

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
APRIL 8, 2004

The City Council of the City of Ruidoso Downs met in regular session on April 8, 2004. Mayor Miller called the meeting to order at 5:30 p.m. and asked Ed Zindel to lead the Pledge of Allegiance. Upon roll call, the following were present:

Councilor Olivo	Councilor Miller
Councilor Morales	Councilor Garrett

City Administrator Waters informed Mayor Miller all were present and there was a quorum.

Also present were:

Dan Bryant, City Attorney
John Waters, City Administrator
Carol Virden, City Clerk/Treasurer
Robert Logan, Department of Public Safety Director
Tom Armstrong, Planning/Licensing/Permits Supervisor
Ken Mosley, Public Works Director

APPROVAL OF AGENDA

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

APPROVAL OF CONSENT AGENDA

Motion was made by Councilor Miller and seconded by Councilor Garrett to approve the Consent Agenda. Councilor Morales stated we need to pull the Accounts Payable. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

MINUTES OF MARCH 25, 2004 REGULAR MEETING

Motion was made by Councilor Miller and seconded by Councilor Garrett to approve the Minutes of March 25, 2004. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

MONTHLY REPORTS

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

Fire Report	Animal Control Report	Maintenance Report
Court Report	Code Enforcement Report	Public Works Report
DPS Report	Permits/Licensing Report	

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

ACCOUNTS PAYABLE

Councilor Morales stated we need to take my name off the Accounts Payable for mileage reimbursement to Cloudcroft because I did not go. Councilor Morales moved to approve the amended Accounts Payable. Seconded by Councilor Miller. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

UNFINISHED BUSINESS

Mayor Miller stated next item on the agenda, update on Accounts Payable - Telephone and Communications. City Clerk Virden said each Councilor has a memorandum and we are getting billed for fourteen phone lines. The basic service runs about \$550 a month and the additional amount is for long distance which we are currently working with Valor to locate those phone lines so we can set up the phone lines using the State contract for the long distance service.

Councilor Morales asked did we get phone lines into the new offices. Administrator Waters said yes we did. Essentially we transferred the lines from the current offices to the new offices and had an internal line installed for personnel so we all have phone lines.

Councilor Morales asked do we have any idea what the charges are for long distance with the State contract. Clerk Virden said no, not at this time until we find out about those other lines.

Mayor Miller stated next item under Unfinished Business, update on Lincoln County Solid Waste Authority providing one day a week use of facility for Ruidoso Downs citizens. Administrator Waters said there were actually two requests regarding the Lincoln County Solid Waste. The first one was to have the facility there for either all day long or multiple days down at the All American Park. They did agree to do that; there will be two roll offs there all day Saturday and will be there until Monday or Tuesday. The other question presented was possibly looking into an all day event once a month on Saturday for the Solid Waste Authority to have their gates open. They currently have part days on Saturdays allowing residents to come in and dump. They are going to look and see if they can change their procedure a little bit. I did talk to our representative, Mr. Coleman, about it but they would have to bring it up before their Board. I will say, on behalf of the Authority that we have been very fortunate in that all of the things the Council felt were important a couple of years ago when we have approached them, we actually received. They now have grapple trucks and the week of

the 12th will be picking up trash throughout town. In addition, they have allowed out citizens to have a second trash container for a nominal fee. I do feel like we are seeing good service from our Solid Waste Authority and they are working with us and trying to help us clean up the town.

Councilor Garrett said I have had a couple of people say they have a problem as they like to clean up brush on Saturday and they take it to Sierra Contracting but there is no one there to allow them to do that. Can they call on Friday and get permission to dump on Saturday? Administrator Waters said one of the issues the Solid Waste is dealing with right now is the lack of adequate storage space. As you know the transfer station has been the ire of some of our citizens and rightfully so. It is in the middle of town in a residential area. Mr. Ordorica consistently comes in on a regular basis and reminds us of it. I guarantee you that the Solid Waste Authority is working really hard to get the transfer station moved out to East Highway 70. When they get the larger facility that is one of the ideas we presented to them is to at least have temporary storage of green waste that they can then move up to Sierra Contracting. In their design of their facility that is something we need to bring up with Mr. Coleman so we have some place to take our brush on Saturday. Councilor Garrett said if the Solid Waste can only do a half-day, they could switch the half a day to the afternoon. People don't have a chance to clean in the morning and haul it since they close at noon.

