

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
MAY 9, 2005

The Council of the City of Ruidoso Downs met in regular session on May 9, 2005. Mayor Miller called the meeting to order at 5:30 p.m. and asked Travis Atwell 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:

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

APPROVAL OF AGENDA

Mayor Miller pulled Item 10. G. under New Business, Consider Approving Personnel Recommendation- Parks/Building Maintenance Laborer- George- L. Aranda- Public Works Department. Mayor Miller entertained a motion to approve the agenda. Motion was made by Councilor Morales and seconded by Councilor Garrett 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 Garrett moved to approve the Consent Agenda. Seconded by Councilor Olivo. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

APPROVAL OF MINUTES OF APRIL 25, 2005 REGULAR MEETING

Motion was made by Councilor Garrett and seconded by Councilor Olivo to approve the Minutes of the April 25, 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 Garrett and seconded by Councilor Olivo to approve the Accounts Payable. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

UNFINISHED BUSINESS

Mayor Miller stated item under Unfinished Business, consider recommendations of Appointment(s) to Planning and Zoning Committee.

Councilor Miller said she would like to table the matter until she gets a list from Paul van Gulick who has several people from the newly annexed area who are interested in sitting on the P&Z Committee. Motion was made by Councilor Miller to table recommendations of appointments to Planning and Zoning Committee until the next regular council meeting. Seconded by Councilor Morales. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

OTHER BUSINESS

None

NEW BUSINESS

Mayor Miller stated first item under New Business, is appointment of Police Chief by recommendation of the Mayor. Mayor Miller said I wholeheartedly recommend Mr. Denny and it gives me great pleasure to make you Chief of City of Ruidoso Downs.

Councilor Olivo moved to approve Robert Denny as Police Chief of the Department of Public Safety for the City of Ruidoso Downs. Seconded by Councilor Miller. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller said it gives me great honor to present you with the Chief's badge. Judge Mansell swore in Robert Denny as the Chief of Police.

Mayor Miller stated the next item on the agenda, consider rescheduling regular meeting of the City of Ruidoso Downs City Council of Monday, May 23, 2005.

Councilor Morales moved to reschedule the meeting of May 23, 2005 to Thursday, May 26, 2005. Seconded by Councilor Garrett. Councilor Morales said I would like to add that the reason for the rescheduling is the Mayor, John Waters and Dan Bryant will be in Washington, D.C. 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, selection of Employee of the Month for May 2005. There was a discussion about putting the names of those nominated in a hat for a drawing. Attorney Bryant said we adopted a plan about how this was going to work at our last meeting and that plan doesn't consider a lottery or any of those things. If you want to change it you need to revise the plan.

Councilor Olivo moved to select Steve Dunigan as Employee of the Month for May 2005. Seconded by Councilor Miller. 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, consider approving Personnel Recommendation - position - Communication Detention Officer, Michael Michalik, Department of Public Safety.

Chief Denny said I would like you to consider approving Mr. Michalik for the position of Communication Detention Officer. He has just left the Air Force where he was a Flight Line Supervisor. I highly recommend him for the position.

Councilor Garrett moved to approve the recommendation of hiring Michael Michalik for the position of Communication Detention Officer. Seconded by Councilor Miller. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Chief Denny said I would also like the Council to approve Bob Regan. He is currently on an island in Alaska so he couldn't be here tonight. He retired with the New Brunswick Police Department in New Jersey after twenty years. He is currently with a small police department, even smaller than ours, in Alaska. Hopefully if everything goes well we can have him here in a few weeks.

Councilor Miller moved to approve the hiring of Bob Regan as Police Officer. Seconded by Councilor Olivo. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Chief Denny said I would like the Council to consider another officer we would like to hire from the Silver City Police Academy. He has already passed our background check and he is going to graduate from the Academy on June 30th. However, I would like to ask the Council to consider between now and the 26th that he be hired before leaving the Academy which will be in about five weeks. I would like to lock him in and he will start working shortly after he graduates the Academy.

Mayor Miller stated next item on the agenda, consider approving Personnel Recommendation, Position of Mechanic, Vance R. Massengale, Public Works Department.

Public Works Directors Gens said I would like to submit Vance Massengale as our Mechanic for the Public Works Department. Vance is working for Guardiola Construction right now doing heavy equipment repair. He has worked on airplanes, he is certified as a diesel mechanic with education and I think he will do a good job for the City.

Councilor Olivo moved to approve personnel recommendation to hire Vance Massengale as Mechanic for the Public Works Department. Seconded by Councilor Morales. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Motion was made by Councilor Garrett and seconded by Councilor Olivo to approve Personnel Actions for discharge of Department of Public Safety and Public Works Department. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

Mayor Miller stated next on the agenda, Committee Reports and the first item is Parks and Recreation. Jackie Branum said our Parks and Rec Committee met last Thursday. We had one item on the agenda that we wanted to bring to the Council for the budget. We would like to request \$50,000 for playground equipment which would service the children from two to five and also five to twelve. We would get equipment for all the children to come over there to play on it. We haven't gotten any new equipment in quite a while. This includes the undercoating that you put underneath for safety. It is made out of wood chips but it is sealed so it includes everything.

Mayor Miller stated next item is Planning and Zoning, consider approving P&Z recommendation to allow setback variance for Lots 9, 10, 11, Block 1 for a 50 x 21 foot addition as requested by Dennis Nosker.

Mr. Armstrong said on April 26th the P&Z Board was asked to look at a variance for Mr. Nosker for 4 foot 6 inches. He wants to build a 50 by 21 foot addition on the south side of his building. The addition needs a variance for this because of the setbacks of ten feet for the alleyway. Mr. Nosker owns the land across the alleyway. We sent out four letters and no one protested it. We found no negative impact on access to utilities in the alley nor access for fire. The Commission recommended the approval for the variance for this property. Mr. Nosker said it is five foot six inches. We have already fenced the alleyway out. I am remaining inside my property line but with the ten-foot setback we are asking for a variance to build this addition.

Councilor Morales said for clarification purposes on the agenda it says Lots 9, 10, 11 Block 1 but it doesn't say where and it is in Palo Verde Subdivision, Unit 1.

Councilor Morales moved to approved the P&Z recommendation for setback variance for Lots 9, 10, 11 Block 1 of Palo Verde Subdivision, Unit 1. Seconded by Council Miller. Roll call votes: Councilor Olivo, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Garrett, Aye. Motion carried.

PUBLIC INPUT

None

Mayor Miller entertained a motion to adjourn.
Motion was made by Councilor Morales and seconded by Councilor Miller to adjourn at 5:57 p.m. Motion passed unanimously.

Bob A. Miller, Mayor

ATTEST:

Carol Virden, City Clerk/Treasurer