



Clovis City Commission

Regular Meeting

~ Minutes ~

321 North Connelly St
Clovis, NM 88101
www.cityofclovis.org

Vicki Reyes

Thursday, May 18, 2017

5:15 PM

North Annex, Clovis-Carver Library

I – PLEDGE OF ALLEGIANCE

Mayor Lansford called the meeting to order. Mr. Louis Gordon offered the prayer, which was followed by the Pledge of Allegiance and the Salute to the New Mexico flag.

II – OFFICIAL SALUTE TO THE NEW MEXICO FLAG: "I salute the flag of the State of New Mexico, the Zia symbol of perfect friendship among united cultures."

III – ROLL CALL

Attendee Name	Title	Status	Arrived
Chris Bryant	Commissioner - District 4	Present	4:56 PM
Juan Garza	Mayor Pro Tempore	Present	4:57 PM
Fidel Madrid	Commissioner - District 3	Present	4:49 PM
David Lansford	Mayor	Present	5:01 PM
Sandra Taylor-Sawyer	Commissioner - District 2	Present	5:12 PM
Gary Elliott	Commissioner - District 2	Present	4:52 PM
Tom Martin	Commissioner - District 4	Present	5:12 PM
Ladona Clayton	Commissioner - District 1	Present	5:04 PM
Helen Casaus	Commissioner, District 3	Present	4:53 PM

IV. APPROVAL OF AGENDA

RESULT: ADOPTED [UNANIMOUS]

MOVER: Juan Garza, Mayor Pro Tempore

SECONDER: Fidel Madrid, Commissioner - District 3

AYES: Bryant, Garza, Madrid, Taylor-Sawyer, Elliott, Martin, Clayton, Casaus

V – APPROVAL OF MINUTES

1. Thursday, May 04, 2017

RESULT: ACCEPTED [UNANIMOUS]

MOVER: Chris Bryant, Commissioner - District 4

SECONDER: Helen Casaus, Commissioner, District 3

AYES: Bryant, Garza, Madrid, Taylor-Sawyer, Elliott, Martin, Clayton, Casaus

VI – RECOGNITION OF VISITORS

Mayor Lansford welcomed everyone to the meeting.

VII – PROCLAMATIONS, AWARDS AND PRESENTATIONS

1. Presentation of Key to the City to Colonel Benjamin Maitre, Colonel Douglas Gilpin and Lt Colonel Diane Sullivan, Mayor Lansford

Mayor Lansford stated Colonel Maitre has been the Wing Commander for almost two years and they appreciated the leadership he has given the men and women at Cannon Air Force Base. He presented a Key to the City to Colonel Maitre. Colonel Maitre thanked the mayor and the commission, stating Clovis has a larger part of his heart because of the community.

Mayor Lansford stated Colonel Douglas Gilpin and Lt. Colonel Diane Sullivan are with the Mission Support Group and much of what they do is similar to running the City of Clovis. Mayor Pro Tem Garza and Mayor Lansford presented Keys to the City to Colonel Gilpin and Lt. Colonel Sullivan. Colonel Gilpin stated they appreciate the support they get from the City of Clovis for everything they do for Cannon. Lt. Colonel Sullivan thanked the commission, stating this is one assignment that she will never forget and has never seen a community more welcoming.

VIII – RECEIPTS OF PETITIONS AND COMMUNICATIONS

1. Report Regarding the Great American Cleanup, May 6, 2017, Mark Dayhoff

Mr. Mark Dayhoff gave the report, advising the community had another successful Great American Cleanup on May 6 with a very enthusiastic group of volunteers. He thanked the city employees, Ms. Tabetha Leinberger, Ms. Vicki Reyes and Ms. Claire Burroughes for their help. Commissioner Bryant, Commissioner Martin and Commissioner Madrid were present to help hand out awards and Mr. Phelps was also in attendance. Mayor Lansford thanked Mr. Dayhoff for his leadership with the cleanup.

Veterans Park

Ms. Burroughes thanked Mayor Lansford, Commissioner Taylor-Sawyer and Commissioner Bryant for helping paint the F111 and the tank last Saturday at Veterans' Park, noting assistance given by the parks and public works employees. Mayor Lansford stated the table is now set to receive the anchor that James Burroughes has acquired for the city.

JROTC

Commissioner Elliott stated Major Lawrence Fields with the CHS JROTC, won several first place awards in Colorado recently and should be recognized.

IX. CONSENT AGENDA

This item is placed on the agenda so that the Commission, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any proposal does not meet with the approval of all Commission members, or if a citizen so requests, that item will be heard when reached under the regular agenda.