Councilor Miller asked on the 12th, what will they pick up and what will they not pick up. Administrator Waters said it is my understanding that it is going to be green waste. They are not going to be picking up construction debris like cinderblocks or household items. They are taking their clamshell truck to pick up brush and then transport it to Sierra Contracting for composting.

NEW BUSINESS

Mayor Miller stated next item on the agenda, consider approving Resolution No. 2004-09 Open Meetings Act. Administrator Waters said if you remember at the last meeting we had requests to change the Council meeting date. All this does is move the meeting date from Thursdays to Mondays.

Councilor Morales moved to adopt Resolution No. 2004-09 with the starting date of the Council meeting being moved from Thursday, April 22nd to Monday, April 19th and from there on meeting on second and fourth Mondays. Seconded by Councilor Miller. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Councilor Morales asked if we could publish moving the meetings from Thursdays to Mondays in the newspaper. Clerk Virden said the Open Meetings Act will be published with the dates.

Mayor Miller stated next item on the agenda, consider approving Resolution No. 2004-10 Southeastern New Mexico Economic Development District. Administrator Waters

said this resolution and the subsequent agreement that follows are for the Southeastern New Mexico Economic Development District. As you know Tony Elias and Dora Batistta help provide us with lobbying services and assist us with grants and certainly provide conduits so we can talk to certain legislators. They are an invaluable tool that we have used now for many years in a row and they are requesting that you pass a resolution like we did last year in support of their organization. The second is an agreement to pay our dues of \$600 for a fiscal year.

Councilor Miller moved to approve Resolution No. 2004-10 Southeastern New Mexico Economic Development District. Seconded by Councilor Olivo. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider approving Agreement between City of Ruidoso Downs and Southeastern New Mexico Economic Development District.

Councilor Garrett moved to approve Agreement between City or Ruidoso Downs and Southeastern New Mexico Economic Development District. Seconded by Councilor Morales. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider recommending Licensing, Permitting & Planning Department to issue new addresses for the Agua Fria Subdivision.

Supervisor Armstrong stated that his department has been given the task of looking at the addressing for Agua Fria. We found that a lot of them have three addresses, some of them are not recorded anywhere in the 911 system. The whole county is looking for the enhanced 911 and this meets all of the qualifications. I recommend we change their addressing to enhance the emergency service, the fire, the police and any other service to be able to find these residents. Ann Hatter from dispatch has some other information if we need that to get this done.

Attorney Bryant asked if there was any curbside delivery in Agua Fria or is it all post office boxes. Mr. Armstrong said it is post office boxes with cluster boxes in some areas. Attorney Bryant asked will we be impacting cluster box numbering or those addresses at all. Mr. Armstrong said no we shouldn't because these are house numberings and the box number is not located on any house. Our dispatch centers, a lot of their grants that train dispatchers come from the 911. We pull from that fund a lot. I know the dispatch, police, everybody are on board with this because you just can't find anybody out there. They have changed some of the streets, added other streets. Everyone I have talked to are looking forward to getting an address that works.

Councilor Olivo moved to approve recommendation from Licensing, Permitting & Planning Department to issue new addresses for the Agua Fria Subdivision. Seconded

