

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
FEBRUARY 14, 2005

The Council of the City of Ruidoso Downs met in regular session on February 14, 2005. Mayor Miller called the meeting to order at 5:30 p.m. and asked Jim Burrow to lead the Pledge of Allegiance. Upon roll call, the following were present:

Councilor Miller	Councilor Morales
Councilor Olivo	Councilor Garrett

Administrator Waters informed Mayor Miller there was a quorum.

Also present were:

John P. Waters, City Administrator
Carol Virden, City Clerk/Treasurer
Robert Denny, Department of Public Safety Lieutenant
Dan Gens, Public Works Director
Tom Armstrong, Permits/Licensing Supervisor

APPROVAL OF AGENDA

Mayor Miller entertained a motion to approve the agenda. Motion was made by Councilor Garrett and seconded by Councilor Olivo to approve the Agenda. Roll call votes: Councilor Olivo, Aye; 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. Seconded by Councilor Miller. Councilor Olivo said I would like to pull out Items G and K for discussion. Councilor Morales moved to approve the Consent Agenda with Items G and K removed for discussion. Seconded by Councilor Miller. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

APPROVAL OF MINUTES OF JANUARY 24, 2005 REGULAR MEETING

Motion was made by Councilor Morales and seconded by Councilor Miller to approve the Minutes of the January 24, 2005 regular meeting. Roll call votes: Councilor Olivo, Aye; 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 Payable. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

PUBLIC HEARINGS

Mayor Miller stated next item on the agenda are public hearing.

The first public hearing is on Ordinance No. 2005-01, an ordinance amending Section 9-10-6 of the City of Ruidoso Downs Code of Ordinances to provide for the designation of the various zoning districts for the area annexed into the City by the Municipal Boundaries Commission on December 18, 2003.

I hereby open the Public Hearing to comments and will be accepted in the following order, first those who oppose Ordinance 2005-01 and second those who support the ordinance. Interested persons must approach the podium, one at a time, state their name and present their testimony. A limit of five minutes will be allowed per person.

Are there any persons here to speak on opposition of action? There was no one to speak on opposition.

Are there any persons here to speak in support of action? There was no one to speak in support of the ordinance.

Mayor Miller entertained a motion to pass, approve and adopt Ordinance No. 2005-01. Councilor Olivo moved to pass, approve and adopt Ordinance No. 2005-01. Seconded by Councilor Garrett. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated the second public hearing is Ordinance No. 2005-02, an ordinance consenting to a landowner's petition for annexation into the City of Ruidoso Downs, New Mexico, certain contiguous land as shown by a map thereof, attached to this Ordinance and referred to as Exhibit "A".

I hereby open the Public Hearing to comments and will be accepted in the following order, first those who oppose Ordinance 2005-02 and second those who support the ordinance. Interested persons must approach the podium, one at a time, state their name and present their testimony. A limit of five minutes will be allowed per person.

Are there any persons here to speak on opposition of action? There was no one to speak on opposition.

Are there any persons here to speak in support of action? There was no one to speak in support of the ordinance.

Mayor Miller entertained a motion to pass, approve and adopt Ordinance No. 2005-02. Councilor Miller moved to pass, approve and adopt Ordinance No. 2005-02. Seconded by Councilor Morales. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller closed the Public Hearing.

UNFINISHED BUSINESS

None

OTHER BUSINESS

Mayor Miller stated first item on the agenda under Other Business is Mya, for discussion only, public relations ideas; sign contest - newspaper ad for City.

Mya said thank you for the time to share ideas about our newly purchased property located across the street from City Hall. There are three ideas to explain to you this evening. The first idea will take a few minutes and afterwards please ask questions. The second idea is extremely brief and the third idea is much shorter than the first.