1. Motion to place indicated items on the consent agenda by unanimous vote

Commissioner Bryant asked regarding Item Number 5 under the Consent Agenda if the city was going to take over the weed contract. Mr. Phelps stated it was not. The piece of equipment is to help the Environmental Response Team do their everyday job.

Commissioner Elliott made a motion to place indicated items on the consent agenda by unanimous vote; Mayor Pro Tem Garza seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

2. Request for Approval of Adoption of Ordinance Number 2088-2015 Changing an "I" Industrial District Zone to an "MD" Mixed Development (Address of Zone Change 2300 W. 7)

The Planning and Zoning Commission met in regular session on Wednesday, May 10th, 2017. Members discussed a request to change the zone (2300 W. 7th) from (I) Industrial to (MD) Mixed Development. The request meets the requirements of the City's Zoning Ordinance and is consistent with the City's Comprehensive Plan. There is no compelling evidence that there would be a threat to the public health, safety, or general welfare and there was (0%) protest. Members voted 7-0 to recommend the request. This item was approved under the consent agenda.

3. Request for Approval of Adoption of Ordinance Number 2089-2017 Zone Change from (RS) Residential Single Family to (MD) Mixed Development. Lot Eleven (11) Block 6 of the Gentry Subdivision, City of Clovis, Curry County. (Address of Zone Change 2801 Ross)

The Planning and Zoning Commission met in Regular Session on Wednesday May 10th 2017. Members discussed a request to change the Zone of Lot 11 Block 6 of the Gentry Subdivision, Clovis NM 88101. The proposed rezoning is inconsistent with the Comprehensive Plan, however it could function as a transition between adjacent districts IAW Section 17.100.211(E) of the zoning regulation. The proposed lot is contiguous with an existing "MD" - Mixed Development district directly to the east. There is no compelling evidence that there would be a threat to the public health, safety, or general welfare. All

surrounding property owners were notified and there is (0%) protest. The Members voted 5-1 to approve the request. This item was approved under the consent agenda.

4. Request for Approval of City of Clovis' Preliminary Budget for Fiscal Year 2017-2018

The City of Clovis is required to send the preliminary budget to the Department of Finance & Administration (DFA) by June 1st. This budget is for the period beginning July 1, 2017 and ending June 30, 2018. The final budget will be submitted to the Commission for final approval in late July.

Estimated General Fund ending cash is \$4,462,664. The state required minimum cash reserve is \$1,990,710, which is 1/12th of the General Fund expenditures. There are no salary increases in the preliminary budget. This item was approved under the consent agenda.

5. Request for Approval of Capital Outlay Request for Funds to Purchase a Trailer to Aid the ERT Department in the Removal of Trash, Debris, and Weeds from Properties Around Clovis

Request from Building Safety (ERT) to transfer funds from 75-0602-64730 (Tools and Apparatus) to 75-0602-67590-201701 (Capital Outlay) in the amount of \$6,319.00. Due to the need for equipment storage as well as hauling capabilities, an additional trailer is required by the ERT Department to perform their duties adequately. The purchase of this necessary equipment exceeds the limit for the category. Building Safety requested moving funds to Capital Outlay so that it can be maintained in inventory. This item was approved under the consent agenda.

6. Request for Approval of Bid Number ITB 17-0402-01 "Modular Home at Wastewater Treatment Plant"

The City of Clovis received one bid for the modular home at the Wastewater Treatment Plant. Bids were opened April 24, 2017 and Portales Homes (Home Spot) was the only bid. It is recommended the City of Clovis accept this bid for the modular home.

The modular home base bid is \$180,969.00 with a trade-in allowance of \$15,000.00 for the 2001 Clay mobile home currently at the Wastewater Treatment Plant for a final total of \$165,969.00 - delivered and set up at the Wastewater Treatment Plant.

\$165,000.00 was approved as a wish list item in August 2016 with an additional request of \$45,000.00 approved at the March 2, 2017 Commission meeting. The additional funding will be used for utility set up and brick on the exterior. This item was approved under the consent agenda.

7. Request for Approval of Street Closure, from 6:00 A.M. - 7:30 A.M., Saturday, May 20, 2017 on Main Street Between Seventh and Eighth Streets for the AFSOC 10Th Anniversary Cannon Air Force Base Ruck March, Jean Masters

The 27th SOW will be holding a Ruck March in honor of the 10th anniversary of AFSOC at Cannon Air Force Base. They are requesting a street closure from 6:00 a.m. - 7:30 a.m., Saturday, May 20th on Main Street between 7th and 8th Streets. This item was approved under the consent agenda.

