

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
JUNE 10, 2003

The Council of the City of Ruidoso Downs met in regular session on June 10, 2003. Mayor Miller called the meeting to order at 5:30 p.m. and asked Warren Beaver to lead the Pledge of Allegiance. Upon roll call, the following were present:

Councilor Miller Councilor Morales
Councilor Garrett

Councilor Olivo was absent but Administrator Waters informed Mayor Miller there was a quorum.

Also present were:

Dan Bryant, City Attorney
John P. Waters, City Administrator
Carol Virden, City Clerk/Treasurer
Tom Armstrong, License/Permits Supervisor
Ken Mosley, Public Works Director
Robert Logan, Chief of Police

APPROVAL OF AGENDA

Mayor Miller entertained a motion to approve the agenda. Motion was made by Councilor Miller and seconded by Councilor Garrett to approve the Agenda. Roll call votes: Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

APPROVAL OF CONSENT AGENDA

Mayor Miller entertained a motion to approve the consent agenda. Councilor Morales moved to approve the Consent Agenda. Second by Councilor Miller. Roll call votes: Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

APPROVAL OF MINUTES OF MAY 22, 2003 BUDGET WORKSHOP PART II
APPROVAL OF MINUTES OF MAY 28, 2003 REGULAR MEETING

Motion was made by Councilor Morales and seconded by Councilor Miller to approve the Minutes of the May 22, 2003 Budget Workshop and Minutes of the Regular Meeting of May 28, 2003. Roll call votes: Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

ACCOUNTS PAYABLE

Motion was made by Councilor Morales and seconded by Councilor Miller to approve the Accounts Payables. Roll call votes: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

MONTHLY REPORTS

Motion was made by Councilor Morales and seconded by Councilor Miller to approve the following reports:

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| Fire Report | Animal Control Report | Maintenance Report |
| Court Report | Code Enforcement Report | Public Works Report |
| Police Report | Planning & Zoning Report | |

Roll call votes: Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

Administrator Waters introduced Charlie Leder and Phil Sites from ASCG and Phil Brown from Sites Southwest who are working with ASCG on the City of Ruidoso Downs Comprehensive Master Plan. We received \$25,000 from the CDBG program and the city has put in \$25,000 to do this comprehensive plan which also includes our Sewer Collections Master Plan. These gentlemen are going to go through a series of required public input and discovery processes to try to find out what the citizens want not only for infrastructure and our sewer but they are also looking at community character and growth. We have been growing for the last twelve years and this Comprehensive Master Plan is going to put together all of the plans we have had to date and areas that we haven't completely planned for so we can plan for future growth.

Mr. Leder thanked Council for having them. He said the community has come a long way in getting the basic infrastructure plan in place. You have a Water Master Plan in place; you have a plan on how and where you will get water over the next 40 years. You have a drainage plan in place to take care of water flows. Staff is working on street and road assessment. One element of the infrastructure plan that has not really advanced and what we are going to be focusing on is a Collection System Master Plan, basically how wastewater should be conveyed and transported through the community, particularly areas that are being considered for annexation. How should we serve them, where should we route the lines, what will that cost the community and an appropriate time table for providing a collection system be it the area northwest of the race track, or perhaps the Agua Fria area or the areas to the east being contemplated for annexation that look to be promising areas for commercial growth. Our charge in this overall comprehensive development will be specifically to look at a collection system plan and how that should proceed as to cost. We will also be looking at another critical issue namely what are the other

options this community might have for wastewater treatment and disposal. Right now you are part of the Joint Use Treatment Plant located three miles to the east. The question has arisen mainly does it make sense for this community to continue to participate in that plant or perhaps there are less costly options that would better serve the needs of this community while still complying with environmental regulations. Another thing we will be doing is providing an overall map for the city to refer to. Hopefully this will be a smart map where we can click on facilities that are identified as needed in the community, namely a new library for instance. How big should it be, when it should be built, what is its cost and where will it be located. A Comprehensive Master Plan is more than just a wish list of community projects but rather a compilation of what the community expresses its preferred way of growing, how to bring employment into the community that is consistent with the growth that it wants, the types of housing needed to satisfy that growth, how to pull things all together to include the overall quality of life. He then turned the meeting over to Phil Brown the planner.