We have a unique opportunity to directly involve all citizens of this community in the contribution of the City's public image. There are many people in the Downs who would be honored to share their creative "welcome sign" ideas for the new building on Highway 70. To raise City moral and encourage entries for designing the best city sign, a contest for the residents only. The winner will receive a \$100 gift certificate to be used at any business in our City which is a member of the Chamber of Commerce. There will be three judges including one Chamber member, one member of the Auxiliary and one member from the Mayor's Economic Development Committee. To spread the word about the contest, we could paint black letters on the existing sign that could say "City Sign Contest Info at City Hall". We could also send out flyers in the water bill envelope. If there is an interest for this city sign contest by the Council I am suggesting that a vote be taken at the next Council meeting because we can run the contest from March 1st to March 31st. After the judges have selected a winning sign, the City administration will then be able to take bids from professional sign makers. We could feasibly have a sign ready for our summer visitors by acting now. I am not an artist but I am very much a conceptual marketing person. (Joe Blaney held her drawing so everyone could see.) My concept here are animals we have that are natural. This is a bear that is going to be waving with one hand. This is a horse that is going to be bowing and over here we have a deer and he is going to be prancing. They will be in action; that is what our community is. Here a man, a woman, a boy, a girl. The boy will have a sombrero on and the girl will have a cowboy hat on. All of them will have one hand raised waving. "The City of Ruidoso Downs Welcomes You" and of course we have to

remember "Bienvenidos Ustedes ". I know that when you are driving through some place that is unfamiliar if you single out the area and give it purpose and that building is the visitors center. This is two color and is also a marketing technique. Keep it simple. We have the black poles already. Whether it goes on metal or wood it must be two sided so coming from either direction they see the sign.

The second idea is the children's picture contest. Obviously the front and the side walls of our new building will be used to serve business purposes. Could you possibly consider the back wall that it is not exposed to Highway 70 to be used for a mural honoring children at the park. Take bids from professional outdoor wall mural artists and have them draw the mural according to the winning entry drawn by one of our children in the City. The theme will be children playing in the park. Any child age 17 and under may enter the contest. The winning picture will earn the child a \$50 gift certificate to be used at Wal-Mart. The contest could begin March 1st and end March 31st. Spring break is in March. We could set up a table in the park during that week and allow the children to get the information about the contest. Also we can notify the schools that we would like an announcement about the contest for the City of Ruidoso Downs students only.

My third idea is projecting a human image of our City. Every Friday for thirteen weeks, we could be submitting a photo and or a story in a reserved six by six inch space in the newspaper to give insights into the positive people and environment our City engulfs. From May through July there would be a new story about our City being told to those spending the summer in our area. This ad would humanize our community to the outside world and where we would control what image we want to project about real life in the growing Downs, an area of New Mexico that people are visiting in greater numbers each year. I also called the newspaper and we get non-profit rates and that would be \$268 for the thirteen weeks. If we went with a smaller one, they have a 3" by 6" with a quote of \$127. Mya thanked them for their time.

Mayor Miller stated the next item under Other Business is 2003 International Building and Residential Codes. Clerk Virden said Dan Bryant was going to speak on those issues so you may possibly want to table it until the next Council meeting.

Councilor Garrett moved to table this item. Seconded by Councilor Morales. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated the next item on the Agenda under Other Business is an update on the legislature from Santa Fe. Administrator Waters said this morning I went to the legislative capital outlay committee meeting and presented our requests to the House of Representatives. Dub Williams is our representative and is presenting these issues for us. We have, of course, the four priorities that we had talked about that are taken from the ICIP as well as our CDBG and our public hearings. The first