8. Request for Approval of Use of Greene Acres Park, Use of City Stage and Waiver of Fees for Annual Smoke on the Water, July 4, 2017 Event. Request Includes Closure of 21 Street from Mitchell to Main from Noon to 9:30 P.M., Mitchell from 21 Street to Purdue Street from 3:00 P.M. to 9:30 P.M., Main Street Between 21 Street and Marshall Middle School from 6:30 A.M. and 9:30 P.M., Tuesday, July 4, 2017

This is the annual Smoke on the Water event at Greene Acres Park. Rooney Moon Broadcasting will be hosting the event this year.

The fireworks will be located on Main Street between 21st Street and Purdue. Due to the time needed to set the fireworks up, Rooney Moon Broadcasting are requesting a longer period of time for the closure of Main Street between 21st and Purdue, from July 3rd, 2017 until Noon, July 5th, 2017.

Vendors will be located in the Red Arrow Bingo parking lot across the street from Greene Acres Park. This item was approved under the consent agenda.

9. Request for Approval of One Citizen Member to Serve on the Clovis-Carver Library Board

Mr. Mel Eperthener has moved from the area and a vacancy exists on the Clovis-Carver Library Board. The position has been advertised and Ms. Ann Shuckman has applied to serve. This item was approved under the consent agenda.

10. Request for Approval of Appointment of One Person to the Commission on Older Adults

Donna Labatt's term on the Commission on Older Adults is expiring. The position has been advertised with the local newsmedia and Ms. Labatt's application was received. This item was approved under the consent agenda.

11. Motion to approve or acknowledge all items on the consent agenda

Mayor Pro Tem Garza made a motion to approve or acknowledge all items on the consent agenda; Commissioner Casaus seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

X – INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES

None.

XI – UNFINISHED BUSINESS

None.

XII – NEW BUSINESS

1. Request for Approval to Apply for Grant Funding to the New Mexico Department of Game and Fish/U.S. Game and Fish for Construction of the Clovis Archery & Winged Shooting Training Center at Ned Houk Park, and to Receive Funds, If Awarded, Tom Phelps

The City of Clovis' Parks, Recreation & Beautification Committee have approved recommending the construction of the Clovis Archery & Winged Shooting Training Center at Ned Houk Park.

The City of Clovis has been working with the New Mexico Game and Fish Department regarding a grant application for this facility. If the grant is approved, the City of Clovis would enter into an agreement with the New Mexico Department of Game and Fish. If approved, funding will be a \$3.00 from the state/federal level to \$1.00 match from the City of Clovis.

Ms. Jessica Fisher, Shooting Program Coordinator for the New Mexico Department of Game and Fish advises that if the city decided to cease operation of the area in the future the city would reimburse the NM Department of Game and Fish for their portion of the current real market value.

Scope of Work

Shooting sports represent some of America's fastest growing competitive activities. The number of licenses in Curry County has increased from 2,026 in 2014 to 2,168 in 2016.

The amenities at the proposed facility would include:

- Four combination trap / skeet fields built to meet Amateur Trap Association and National Skeet Shooting Association regulations with machines;
- Sporting clays course with 12-18 stations with machines;
- Various shade structures including over the rifle range firing lines, adjacent to the action bays and trap/skeet fields, and throughout the sporting clays course;
- A multi-purpose building (125'x60' with 14' walls) with an indoor archery range, office, classroom(s), kitchen area, storage and bathrooms;
- Gravel parking lots and driveways;
- Benches and picnic tables, throughout;

- Boundary fence;
- Utilities to necessary amenities;

Funding

At their meeting held April 19th, 2017, the City of Clovis Finance Committee recommended allocation of up to \$400,000 in non-recurring funding to fund the City's match for the grant application, to include \$40,964 to SWCA Environmental Consultants, for the NEPA work, and archaeological survey work, (to be completed prior to submitting the application, but which may be used as in-kind match for the grant, if awarded), and year one of the operation and management of the facility of up to \$57,200.

Management Oversight

Once constructed, the proposed facility will be managed by a 501c3, not for profit, management group, consisting of representatives from various area shooting organizations including archery, WYHEC, Air Guns, ROTC, Boy Scouts, 4-H and Shotgun. The City of Clovis will serve in an ex-officio non-voting capacity on the non-profit's board of directors. The City of Clovis will enter into an agreement with the entity for the management of the facility.

