

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

Councilor Palochak commented on her enjoyable experience while attending the 4<sup>th</sup> of July event at the Courthouse Plaza. She commended Tammi Moe, Library Director, for the luncheon held with Anne Hillerman and fellow authors last weekend.

Councilor Landavazo provided an overview of the positive comments he received regarding the 4<sup>th</sup> of July event at the Courthouse Plaza. He also received a recommendation for the City to host a parade next year on Independence Day. Councilor Landavazo encouraged everyone to keep building on positive things in Gallup. He also commended all who were involved in holding the 4<sup>th</sup> of July event.

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Councilor Kumar also commended those who helped put on the 4<sup>th</sup> of July event. He encouraged everyone to attend the Wild Thing Championship Bull Riding event to be held during the upcoming weekend.

Mayor McKinney commented on one of his friends visiting from Australia traveling by motorcycle. He also commented on the enjoyable experience he had while attending the event with Ms. Hillerman the panel of authors last weekend.

**Comments by City Manager and City Attorney**

Ms. Ustick provided updates on the Ciniza Reconstruction Project, the Cemetery Access Road Project, the Downtown Alley Project and the Hasler Valley Storm Drainage Project.

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



Jackie McKinney, Mayor



ATTEST:  
  
Alfred Abeita II, City Clerk

Approved 7/24/2018