one is obviously the water well. That is our first priority. To complete the entire project is going to cost \$1.8 million. We are asking for monies from the legislature; \$750,000 from the Governor and \$750,000 from both houses of the legislature to accomplish this goal. In addition we are asking for \$550,000 CDBG grant once we get the well built so we can actually hook into the system and pump that water up to the reservoirs. Obviously if we put a well in and try to put it in one of the smaller areas of town it will blow all of the lines. The purpose of today's visit was to talk to the governor's staff about what their requests are. We were told this afternoon that the governor was going to put his appropriation requests out as of 4 or 5 o'clock today. We have not yet seen those; it probably won't make it onto the website until tomorrow, however, I have talked to the head of that division for the DFA. If we get a call after I leave, Carol will print out whatever they give us and distribute it to the Council members to see exactly what we have received. We did ask the governor for a significant amount of money. In addition, we are asking the legislature for funding to assist with more reservoir storage for the City. Remember we were going for two and a half million gallons of storage. Dub really worked hard and got the House to give us at least enough money to complete a one million gallon reservoir. It is over 90 percent designed and we are about to get going on it. That is moving along just as we have planned and we will see that reservoir this year. We are asking for more money to get more storage because we believe we need to continue Phase C in our emergency plan which calls for two large storage reservoirs. We are going to ask for another \$600,000 to see if we can't get that project completed to get us another storage tank possibly above the Turkey Canyon area. In addition, we have the sewer lines for the next phase depending on what the bridge project looks like for Parker Road or the first phase of Agua Fria. If we don't get the bridge funding we can't really put the new sewer lines in yet because the bridge won't support that. We already have funding for the Wood Lane project. We also received funding from the racetrack and the EPA to finish Wood Lane and possibly Miriam Drive. We are asking the legislature for \$300,000 to help work on Griffith; that is our third priority. The fourth priority is to give us some funding to assist in the building of a new fire station up on Dipaolo Hill and Wood Lane on the property we are looking at purchasing from John Hill. We are requesting \$200,000 for that project to match our \$50,000. We may have to phase in these projects. We did receive a very favorable response from several representatives this morning particularly with regard to our well project. They are very aware of the problem with the spring. We have been to them before. This is the fourth time I have approached this group. Every time I go I bring this little graph I show the Council and have posted outside. The sad thing is the production of the spring doesn't seem to want to come up. Being the wettest year in ten years it is disheartening the spring has still not shot back up to its pre 1999 levels. Hopefully we will get some funding to put our well in so if the spring does continue to go we will have an alternate source. We have submitted a CDBG grant to DFA and they will hear that in mid-March.

NEW BUSINESS

Mayor Miller said the first item under New Business is Patric Pearson presentation of Sports Complex requesting support. Mr. Pearson said this is Mike Davis that I am working with and we appreciate the opportunity to bring this before you. I would like to say thank you to John Waters who has been a huge help with us from the start of this two years ago. We have approached the Council in Ruidoso and we are approaching the County Commission tomorrow. Our approach is really just to get the word out on what we are trying to do and our concept. We are not asking for funding from any community. We are a private organization that is trying to do this on our own. We were at a stage where we were working in an area that was going to be close to Ruidoso Downs but things did not work out there. We went back to an area that was government owned just east of the Airport. It is a flat plateau about 157 acres. The drawing here uses about a third of the property at this point. There is a potential for growth for other things. The true phase that EventScapes is looking at is the circular area with the six fields. We are looking at doing six softball fields, regulation size with artificial turf, stadium lighting on three of the fields, an indoor pavilion with 86,000 square feet, outdoor volleyball, a children's play area, ten automated batting cages, a restaurant and bar. The parking lot that we are looking at is about 400,000 square feet. The reason for this is the potential for where we want to go. We were approached by Claudia Branum a few years ago at the Chamber of Commerce and she discussed the economic impact of softball to Lincoln County. At the time she was asking for increase in the fields that we play on now. Of course, at the time, fire and water were the major issues. We put it on the back burner but I never really forgot about it. This is something Mike and I have always had a dream of doing. When Claudia did that study, it was about an \$8,000,000 economic impact on Lincoln County. It was based on six events and the largest, I believe, was based on sixty-five tournaments. We are looking at two or three years down the road of doing twenty tournaments a year of softball alone with one hundred teams per tournament. Based on that along, that is a \$24,000,000 economic impact based on those numbers to this area but that doesn't include other events we would like to do. Down the road we would like to do equestrian events during the year and in the wintertime. It is a very large facility and it is comparable to Mr. Hubbard's facility just down the hill here with outdoor horse sales pavilion of the same size but indoors. It really gives us the ability to do a lot of sporting events but other types of events too. We are bringing it to the public to let people know what we are doing and let people know upfront that we are not requesting funding but what we are asking for is support. If everything works out we should have this facility online in May, 2006. We really have everything in line to start the project except finding the location. We are trying to be good neighbors and that is why we have gone to the areas we have. We have definitely looked at many areas around here and researched it. This has been going on for two years. John knows we have tried every avenue he has and it is a tough thing to do with the price of property. It really hurts us when the land is going to cost more than the project. One way or another we are going to get it done.

Administrator Waters said I might point out that those fields that he is planning on putting in, one of the advantages to having that up in this area is they are astroturf fields that don't require water. It is the first project of this type in this area that I have seen. I think it is a very good conservation type approach to having this type of recreation. It is quite a project. It is too bad you couldn't get it in the Downs.