Fiscal Impact:

Up to \$400,000 from Non-Recurring Funds for the SWCA Environmental work, grant match and operation and management of the facility for the first year.

Ongoing annual cost is projected to be \$6,500 to the City of Clovis.

Commissioner Martin moved for approval; Commissioner Casaus seconded the motion.

Mr. Phelps stated the Parks, Recreation & Beautification Committee has recommended the construction of the Clovis Archery and Winged Shooting Training Center at Ned Houk Park. The City of Clovis has been working with the New Mexico Game and Fish Department regarding a grant application for this facility. If the grant is approved the city would enter into an agreement with the NM Department of Game and Fish. If approved funding will be \$3 from the state/federal level to a \$1 match from the city. The Finance Committee recommended an allocation of up to \$400,000 in nonrecurring funding to fund the city's match for the grant application which would include \$40,964 for environmental that needs to be completed as well as an archeological survey. In addition, the \$400,000 would cover the first years operating expenses for the center of \$59,900. The total cost of the Winged Shooting Training Center would be approximately \$853,000 and of that Clovis would be required to fund \$213,355. Those funds will be reduced by the \$41,000 that they will pay for the NEPA survey. The remaining funds would be funded by NM Game and Fish if the grant is approved. The monthly estimated annual financial impact to the City of Clovis is \$8,720. Once constructed the proposed facility will be managed by a 501c3 group consisting of representatives from various shooting organizations. The City of Clovis will serve as an ex-officio non voting member on their board of directors and will enter into an agreement with the entity for the management of the facility.

Mayor Lansford stated the grant from Game and Fish is money that was collected from tax on firearms sales, ammunition sales, etc. The city's portion, which is a 25% match, is coming from nonrecurring funds that were identified 2 years ago. The city's self insured workers comp fund was rather large and they determined that anything over \$2.5 million could be used for one time capital expenditures. The other portion of the nonrecurring funds came from the ICMA forfeiture account, where employees that don't work for the city longer than 5 years don't get the city's contribution. There was close to two million dollars in the account. The City Commission was tasked with finding projects that would improve the community. There is still over \$1 million left in the non recurring fund. The shooting range matching grant became one of those items that they considered for expenditure. The Finance Committee suggested that no more than \$400,000 of the non recurring funds could be used to enhance Ned Houk Park to improve the infrastructure and to increase recreational opportunities for the citizens. He advised he has to advocate for quality of life projects. These things are needed in the community otherwise people do not want to come to the community. This commission has done a good job of allocating those nonrecurring dollars in the past year. This money is not coming out of the general fund or dollars that can be used for salaries or benefits.

Mayor Lansford stated it might not be a good move for the commission to spend the nonrecurring funds when they just raised gross receipts tax. He stated the commission has only implemented one of the 1/8ths gross receipt tax (hold harmless), but money does need to be spent on quality of life.

Commissioner Martin stated this has been the hardest decision that he has faced as a commissioner. He thanked the Parks and Recreation Board and Mr. Bill Adams for all of his research. He stated the City has obligations to maintain what they have, to make the city presentable and to make the quality of life as good as they can. The vote they cast tonight needs to be based on what is in the best interest of the city.

Commissioner Martin stated an unnamed editor of an unnamed public medium likes to point out in editorials that it is not the job of the city government to provide entertainment for the masses. He felt there were things the citizens could not provide for themselves and that the city needed to step in and provide those services that the individuals could not. They have just implemented the first 1/8th and will probably have to implement the other two 1/8ths in the near future.

Commissioner Martin stated they are still looking at an obligation on the proposed building at Ned Houk. Mr. Phelps stated if the center is shut down the city has the obligation to pay back the depreciated value of the building to NM Game and Fish. Commissioner Martin stated the contract with the nonprofit organization is a big concern for him.

Commissioner Taylor-Sawyer stated they just received a revised sheet that shows the city will have an annual recurring cost of \$8,750. She asked where that money was going to come from. Ms. Burroughes advised Mr. Phelps had responded to Commissioner Taylor-Sawyer's questions earlier this afternoon. Staff identified up to \$9,000 that could come from the aquatic center. These funds had been used one year and since then the aquatics training has been conducted by the Clovis Swim Team so that money would be available to be reallocated. Commissioner Taylor-Sawyer stated the Revenue Review Committee asked departments if there were any places in their departments that they could decrease and there weren't. From a business point of view that money should be used in current services and current programs that they have. She stated she had a concern with the city putting their name on the line to say they are responsible for the annual recurring cost.