by Councilor Miller. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider awarding Bid No. 04-011, Used Bucket Truck. Councilor Morales moved to award Bid No. 04-011 to Nichols Sales, Inc. for a used bucket truck in the amount of \$18,800.00. Seconded by Councilor Olivo. Mayor Miller asked if there was any discussion. Councilor Garrett said only that we need it to service our own light poles. Public Works Director Mosley said also we can put up our own Christmas lights and save because we spend a lot on that alone. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider awarding Bid No. 04-010, Sale of Property. Administrator Waters said we purchased some property along with a substantial quantity of water rights located off of Joe Welch. Part of the property is in a flood zone and there is approximately 4.7 acres located outside of the flood zone. We put that property up to see if we could get some funds back and possibly buy some additional property rights or water storage tank or water infrastructure. We put this out for bid twice and the second time we put it out, we received a bid for \$150,000. Along with that bid we had specifications that the property buyer, if the Council approves it, would also put in a street that would service a new park along the river. All the conditions that the Council was concerned about were placed on that and the bidder agreed to every single one of the conditions as well as the \$150,000 price. This will go for the sale of the northeastern side that is approximately one-half of the property we purchased.

Councilor Miller moved to award Bid No. 04-010, Sale of Property. Seconded by Councilor Garrett. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider agreement with BIA. Attorney Bryant said I am going to ask that you pull this from the agenda and put it under Unfinished Business for the April 19th meeting. We still have a few more details to work out.

Councilor Morales moved to table the agreement with the BIA until April 19th meeting. Seconded by Councilor Garrett. Roll call being: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

OTHER BUSINESS

There was no other business.

Mayor Miller asked for a Council member to serve as a liaison with the Municipal Court so the Judge can have access to an elected official at the Council level to communicate

any concerns or business he needs to do with the City. Mayor Miller asked Councilor Morales if she would be willing to serve in this capacity and she accepted.

Mayor Miller said I am going to change Item 13. Drainage Issues by Judge Harrold Mansell with Item 12. Public Input.

Judge Mansell said it is just Harrold Mansell tonight as a citizen of the City of Ruidoso Downs. Councilor Olivo has brought pictures of this weekend. What I want you to look at is the water running across the street and Councilor Olivo's picture of the water standing 92 feet long and at the deepest point, 14 inches. I was little bit disgusted with the happenings this weekend. I really don't holler wolf until something happens that concerns the Village. I am here as Harrold Mansell as a resident here for 29 years and property owner for 35 years in the Village and City of Ruidoso Downs. The situation was that the rains came and they came off of my lot and off of 215 Parnell and a lot of Betty Herrera who lives next door to me. I have first hand knowledge that we gave \$20,000 for those lots each. The water doesn't affect my lot in any way shape or form and it really doesn't affect her lot in any way shape or form. The only way it affects it is a lawsuit that could be filed against the City of Ruidoso Downs if someone hits that water at a high rate of speed being that deep and that far. I sat there for two days; I called in on a Saturday morning as I always do to see if there is anybody in jail and the same way on Sunday and I told them about Lake Parnell. I said if you get on hot pursuit on anybody, tell them not to come down North Parnell because they are going to lose it in a car wreck or the individual that they are after. Then nothing happened. I talked to Trustee Garrett early Monday and she said she understood Mr. Waters was out driving the roads. I waited for something until noon and nothing happened. I came down to the court and nothing was said to me about it. I called Clerk Virden at 2 p.m. and asked who is in charge of this lake down here; who do I call to get it pumped out. She said Mo was in charge of it. I called Mr. Mosley and he promised me that he would come down and look at it. I never heard a word and I really didn't see Mr. Mosley that afternoon although I could have been doing something else. At 4:30 p.m. when it was time to quit and I hadn't seen anybody, I was totally in shock. At twenty minutes until five, I called City Hall and asked for Mr. Waters, the City Administrator, to call me. At 5:00 p.m. I was no longer in shock, I was mad. I called every trustee here and the Mayor and they all came down and looked at it with the exception of Commissioner Garrett and she was deathly ill. I think her husband and her mother came down to see the lake. Again, I am talking about a lawsuit and the attorney is sitting right there. I saw a Metro almost turn over, I saw a Chevrolet pickup drowned out; he had to pull up the hill and dry out his distributor before he could go on. What I passed out to you was a plan that was drawn up and you can follow with me on the single yellow mark that is where the situation is. As I showed you on the picture, the water was running across the road. It was about 30 foot wide. The water was 92 foot wide the other night and Councilor Miller saw it the day before.