Councilor Miller asked I think it is great but is it more or less a commercial type thing. Could individuals and families enjoy this area; is it for the community or just events? Mr. Pearson said the events will move out there as far as the adult leagues. The little league we are trying to work with but here again we are open to bringing any type of local event out there. It is just exposure for us. If you bring your families and leagues out there, it is exposure to see the quality of what we are doing. We are not in the business that someone can't afford to have a little league tournament out there or a local little league. The facility will be open at all times. It is a very large area and it makes it available to do a lot of different things. We can do camps in the summer. It is definitely for events but we have also thought about doing softball events, having fairs and amusement rides in the parking lot. Mr. Davis said with the sand volleyball courts, the kid's play area, batting cages we plan to be open all of the time and this is just another area they can go to. Hopefully there will be some events you would like to put on to be able to utilize this facility.

Councilor Garrett said so what you are saying, Patric, is there is not going to be admission at the gate to go in. Mr. Pearson said it depends on if we do an admission at a gate during a tournament. Most of the places that do this it is \$1.00 admission for the day to get into the facility. Being private we probably will do \$1.00 admission but we are not going to charge \$10. There are not a lot of individuals putting the money up and we do have to pay the bills but I don't think it will be reflected in what we do for the communities and working with the communities. There are opportunities if an event coordinator from anywhere around the area wants to do an event, it is just more visibility for us. Doing concerts in the outfield, doing movies during the summer; there is just a ton of things we can do. Councilor Garrett said I know you have to charge for an event but I was thinking about someone who just wants to go out and walk and Mr. Pearson said no. The batting cages will be open and there are a lot of walking trails.

Councilor Miller said the community center is in their plans. Mr. Pearson said I was on that task force originally and I stepped away because we started focusing on this. When we met with our architect we put that on there with the idea because there are so many issues right now because of the location. So many people have a hard time saying it is a community center and we want money from the county and it is going to be in Ruidoso. I understand that so what we are saying this is centrally located in Lincoln County. By working with a group out of Galveston to do a public transit system, we can create a transit system that would be able to get kids, elderly, anyone out there to this facility from anywhere in Lincoln County. That is a phase that would be outside of us and be within the community center group. That is not

something we are taking on ourselves. That is a very large endeavor as far as cost compared with what we are doing.

Jim Burrow asked how are you going to control this with kids out there. Mr. Pearson said this is how it works with facilities that do have alcohol when there is a kid event. We have already discussed that when there are little league tournaments. The facility we will have, the alcohol sales are on the second floor so the access to it is controlled. Other events do not want alcohol sales at all and we don't have a problem with that.

Councilor Olivo moved to support the sports complex. Seconded by Councilor Miller. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, revisit fuel charge increase as approved June 14, 2004 by Lincoln County Solid Waste Authority. Administrator Waters said Don Coleman is our representative for the Lincoln County Solid Waste Authority. Debra Ingle could not be with us but if you remember six months ago when it was discussed before the City Council keeping the fuel surcharge, you did request that L.C.S.W.A. come back whether they were going to change it or not they needed to give us an update in six months and every six months thereafter. Mr. Coleman is here to answer any questions you may have and to talk about the fuel surcharge.

Mr. Coleman said I can give you some figures from January 2003 to January 2004 we had an increase of \$10,606.54. Then on January 2003 to July 2004 had an increase of \$2,647.34. Then from that date to December 2004 we had another increase of \$14,146.57. Some of this earlier was covered because we had an \$85,000 over charge at our landfill. We used that money to supplement our fuel instead of coming to the entities and asking for this sooner which we should have done. We exhausted those funds. At the present time we are now spending \$6,340 more than we are taking in for fuel. The price fluctuates at the pumps. We have paid as high as \$2.00 per gallon for diesel and now we are paying \$1.79. I had dinner with an oilman from West Texas last night and he assured me until the wars all stopped we were going to see this type of price in our gasoline.

Mr. Coleman said for your information we have had a delay on our permit. We had planned to move to our new location in September or October; we are now looking at December.

Councilor Garrett asked are you going to be able to have a field storage area out there. Mr. Coleman said we will when we get to our new facility and that will help the cost but right now with the new truck we just got it gets four miles per gallon.