Commissioner Taylor-Sawyer stated she was also concerned with \$59,900 for the startup fees, but it shows there will be a net profit of \$4,000.60. She asked why the city is going to commit to the \$59,900 and the expenditure sheet does not show that it is needed. Mr. Phelps stated the first year the management group would not have the funds to pay operating expenses so it is requested that the city front the first year operating expenses with the full understanding that the management group will be responsible and cash flow positive at the end of the first 12 months. The \$8,700 would be the annual responsibility of the city for maintenance, city insurance and internet on the building.

Commissioner Taylor-Sawyer asked if it was possible for the city to be paid back. Mr. Phelps stated anything is a possibility. The plan is to be profitable at the end of year one and whatever profit the management group makes will be put back into the operation. The commission could request that staff, in the development of the operating agreement, place something in there stating that, once the management group achieves a certain amount of funds, a portion of that would rebate back to the city. The city will still have to apply with the state if the commission approves this. In the interim, if the city is approved for the grant, they expect to have an agreement in place and the ability to sign off on it.

Commissioner Taylor-Sawyer stated there are annual wages of \$30,500 and the State of New Mexico requires if there are three or more employees they have to have workers comp. She stated she did not see the employee payroll tax listed. They are looking at salary of well over the amount that was listed with that added in. She asked for demographics as well for the number of shooters projected. Ms. Burroughes stated they have not been able to gather that information since the request just came in this morning. She stated they have the number of shooters at the Founders Ranch in Edgewood from Jessica Fisher, which is much higher than the projected numbers Mr. Adams put together.

Commissioner Clayton appreciated what Commissioner Martin spoke about. She has considered that the 2/8ths was coming up and all possible ways that money could be spent beyond this. She was struggling between being aware of all of the other needs that they have where that money could be expended and one for her is water supply. This is a time issue for her at a time when they have just raised taxes and there are many needs that need to be fulfilled for the city. She understood that there is a piece of city equipment that

was burned recently and the insurance will pay for part of it. She asked if this funding source could be used to cover the cost for that. Mr. Phelps stated it could be.

Commissioner Madrid stated they had to move ahead. They can't just sit back and not do anything just because it costs money. He stated they had the \$400,000 allocated for this before hold harmless came out.

Commissioner Elliott stated Major Fields, Clovis High School JRTOC, is very interested in having a facility that they can use. Senior Olympics, the 4H club, the schools, hunter safety training and various other things will be done there. It will bring people in from miles around.

Commissioner Bryant stated he would like to see them have the shooting range, but he was also concerned about the state and federal funding that they keep talking about cutting. They have to look at all the aspects and everything that is going to take place. He asked if the city is tied into a contract with Game and Fish for the building. Mr. Phelps stated they will enter into a 50 year contract. Commissioner Elliott asked if there was a possibility of the city taking over ownership of the building. Ms. Jessica Fisher, NM Game & Fish, (via phone) stated this would be an agreement that the city will enter into with the state and the terms have to do with the structure of the facility. There was discussion that they could enter into a 30 year agreement. Fish and Wildlife would have to see a set of plans.

Commissioner Taylor-Sawyer stated the city will contribute \$213,000 and the building is \$289,000. She asked if that would still be under the 50 year agreement. Ms. Fisher stated they would want to use the \$213,000 as match. Anything that is constructed with any of that money will be included in the terms of the agreement.

Commissioner Martin asked what the depreciation was on the value of the building. Ms. Fisher stated she did not know the answer to that. If it is a 30 year term and it ceases as a shooting range then the city will reimburse the state for the real market value at that time. She stated depending on the outcome of this meeting she would like to bring in Fish and Wildlife to answer more questions.

Mr. Joe Whitehurst stated all the commission needs is to say that they can move forward. He stated they will never be able to tell the commission how many people will be at the facility at one time. People from a 200 mile radius will come to this facility because there are only 13 trap ranges in the State of New Mexico. There is one county in Nebraska that has 24. When they bring money into town it will boost everything. He stated this will work and will pay for itself. A lot of people have put a lot of work into this.

Commissioner Taylor-Sawyer stated this proposal is asking the city to be a banker. When they are asked to risk money then it is important to have all the information to make a good business decision. She asked, based on the numbers, population and demographics how many people were projected to come and shoot. She stated the \$1 million that is still out there could be used for other things. She stated the \$400,000 has not been allocated for this. Mr. Whitehurst stated no one in this building will not be able to tell her how many people will be at that facility.