Phil Brown passed out to Council a Comprehensive Plan Overview. Phil Brown said on behalf of Sites Southwest we are very pleased to be working with the City of Ruidoso Downs. We worked with the Village of Capitan on their comprehensive plan last year. He then went over the definition of a comprehensive plan. A comprehensive plan is an official public document adopted by a local government as a policy guide to decisions about the physical development of the community. It indicates in a general way how the leaders of the government want the community to develop in the next 20-30 years.

There are six elements that a comprehensive plan needs to address through the State of New Mexico CDBG program. They are land use, transportation, infrastructure, housing needs, economic development and implementation.

Optional Elements depends on needs and preferences of the community as in parks and open space, community facilities such as libraries and community center, agricultural preservation and historic preservation.

A key part of developing a comprehensive plan is public input. We have compiled so far a list of last year's public input from CDBG Public Hearings. You can see that the emphasis is on infrastructure, street improvements and community facilities. We will be looking at what comes out of the next series of meetings too. Later on we will hold two public meetings where we will present initially a draft plan recommendations for your review and comment as well as the public. Then a month or so later we will have presentation of a final plan recommendation. We will be working closing with John, Tom and Carol and others on your staff to make sure we are on the right track. We welcome your comments as elected officials; this is your document representing your vision as leaders of the community. Feel free to call us with any recommendations and input. We have some technical knowledge but we don't know the community like you do.

Our timetable for doing this plan from our contract is to submit our draft plan by August 7th. After we receive your review and comments we prepare and submit our final plan to you by September 15th and the final wrap up of the project should be accomplished by October 15th.

Administrator Waters advised Council that if they have suggestions or suggestions from the public on what they see for the City of Ruidoso Downs to please bring them into City Hall.

Mayor Miller stated next item on the agenda, consider approval of personnel recommendation - Temporary Parks & Maintenance position. Public Works Director Mosley recommended Mickey Sanchez be accepted for this position as she would be a good asset to our city and is very much needed. He said I know Mickey's work habits and she is a very hard worker.

Motion was made by Councilor Morales and seconded by Councilor Miller to hire Mickey Sanchez for the temporary parks and maintenance position. Roll call votes: Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider approving Resolution 2003-12 Open Meetings Act. Clerk Virden said there is an error on the proposed resolution to be adopted for the month of December. I have Wednesday the 9th and it should be Wednesday, December 10th. Councilor Miller said I didn't find this much different; the only thing I would like to put in December that we tentatively meet on the 22nd or the 29th because from the 10th of December to the second week in January will be five weeks with no meeting.

Motion was made by Councilor Miller and seconded by Councilor Morales to approve Resolution 2003-12 Open Meetings Act. After discussion, Councilor Miller amended her motion to hold the Council meetings on the second and fourth Thursday of each month and December 29th at 5:30 p.m. Councilor Garrett moved that in Resolution 2003-12 we strike the words "every open meeting shall take formal action and approve by Council vote" in regards to telephone conference. Second by Councilor Miller. Roll call votes: Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, Planning and Zoning. Attorney Bryant stated he was not physically at the meeting but did attend by telephone. This is a piece a property that is part of a large tract. The small parcel they are asking the zoning be changed on is directly adjacent to Highway 70. At the time we did the amendments to the zoning ordinance, we were asked by the landowner to zone the whole tract including the little piece on the highway AR-1 and so we did. She came back and asked for the change to be made to a C-1 zone. The Planning Commission published it, held a hearing and at their last meeting it comes to you as a

recommendation that we change the zoning district for the small parcel at the highway from AR-1 to a C-1 zone.