Motion was made by Councilor Morales and seconded by Councilor Miller to approve Mayor Miller's recommended appointments of Celeste Beechie and Sebrina Lundquist to the Beautification Committee bringing the total to seven members. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Motion was made by Councilor Morales and seconded by Councilor Miller to approve Resolution No. 2005-01, Mid-Year Budget Adjustments for fiscal year 2004-2005. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Motion was made by Councilor Morales and seconded by Councilor Miller to approve purchase recommendation of easement and associated sewer lines located on Highway 70 East, Ruidoso Downs, New Mexico. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Motion was made by Councilor Morales and seconded by Councilor Miller to approve purchase recommendation of radios for Public Works Department. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider approving personnel recommendation of promotion of Nathan McKibben to Mechanic in the Public Works Department.

Councilor Olivo said the only reason I pulled this from the Consent Agenda is because I would like the rest of the Council to know that Mr. Nathan McKibben is getting a promotion. Dan Gens, Public Works Director, asked Nathan to stand up and said Mr. McKibben has been with the City for four months. He started as a laborer with the City and we are asking that he be promoted to the position of mechanic. Nathan has been doing mechanics for a long time; he currently does some part-time business of his own. He has run his own business for a number of years. He has had lots of training and is very skilled. We even gave him a test and he did very well on the test. That is the first time we have ever given that kind of test. I think he is going to do a tremendous job for the City.

Motion was made by Councilor Olivo to promote Nathan McKibben to mechanic. Seconded by Judy Miller. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Motion was made by Councilor Morales and seconded by Councilor Miller to approve awarding RFP 05-02 to Caselle, Inc. for Court Management Software. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Motion was made by Councilor Morales and seconded by Councilor Miller to approve obsolete, unusable tangible property for the Departments of Public Safety and Public Works. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Motion was made by Councilor Morales and seconded by Councilor Miller to approve equipment exchange with Otero County, Department of Public Safety - Fire Department. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda, consider approving purchase of services for Ross & Associates to evaluate effluent trading program.

Councilor Olivo said I made a mistake. I wanted to pull Item J. because I wanted Mr. Badjar to explain to the Council why he wants to exchange this equipment and what are we benefiting out of it. Mayor Miller said also he might give us an appraisal of what is happening at the Mescalero Inn of Mountain Gods lake.

Jim Badjar, Assistant Fire Chief, said on the equipment exchange, it would be with Boles Acres from Otero County, their volunteer Fire Department. They are in need of a slip-in unit which we have down at the City yard. We just received a grant to upgrade one of our brush units to a larger pump and a foam unit. The tank and pump has been down at the City shop for two to two and a half years. We haven't been using it. It is really unneeded equipment for us. Boles Acres have six complete air packs and at least ten spare bottles. Right now the Fire Department is seven air packs short for our ISO upgrade and the NFPA compliant. This will bring us within one air pack of being completely compliant.

Jim Badjar said on the Mescalero dam issue, they were supposed to put out a public service announcement today about it. The dam has a small leak in it. They were setting up three pumps this morning to start pumping water out of the dam to reduce the water level five feet. I heard about five o'clock this afternoon the pumps were working well. They are moving 10 cubic feet per second out of the dam. As long as the pumps keep working the way they are, there will be no problem.

Joe Blaney asked and if the pumps don't keep working what is the problem. Mr. Badjar said they are going to open up a larger discharge to let a lot more water out in a bigger hurry and that will solve the problem.

Administrator Waters said I also called the president's office when I was up in Santa Fe and offered any help that we could provide. The one thing we can provide them with is a decent size pump. If they do request it I have offered to lend them our pump. If one of theirs goes down then they can use one of our larger pumps to keep the flow going. I talked to their administrator and he appreciated it and he will

certainly be giving us a call if they need it. It is a good back up to have and we will certainly be out there because we don't want a tsunami rolling down our belly either.

Councilor Morales said Jim, didn't you recently receive two grants. Mr. Badjar said we received two grants from the New Mexico State Forestry. The first one we bought 2,000 feet of 1-1/2 inch forestry hose, 2,000 feet of 1 inch forestry hose, Class A foam and a bunch of wild land protective equipment. This next grant we just received was an upgrade of one our brush units that has a nine horsepower pump to an eighteen horsepower and also equipped it with foam which it is not right now.