Commissioner Taylor-Sawyer stated she has assisted numerous businesses build and grow. When they start growing a business it is important to look at the facts and figures. She stated she was not against children having entertainment, but 90% of the people that she spoke with are against this.

Mr. Coy Bambarger, 1600 E. 21st, stated he hates to see them spend money in so many different areas when it could be used to reduce the other 2/8ths GRT. He would like to see them not raise taxes and not waste money.

Mr. Bill Adams stated in 2016 Edgewood had 2920 shooters. They have shooters from all over and it is a well known center. He is trying to make this just as well known. He could not promise how many people will be there. He read a letter from Janelle Duffy with 4H in support of the winged shooting and training center. He stated another avenue that this place could be used for is the youth of the community. If they teach kids the safe way and to respect guns of all kinds they will see a drop in suicide. The facility has so many possibilities and they have done the best they can to answer any questions. Mayor Lansford thanked Mr. Adams for the hours that he has put in working on this.

Commissioner Martin stated Mr. Adams mentioned the organizations he felt would use the facility. He asked if he had letters of commitment from any of them. Mr. Adams stated he does not have one from each one, but could get some. Commissioner Martin asked what the intent was of the organizational structure. Ms. Fisher stated it did not have

to be a c3, but there are other 501 organizations. The c3 can accept donations and fundraise in ways that other organizations could not. Commissioner Martin asked if it had to be non profit. Ms. Adams stated it had to be. Commissioner Martin asked Mr. Adams if they had an industrial organization set up. Mr. Adams stated they are working on that. He had spoken with a lawyer regarding the 501c3. Commissioner Elliott stated there are several letters of support and there could be more.

Commissioner Taylor-Sawyer asked if it was correct when Mr. Adams said the proper training of the use of a gun reduces suicide. She asked what the basis of his claim was. Mr. Adams stated if they actually know what it is to use that then they will reconsider when it comes to that point. He stated if people would take the time to teach a kid how to use a gun that will take them away from wanting to use it for that purpose. Commissioner Taylor-Sawyer asked if there was a large number of youth who commit suicide with a gun. Mr. Adams stated there are a lot of reports online regarding this.

Commissioner Bryant asked who would provide the educational instructor. Mr. Adams stated Mr. Rick Andes and himself will be certified to teach. Commissioner Bryant asked what the lengths of the courses are. Mr. Adams stated the hunter training safety is a day and a half and the other two training's are two days. Commissioner Bryant asked if the state sets the rates for the courses. Ms. Fisher advised hunter safety is free when there is a course offered in person and online it is \$20. Commissioner Bryant asked if young adults could come out and shoot without the course. Mr. Adams stated they could if they have their hunter safety training.

Commissioner Taylor-Sawyer asked how many are in 4H, what are their ages and where are they located. Ms. Janelle Duffy, Curry County Extension Agent, stated they range from ages 9-19 and she has clubs in Melrose, Texico, Grady, Pleasant Hill and Clovis. There are 250 in 4H and 80 that are in shooting sports.

Mr. Marty Tressell, 3724 Ray Hardy Drive, stated he has been secretary/treasurer of the Roswell trap and skeet shoot. There is a trap club located on that land that is 50 years old and a new club that was put in for cowboy action. They are all located northeast of Roswell. They are not a 501c3, but are considered nonprofit under the state of New Mexico. He asked if the building could be leased for other services and what triggers the repayment. Ms. Fisher stated they enter into an agreement that they will construct the building and the accessories there to be operated as a shooting range. If it ceases to be a shooting range that triggers the potential shooting range and then the city would own the building after that.

Ms. Burroughes asked if the shooting range changed would that impact it all. Does it have to be just skeet and trap. Ms. Fisher stated it does not have to be just skeet and trap. It has to be a firearms or archery facility.

Commissioner Taylor-Sawyer read a letter from a citizen who has a concern that there are so many limited resources that they should use their resources for the greater part of the population. *"Ladies and gentlemen, Let me begin by expressing my gratitude for all you attempt to do for Clovis. I believe each of you has a truly remarkable commitment to the community.*

That said, I understand that a proposed gun range is being brought once again before the City Commission on Thursday night. Although an important issue, I won't be able to attend the meeting due to a previous engagement with my granddaughter. Therefore, I wanted to share just a few thoughts as objectively as possible. It is no secret that I am in favor of much smaller government than currently exists at every level (city, county, state and federal). However, since government feels a much greater need to do more than just govern, I would ask focus on spending where it may have the greatest impact on the greatest number of people. For example, I believe true progress has been made at Hillcrest Park to provide a number of activities that are attractive to the greatest percentage of the population (something for everyone).