Mayor Miller asked Mo to say what we are doing about this. I saw it and I know it needs some attention immediately. Public Works Director Mosley said as I described to

you on the phone, I had mentioned that it is in the drainage project to take care of this issue. I did mention that I didn't think there was anything I could do about it at the time. I have part of the drainage project that says a general 85-foot portion of N. Parnell will be removed, regraded and repaved to eliminate the low local spots and direct the flow to this location farther in. At this time that is about all the information I have other than the drawing you have there. It is in the plan to correct this problem. We have things we could do but it will put water on somebody else and there are also other issues. Councilor Miller asked isn't a lot of this water coming off of the highway. Director Mosley said yes, I don't think there is a drain in that particular part of the highway. Mayor Miller asked did you draw the chart I saw this morning where it will be taken care of right away. I drew it up to explain how much material it would take to eliminate that problem. Mayor Miller asked what do we need to do to put that into effect. Director Mosley said I just need authorization.

Administrator Waters said this issue with the drainage is in our CDBG grant; it will be taken care of this year. If we take this water and ceremoniously dump it down the street, what you have just done at that point is create liability. This is a problem the engineers have already identified. They have to start down at the river and work their way out. The Parker ditch has to be taken care of, then they have to build a ditch from Parker to the bottom of North Parnell. Then from that point they go back to the lake and drain it into the system. Otherwise you end up creating a lake on someone else's property or under somebody's house. Unfortunately, that will also create a lawsuit. While this problem has been around here a long time I think what my recommendation would be is to take this project and as I instructed Mo in the staff meeting, any time we have a rain storm of any consequence, to go check it out. The first thing would be to barricade the street off in those areas. The second thing is after the storm stops, because it does no good during the storm, to go out with a pump and pump it out into an area that is safe. Otherwise, we are going to create all kinds of issues if we build that road up. I guarantee you people are going to point to the fact that the ditch was there before, it was just fine and it wasn't affecting my house. But now all of a sudden it is underneath my house, it has ruined my foundation. They will remember the fact that we went out and built the road up. We would have done it in exact opposite from what our engineers have told us to do. We have hired engineers for a reason. The engineers are professionals, they deal with drainage and it is a problem. If the Council remembers, that is one of the main reasons why we went without the concrete along Parker ditch so we could facilitate the North Parnell and the River Lane projects. River Lane is the same way; it is not as deep but it has a lot of surface area and it floods. There is another one down North Central that Councilor Miller knows about and these aren't the only ones. I was driving around the day it was raining. Matter of fact, I called Mr. Mosley twice to talk about bridge problems. We had about two inches of water on one bridge and about one inch of water running across another bridge. One bridge we had the sides being cut out from it. Another bridge we had water standing on top. As you know during the rainstorms we have been having freezing evenings. I did not want those bridges freezing over. I did have people from public works go out and take a look at it to see if we could divert the water away from it. We have drainage

problems all over town and we are certainly going to try hard to take care of it. I don't blame Judge Mansell for being upset about the problem in front of his house; it is real. We have identified it; it is the top priority. It is in the first project we have in a many, many phased drainage projects. For those of you who live on Turkey Canyon, West or Colorado, we all have problems of water going the wrong way. The problem was not created overnight and I can't fix it overnight. We have some right-of-way issues to work out. Once those are worked out the project will be started and hopefully getting it done by the end of this year.

Councilor Garrett said after I spoke to you I called Mr. Waters and asked if we could at least go out and barricade it so at least people wouldn't be driving through it.

Harrold Mansell said you got your grant over a year ago and we still don't have it done. The first engineers that worked on it asked for 20 feet. Mr. Armstrong got an easement for 20 feet. When they first talked to Mr. McCutcheon the engineers wanted 20 feet by 1,000 feet. Now the engineers are wanting 45 by 1,000 feet which is a little over an acre. You are wanting this as a gift from him. I talked to Mr. McCutcheon this afternoon and the more you put it off, the more it is going to cost.