Councilor Garrett said I want to thank the fire department for their quick response on Nevada. It took them just no time at all to put out that fire. It just proves what a good fire department we have. Mr. Badjar said our first engine was on the scene in six minutes and we had totally knocked down the fire within ten minutes after receiving the page.

Mayor Miller entertained a motion to approve Item K. Councilor Olivo moved to approve purchase of services for Ross & Associates to evaluate effluent trading program. Seconded by Councilor Garrett. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next item on the agenda is Planning and Zoning report, consider approving P&Z recommendation to approve conditional use for daycare business at White Mountain Mobile Home Park space.

Mr. Armstrong said the P&Z looked at the conditional use for the day care. The letters were sent. We had no problem with anybody having any problem within this area, even the landowner of the White Mountain Mobile Home Park. The P&Z said just recommend to do it and the owners of the business are here. We still have some other inspections that we will be making on the City codes. All they do is allow the number of the children to be looked at at that time. The P&Z recommends that this be approved.

Councilor Garrett said I think this is something the City really needs. The more daycares we have that can be approved and licensed, I just think that is wonderful for all of us.

Councilor Garrett moved to approve the recommendation by the Planning and Zoning Board for the conditional use of the daycare business at the White Mountain Mobile Home Park space one. Seconded by Councilor Miller. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

PUBLIC INPUT

Jim Burrow said I live on Colorado Street and my question is more or less referred to John Waters. He was talking on sewer and getting grants. If we didn't get it, if I understood him right because of Parker Road, we may go on to the Agua Fria sewer. My question is we have a piece of property on the other side of the river that has been annexed for a number of years and it does not have sewer and water. I would like to see that done before we go someplace else that has just been newly annexed into Ruidoso Downs. I know the money is short but I think we need to look into some of the old stuff that has been annexed before we go into some new property that has been annexed.

Administrator Waters said we do have an infrastructure capital improvement plan that is approved each year by the City council. On that plan is the Parker Road bridge. Unfortunately, until that bridge gets funded, I can't put water and sewer on the other side of the river unless we install a little system on the other side. We are working though right now to get that grant; we have submitted a grant application for that bridge. If we get the grant, that is great. However, if we get the sewer grant and we don't get the bridge grant, I don't want to lose the sewer grant so that is the meaning behind it. Parker Road is higher on the priority list right now, then Agua Fria on our infrastructure capital improvement plan that the Council approved and changes every year. We don't want to lose that grant if we don't get the grant for the bridge. Assuming everything goes great we put the bridge in and we put the sewer lines in the same time we put the bridge in. However, things don't always go the same way you would like them to go and it is good to have a contingency plan. We have to spend that money within a certain time period. We just move to the next item on the plan which is Griffith and that area. It just so happens that we also have a private project putting sewer in that area that will probably be starting in a year. At that time it might be a good time to do that because it will actually be cheaper for us to work off of that system and get more people hooked up to sewer if we use it. In a perfect world, I hope we get both grants because I would like to do it all at once on the north Parker Road area. I agree they have been in the City for awhile and I know Warren Beaver is very interested in getting that in there. I know we have had requests for water service on that side of the river as well. As a side, we are planning on paving that road; we have done some significant work toward the circle at the end of Mr. Skar's property. We will at least have chip seal on that road this year. Dan and his crew have worked really hard to get the utilities moved out of that area and we are at least going to see a first generation road. We put the sewer lines and water lines in after that; the chip seal is easier to penetrate than going into a four inch asphalt road. That is what we are looking at for the north Parker Road area at this time.

Mya said I would like to bring attention to the Council members and Mayor to take a look at our telephone book, page 52 and 53. It is nicely highlighted for the Village of Ruidoso. They have big, dark print. If you take a look over here, is the Village of Ruidoso Downs. We have been a city for more than a year. I bring this to your

attention because psychologically people look on this page and they are always going to get the Village of Ruidoso and the City of Ruidoso Downs. This makes us look like "village" in the eyes of the general public who open that telephone book.

Councilor Garrett said Mya, they have changed my number; it is under my business number and I am not listed at all as a person in that book. I have called and complained; it was just not handled right this year. Anyone that wants to reach me from the City needs to call City Hall to get my number because they didn't bother to print it in the phone book. I even pay extra to have them listed separately and they didn't do it.