I find it ironic that we recently "had" to increase the GRT to cover a "tax revenue shortfall" from "hold harmless", and yet now have found \$400,000 to waste, excuse me, to spend on a facility that will not only serve an extremely small segment of the population but comes with a built in 50-year taxpayer buyback guarantee if it doesn't stay open (Aren't matching funds wonderful?).

Sorry about the bunny trail. Back to an attempt at objectivity. During the last couple of weeks I've been informed about another need that the City Parks have that doesn't seem to be addressed. Remember the appointment with the granddaughter I mentioned? Well, it's her first year of playing softball. There are 120 girls signed up with the American League this year. I don't know how many boys are playing. There are also

259 young people signed up at Zia Little League. And there is an unknown number at a third league that I'm not familiar with. In all there are over 500 youngsters playing little league baseball and softball. And although the playing fields are part of the Parks and Recreation Department for the City, it is amazing how many things the parents, sponsors, local businesses and base personnel volunteer and pay for. For example, parents and coaches at Zia Little League fill in gopher holes on the playing field before each game to help keep the kids from injury because the City hasn't figured out how to rid the field of the rodents. At the Green Acres field, base personnel have volunteered to restretch the fence and find a way to provide electrical service to the pitcher's mound so an electrical cord doesn't have to be strung on the ground during the games. A local business is negotiating to put in a new scoreboard. And yet, the scorekeepers box remains unsafe and the dugouts have holes in the sheet metal that pose a danger to the kids out there playing each game. Objectively, it looks like we can't manage what we have. The question then becomes, why do we think we need to add something else? To give credit where credit is due, it is my understanding that a few years ago a couple of fields were added at Zia. For those responsible, thank you. Unfortunately, when the fields were installed, the old asphalt was not completely cleared and as the field wears out from normal usage, the asphalt will from time to time appear in chunks that have to be removed. Again, we are going to spend \$400,000 with a 50-year buyback guarantee and yet leave existing facilities to the care of volunteers?

I apologize for my rambling. Thank you for taking time to listen. Please vote no on the gun range. Let's make sure what we already have in place has enough to keep it in shape for the next 50-years. \$400,000 would go a long way in doing that.

Terry Blaschke"

Mayor Lansford stated this is only to move forward with applying for the grant application. He stated he would want the city paid back if the facility is making enough of a profit. If the facility should not do well then they would operate with volunteers only. This commission would have to make a final decision if the grant is awarded.

Mr. John Ford, 2474 SR 289, stated his property borders Ned Houk Park. Their property now sees concrete runways from the model airplane club and will hear shooting where it was once quiet. He stated on CR 21, west of the proposed range, there is a large family home that is within 2500 feet of the proposed site. He found one state ordinance describing firearm ranges stated that "any area from which a firearm be properly discharged has to be at least 1,000 from any occupied permanent dwelling on adjacent property". In this case the family in that house is well within the 1,000 yards and therefore, is subject to being violated by a noise nuisance coming from city property. He felt this range is not an intelligent way to spend money and need to find something that a majority of the people can enjoy.

Ms. Patty Barnett, 933 CR 19, asked Mr. Adams how long the equipment was supposed to last. Ms. Fisher stated with property maintenance and care it can last well beyond its useful life. The range in Las Cruces has machines that are 50-60 years old. She stated the shooting range falls under the Pittman Robinson Act, which is a tax on the sale of all firearms and ammunition. Shooting ranges fall under the hunter education portion so it is paid by sportsman. Commissioner Bryant asked who would maintain the equipment. Mr. Adams stated the officers would maintain them.

Mayor Lansford stated he would hate to pay the environmental assessment before they find out if what Mr. Ford said was right. He asked what the ramifications were of a negative vote. Mr. Richards stated that would be the determination of Game and Fish whether they would entertain a reconsideration if there were a negative vote. At one time the commission had a policy that items that were decided by a vote of 5 or more could not be brought up on the same issue for 6 months. That is not a law, but a policy that can be amended, repealed or corrected by the commission at any time. There are cases against private nuisances but they are rare. It is hard to make generalizations because they are fact specific. He stated fish and game when they proposed the original range would have addressed any prohibition. He advised he could coordinate with Game and Fish regarding this. Mayor Lansford stated if what Mr. Ford said was true then that would be a definite road block.