Mayor Miller entertained a motion to approve recommendation from Planning and Zoning Commission. Councilor Miller moved to approve recommendation from Planning and Zoning Commission to change the zoning of property located in Section 30, T 11S, R 14E, NMPM, 1855 to 2055 West Highway 70 by MW Partnership, owners on North side of Highway 70 to Rio Ruidoso from an AR-1 to a C-1 Zone. Second by Councilor Garrett. Roll call votes: Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider temporary inspection fee waiver for sewer connection. Administrator Waters stated that we just completed the East Circle sewer extension. That project now makes sewer available for 41 lots. This brings the number of people that have sewer available that aren't hooked up to approximately 133. Obviously the people on East Circle just now have that service available. What we are asking is for an amnesty period from the ordinance both from code enforcement and from the inspection fee to hook these citizens up for a period of time to encourage people to get hooked up. As you know state law requires people to be hooked up if there property line is within 200 feet of the sewer line and if the connection is physically possible. If you were located below a sewer line obviously it is not physically or economically feasible at this time. Grinder pumps are not a requirement here that we have to push sewer uphill. It is a little more of an expense and I don't feel this is something we need to make the public pay for at this time. However, there are a lot of residences located where the sewer is available that did not hook up originally. Las Lomas is one of the areas when the Council put sewer in back in the late '90s at that time they were told that they needed to hook up. Both your city ordinance and state law requires this. We want to get voluntary compliance. The New Mexico Environment Department and Federal Environmental Protection Agency are both pushing us to stop the pollution into the Rio Ruidoso. Every septic tank has a small portion of pollution that goes into the ground water. That shallow ground water goes down to the Rio Ruidoso which creates some of the problems we have right now with the standards on the wastewater plant. By doing this and hopefully hooking folks up in areas where they can be, this is just another way of showing the environment department we are trying to clean up the river and we are trying to do what we need to be doing within our own ordinance and state law. It will be an ongoing thing after we send our letter out; we would like to do it in a period not to exceed sixty to ninety days to allow people to get hooked up. In the East Circle area as well as some of the other areas where the newer sewer lines have been installed, there are actually taps there waiting so essentially someone just gets their plumber to go through their septic tank right out to the line. The city still has to inspect it but we want to make sure they know there is a place that is already tapped onto the line. The city can show them where it is and they can tie into it there. We will waive the inspection fee however, they still need to come in to City Hall and fill out an application. We need to make sure that the billing records are set for the proper date and we need to make

sure the installation is done correctly. We are going to put a notice both in the paper as well as the next copy of the city newsletter. We are going to send letters out to the people we know have sewer available but they haven't hooked up yet.

Councilor Miller stated some may be renters; it would be a good idea to send a letter to the owners also.

Motion was made by Councilor Morales and seconded by Councilor Miller to authorize the temporary waiver of the sewer inspection fee. Roll call votes: Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

OTHER BUSINESS

Mayor Miller asked if there was any other business. Administrator Waters said the Ruidoso Valley Chamber passed on to us an invitation for the Council and Mayor to attend a welcome for the New Mexico Tourism Board on June 11th at the Chamber.

PUBLIC INPUT

Bonnie Richardson made a comment on the sewer hookup. About eight or nine months ago on Colorado, my mom has a mobile home and we hooked up to the sewer. I printed some notices and took them by the neighbors. We located a tractor service that does plumbing and he was able to go up there all at one whack. Usually if you call a tractor out they will charge you for travel time. By five or six people getting together all at one time we probably saved \$100 to \$150 each. It takes some coordination and time. If people are aware they can do this it could help. As it turned out he did a good job for us and it turned out quite well.

Mr. Bryant said last night the Ruidoso Downs Extraterritorial Authority consisting of Rick Simpson, Earl Hobbs and Judy Miller met here in council chambers to conduct a fairly thorough proposed ETZ Ordinance with the Extraterritorial Commission who has been working on drafting the document for a number of months. A number of revisions were suggested and incorporated into the document. Those are being word processed and will be ready within a few business days for people to review. The Authority is going to schedule at least two public hearings, the first of which will be about one month from today. Mr. Armstrong is working with Mrs. Miller, Mr. Simpson and Mr. Hobbs to get that date set. It will be a public hearing at 7:00 p.m. at the Senior Center. We just need to get the word out to those interested citizens interested in that process to come, get a copy of the draft and provide us with their comments and input at that meeting.

There being no further public input, Mayor Miller entertained a motion to adjourn. Motion was made by Councilor Morales and seconded by Councilor Miller to adjourn at 6:35 p.m. Motion passed unanimously.

Bob A. Miller, Mayor

ATTEST:

Carol Virden, City Clerk/Treasurer