PUBLIC INPUT

Bonnie Richardson said I have a question about the property you are selling on Joe Welch. I am on the Planning and Zoning Committee and at our meeting Tuesday we did have a question about this. It was advertised in the paper for sale possibly considering a zoning change. Was there a zoning change promised on this and what is the procedure for that. The newspaper notice said the City will consider changing the zoning to a R-4 for prospective bidders. Attorney Bryant said you just said what I know so we will have to talk to the successful bidder and get more definition on what his plans are, look at what the existing zone is and bring whatever that is if it necessary before the planners. Ms. Richardson said what I want you to be aware of is maybe a year back a local realtors approached Planning & Zoning and asked for a zoning change and her customer's intention was to put a RV park in there and the neighbors did not want a RV park. They turned out is mass and one of the prime consideration for zoning changes for the Planning & Zoning Committee is what the neighbors think. The neighbors do need to be consulted about this.

I do have a question about the address changing in Agua Fria. Does this dovetail with the address change that Tom presented to the Council about a month or two back whereby Highway 70 addresses were going to be changed; will they all coincide. Mr. Armstrong answered yes.

I have been down to Lincoln County Solid Waste quite a few times in the past year and I think they are doing a fantastic job; the place is really clean, organized. The personnel are friendly and helpful. From what I am reading in the newspaper their financial situation is so much better than it has been in many years. I would just like to pat them on the back and congratulate all of their hard work. In order to have brush picked up

on April 12th, do we need to call. Administrator Waters said no, they will be cruising the neighborhoods. If you have a large amount, you are asked to call so they can schedule more time to be there. Watch out for power lines but just set it by the road.

Joe Blaney said under the monthly reports, I would appreciate it if you would start pulling the Animal Control and give us some information there. We had basically a City sanctioned murder of a pet provoked by a neighbor in town a couple of weeks ago. The dog had been gone a couple of weeks prior to that.

On the Lincoln County Solid Waste issue, I hope things do change when they move because right now to haul off debris yourself on a weekend it is very taxing. Normally you have to take off during the week to get it accomplished because everybody can't communicate.

I'm sorry I missed the last meeting. I didn't know we were moving city council meetings back to Mondays. The public was the one that asked that it be moved to Thursdays.

We have another drainage problem that Mr. Mansell didn't address tonight. On Hilltop, Lot 56, had a lot of fill dirt put in last year. I questioned that last year. Now Barney Rue has built a dam across there, put in a sewer line and hooked up three different people on that street. Nobody knew what was going on. The tap was made over on Parnell. I don't even know if the property owner has given an easement for that sewer line to go across. I have been told that it is deep enough that it won't affect the engineering for our main drainage project. If you cruise over to Hilltop you will find that not only do we have Parnell lake issues, now we have another lake that will fill up since that dam was not compacted as it was being put in there. Now the whole trailer house has been removed and a doublewide has been put on that property. If it ever comes up with water, it probably will erode out from underneath and the people down below now will not only be dealing with water but mud and probably a busted sewer line.

Ellen Bizzell Blaney said I would like to go a little bit further with what Joe was telling you about the dog. It was a good friend of ours, a neighbor, and the next door neighbor to him had been bothering his dog constantly. He was harassed so much by him and the dog catcher that it was finally going to go to a court situation. All the week before the court date, he was harassed by the neighbor. The police and Peggy came down and told him they were going to take the dog away from him. He got it out of the city limits. There may be a day or two difference here but the real fact of the story is that he felt so threatened that he went ahead and put the dog down because he felt like he was being threatened by staff and the neighbor. This same neighbor was also on me at one point because he thought I was starving a horse to death. That is not the case; I love my animals and I consider them as family members. The real truth of the story is you have a dog catcher that thinks the Pit Bull breed should be eliminated and that is wrong. You also have a police officer that said he would come onto the property and shoot the dog

first and then ask questions later. That is wrong. These are living animals and family members.

Mya said I wish to thank you very much for asking your city employees to see that the agenda was on the computer and accessible before the meeting this evening.