Ms. Burroughes asked Ms. Fisher if Game and Fish looked at the site distance when they did their previous plan, which was further to the west. Ms. Fisher stated she was not familiar with the ordinance that Mr. Ford spoke about. It looks like the new proposed area is closer to one of the homes. She stated it is probably closer than a quarter of a mile. Mr. Adams stated the fourth trap range is closer to that house. Ms. Fisher asked if anyone had spoken to that home owner. Mr. Adams stated he was okay with it and would rather have a

controlled environment than have people by his house shooting in a ditch.

Commissioner Bryant stated he would rather look at all of the issues. He asked if they could table this. Commissioner Martin asked if he could amend his motion with contingencies or do they make the application and include researching all of this. Mr. Richards stated the action of the commission is to make the application and they would still have the opportunity if there is a legal defect or if the grant was approved the commission has the opportunity to either accept or not accept the grant. To make the application requires the environmental study and that incurs the \$41,000 of expense. Commissioner Martin stated he did not want to discount what Mr. Ford has brought up. Ms. Burroughes asked if that would include changing the location to the original location. If they move forward and that location was not eligible because of proximity would they like staff to look at the original location. Commissioner Martin asked if they could get Game and Fish's assistance with this. Ms. Fisher stated they could.

Mr. Richards stated the agenda does not specify a specific site. Mayor Lansford asked if an environmental assessment could identify a location. Mr. Phelps stated they needed to identify the area first. He suggested researching the existing location to see if it is in violation of any state or county laws. If it is not then they can move forward with the environmental.

Upon a roll call vote, with all voting in the affirmative with Commissioner Taylor-Sawyer and Commissioner Clayton voting against, the motion passed with a vote of 6-2.

Mayor Lansford stated this is by no means a final approval. He thanked staff for their hard work.

RESULT: APPROVED [6 TO 2]

MOVER: Tom Martin, Commissioner - District 4

SECONDER: Helen Casaus, Commissioner, District 3

AYES: Bryant, Garza, Madrid, Elliott, Martin, Casaus

NAYS: Sandra Taylor-Sawyer, Ladona Clayton

XIII – REPORTS OF BOARDS, OFFICERS AND COMMITTEES

1. Monthly Investment Report

Ms. Melancon gave the Monthly Investment Report as follows:

General Fund 1 - \$7,794,919.84

Solid Waste Fund 2 - \$1,929,601.13

Environmental Tax Fund 6 - \$5,861,829.99

Wastewater Fund 10 - \$4,354,734.32

Airport Fund 12 - \$31,171.78

Colonial Golf Course Fund 19 - \$104,178.18

Streets 2015 GRT Improvements Fund 24 - \$767,975.60

Worker's Comp P&L Fund 48 - \$1,723,290.92

Infrastructure Imp Fund 60 - \$515,136.00

Special Parks Imp Fund 61 - 197,997.65

Civic Center Fund 62 - \$530,464.24

Designated Cash Fund 63 - \$1,468,576.59

Economic Development Fund 64 - \$2,532,402.14

Capital Outlay 1/4% Fund 65 - \$910,034.21

Water 1/4% GRT Fund 66 - \$3,237,041.31

Lodging Board Fund 78 - \$855,218.57

Capital Projects Fund 87 - \$955,936.14

Drainage Improv Fund 88 - \$531,709.20

Beginning cash and investments was \$43,806,338.82 and ending cash and investments was \$43,313,189.88. The breakdown is \$20,451,554.41 Cash in Bank, \$5,970,611.87 in CD's with Citizen's Bank and \$16,891,023.60 in the State Investment Pool. Interest earned for the month was \$10,193.35 and for the year to date \$80,963.07. The state pool for April was .6946%

XIV – FUTURE AGENDA ITEMS

Ms. Burroughes stated the Open Meetings Act and the Parks, Recreation & Beautification positions for districts 3 and 4 will be on the next agenda.

XV – ANNOUNCEMENT OF DATE, TIME AND PLACE OF CITY BOARD AND COMMISSION MEETINGS

A – Parks, Recreation & Beautification Committee, 5:30 p.m., Monday, May 22, 2017, Assembly Room, Bert Cabiness City Government Center, 321 N. Connelly

B – Public Works Committee, 8:30 a.m., Wednesday, May 24, 2017, Assembly Room, Bert Cabiness City Government Center, 321 N. Connelly

C – City Hall Closed, Monday, May 29, 2017, Memorial Day

D – City Commission meeting, 5:15 p.m., Thursday, June 1, 2017, North Annex, Clovis-Carver Library, 701 N. Main

XVI – ADJOURNMENT

There being no further business to come before the commission the meeting adjourned at 7:54 p.m.