Mya says it seems to me they need to be contacted because I know we pay for those listings and I am just suggesting a better way to list it. I urge you to look at that because again we have the beautiful, new Ruidoso Downs Chamber of Commerce highlighted in nice yellow but down here we just have the Village of Ruidoso Downs.

Bonnie Richardson said I am chairperson for the Parks and Rec Committee. I would like to advise you that at our last meeting our Committee discussed the need to finish up some projects that have been started at the All American Park. First of all, we would like to see a finish to the walking trail which should be circling the entire park. Right now it goes halfway. We would like to get the fence and lighting in for the basketball courts and the fence and lighting in for the skate park. In order to get the maximum use out of the current baseball field which I don't know how aware you are that baseball is a big deal in Lincoln County in the summertime and the fields are in short supply. I suggest that we get top soil for the back part of the baseball field and install a portable fence to separate the front and the back. This would allow our City to host a little league team in Ruidoso Downs. This is work that could be done by the Public Works Department and should not cost a lot of money but would be a project that expands greatly the use of the field. We would like to prioritize this project hopefully so it can be used this summer. For the younger children, we have playground equipment currently at the park that is very old and badly needs to be replaced. We would like to request the Council to designate funds for purchase of new equipment.

Councilor Garrett requested that the Parks and Rec be put on the regular agenda as an agenda item instead of coming under public input. I think any of the other Boards that would like to have a report should be on the regular agenda also.

Dusty Beavers asked when can we start seeing some diagrams for the traffic light because that is pretty well going to affect us. If somebody will notify us when those are available. Also, as you know I started a car wash in the Downs. I have a little bit of a problem with the water meter cost. The water meter cost is over \$1,500 for the installation of the water meter. My problem with it is I came to the Council to put the car wash in and I did the water recycler under your approval which is costing

me approximately \$45,000 to put this system in and I have a little bit of trouble with the City coming back to me where there was an existing water meter in and the City decided to take it out. My complaint is the cost of the new water meter is \$1,500 and I have a big problem with that especially when I could have saved a lot more money than \$45,000. I could have transferred some water rights to the top of the hill and put it in right beside the Denton well and not done anything with the recycler and put it right back into the sewer. I was trying to better the community so I think I should get a little bit of a break on the water meter cost.

Administrator Waters said generally when businesses are taken out or in some cases have been delinquent in payment, the City has to utilize those meters in other areas. They don't leave the meters in the ground forever just to sit and rot and wait for somebody else to come and use it some time in the future. We are going through a very extensive meter replacement program and these meters cost money. This is in the ordinance. To do this you would have to vary from the ordinance. It would have to be a separate item on the agenda and consider it another time. In addition, you then open it up for all of the other requests and there have been quite a few folks that have also paid for it when the meters have been removed. The fact is the older meter gets taken out and replaced with a new meter. We have to buy them from somewhere and that is State law; we can't just give it out for free. Throughout the City, even in residential, we remove meters. The business meters, unfortunately, are the most expensive ones.

Mr. Beavers said if you can do your own thing, I can do my own thing too. I have helped you guys on lots of things and you guys can't seem to help me. I haven't been paid in over three years. I am the one that is suffering the consequences. I haven't charged anyone interest and I sat back and hung on and just tried to make it work. I didn't file against the bonding company because on advice from you, John, to please don't go against the bonding company because I am trying to work this out. It didn't work out and now I am the one suffering the consequences. I am supposed to get a check today and I still haven't gotten the check.

EXECUTIVE SESSION

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

Mayor Miller stated I would like to invite City Attorney Bryant by telephone, City Administrator Waters and City Clerk Virden to attend the Executive Session and closed the regular meeting at 6:44 p.m. Mayor Miller called for a five minute recess to clear the Council chambers.

Motion was made by Councilor Morales to go back into open session. Seconded by Councilor Miller. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried. Mayor Miller called the regular meeting back in session at 8:11 p.m.

Councilor Morales attested that the only item discussed in executive session was that pursuant to Section 10-15-1(H)7, Threatening and or Pending Litigation and no action was taken.

Mayor Miller entertained a motion to adjourn.
Motion was made by Councilor Morales and seconded by Councilor Miller to adjourn at 8:11 p.m. Motion passed unanimously.

Bob A. Miller, Mayor

ATTEST:

Carol Virden, City Clerk/Treasurer