I would like to speak to you for just a moment about a woman who is physically unable to attend. She is a member, however, of the CCC. I will leave her statement with the Council after I read it: "Mayor and member of the Council, my name is Claudia Farlow. I am 84 years old. The city spent money to build a walk path around a building but I can't safely walk across Highway 70 to eat a \$2 hot meal. Only one day a week for an hour or so on Thursdays the Senior van takes me on an errand. I need more chances to be helped than one hour a week and always on Thursdays. I am a member of the CCC. Thank you."

I made some telephone calls between last Council meeting and tonight. I made the calls to little cities around our community. I asked their people when you have a Council meeting do you have a lethal weapon that can be used at any time on the people who are in that Council meeting and they said no. They said if a police chief needs to ask the Council for monies or something regarding their department, they come in off-duty clothes as a private citizen but also as a department head. I don't think you know how many lethal weapons were in this meeting two weeks ago; I think you were all too busy listening to each other and reading your agenda. There were three weapons very visible that were here in this Council meeting and I can testify who they were. This is the people's time to help us as people of the city. There are actually a few people that think a mayor could give the okay to show a lethal weapon at any time he wants in case there is a little discrepancy or upset here in the Council meeting. That probably is an absurd thing but I believe that we are a city of peace. I believe in general residents walk around thinking there is peace in their city and I believe that they don't want intimidation of a lethal weapon at their meetings. I simply called some of the smaller communities around us and there are no lethal weapons in their meetings. If you say that is not true, they gave an explanation of when their police officer did walk into a council room with a weapon but it was not all the time and it was not having the police chief of their community sit at their council table with a loaded weapon.

We have a lot of people selling bears in our community. It is their livelihood to sell these wooden bears. Mayor Miller said she needed to wrap it up as she was running four minutes here.

Councilor Morales said I would like to comment on our remodel of City Hall. I think it looks wonderful and open. The employees don't look like they are on top of one another. It is a wonderful addition.

Councilor Garrett said Judy would you like to ask everyone to help us come clean up. Councilor Miller said I would love to. On April 17th is our citywide cleanup. We will

have the big dumpsters in the park and we will also get together at 7:30 a.m. at the Senior Center for coffee, donuts and takeoff. You will be given bags, gloves and trucks will be coming by to pick up your bags. I would also like to see us clean the side streets this year, not just Highway 70. I am inviting everyone out. After we are through, we have several volunteers cooking hotdogs and maybe continue a couple of more hours so we can do a really good job before the racetrack opens this year. There will be a lot of prizes; I heard we have over thirty prizes from all of our business people. It will be a great day. We have T-shirts for everybody so you can be proud that you came out to help your community. Thank you.

Councilor Garrett said the Ruidoso Downs Auxiliary, the racetrack and Wal-Mart are sponsoring the Easter egg hunt this Saturday. Please have your children come. It will be at 2:00 p.m. at All American Park.

Councilor Miller said Wal-Mart is also supplying our hotdogs, chips, buns and drinks for our cleanup.

EXECUTIVE SESSION

Mayor Miller stated I would like to entertain a motion to go into Executive Session pursuant to Section 10-15-1(H)7, Threatening and or Pending Litigation.

Motion was made by Councilor Morales and seconded by Councilor Garrett to go into executive session pursuant to Section 10-15-1(H)7, Threatening and or Pending Litigation. Roll call votes: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated I would like to invite Administrator Waters, Attorney Bryant and Clerk Virden to attend the Executive Session and closed the regular meeting at 6:34 p.m.

Mayor Miller called the regular meeting back to order at 7:14 p.m. Councilor Morales moved to go back into open session and declared that the only item discussed in Executive Session was that of Threatening and or Pending Litigation and no action was taken. Seconded by Councilor Olivo. Roll call votes: Councilor Miller, Aye; Councilor Olivo, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

There being no further business, motion was made by Councilor Morales and seconded by Councilor Miller to adjourn the meeting at 7:18 p.m. Motion passed.

Bob A. Miller, Mayor

ATTEST:

Carol Virden, City Clerk/Treasurer