

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
FEBRUARY 25, 2008

The Council of the City of Ruidoso Downs met in regular session on February 25, 2008. Mayor pro tem Susan Garrett called the meeting to order at 5:30 p.m. and asked Mr. Gary Williams to lead the Pledge of Allegiance. Mayor pro tem Susan Garrett asked John Waters, City Manager to take roll call. The following were present:

Councilor Hood
Councilor Holman

Councilor Miller
Mayor pro tem Susan Garrett

John Waters, City Manager informed Mayor pro tem Susan Garrett there was a quorum.

Also present:

John Waters, City Manager
Carol Virden, City Clerk/Treasurer
Steve Dunigan, Planning & Personnel Services Director
Mark Lewis, Acting Public Works Director
Jay Smith, Museum Director
Alfred Ortiz, DPS Director
W.T. Martin Jr., City Attorney

APPROVAL OF AGENDA

Mayor pro tem Garrett said next item on the agenda was Approval of Agenda and she would like to make a change to the agenda and move Item 12 Public Input to Item 9 and all other agenda items to follow. Mayor pro tem Garrett entertained a motion to approve the agenda.

Councilor Miller moved to approve the agenda. Seconded by Councilor Holman. Roll Call Votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion carried.

APPROVAL OF CONSENT AGENDA

Mayor pro tem Garrett entertained a motion to approve the Consent Agenda.

Councilor Holman moved to approve the Consent Agenda. Seconded by Councilor Miller. Roll call votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion carried.

APPROVAL OF MINUTES OF REGULAR MEETING OF FEBRUARY 11, 2008. Motion was made by Councilor Holman and seconded by Councilor Miller to approve the Minutes of Regular Meeting of February 11, 2008. Roll call votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion carried.

APPROVAL OF ACCOUNTS PAYABLES

Motion was made by Councilor Holman and seconded by Councilor Miller to approve Accounts Payables. Roll call votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion carried.

APPROVAL OF MONTHLY REPORTS

Motion was made by Councilor Holman and seconded by Councilor Miller to approve Monthly Reports. Roll call votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion carried.

PUBLIC INPUT

Mayor pro tem Garrett stated next item on the agenda was Public Input with a three-minute time limit.

Mayor pro tem Garrett stated she would like to do something first. She said this was Judy Miller's last night and has served the public for twelve years on the board. Judy Miller said that was a mistake, sixteen years. Mayor pro tem Garrett said that was right, sixteen years and that it was on the plaque as sixteen years. She apologized to Judy Miller. She said it says sixteen years of service to Judy Miller and that we want to thank Judy Miller for her service. There was a round of applause. Judy Miller said she wants to thank the people and residents and everyone who supported her and that voted for her in the last four elections and that her heart is here and always will be here. She said she is not leaving this community and that she will be around so she would be seeing their friendly faces. She thanked them again and said she enjoyed serving them.

Mayor pro tem Garrett asked if there was any other Public Input.

Councilor Holman asked if he could read a letter that was left for him from Mayor Bob Miller. The letter read:

I would like to use this opportunity to dispel the rumors of my demise. I'm badly beaten but not broken. I am weak but gaining strength rapidly. The doctor told me yesterday that he was kicking me out of the hospital in the next couple of days. The service here is great but I won't recommend a stay here unless you really have to do so. I would like to debrief and am greatly humbled and appreciative of the well-wishes and tremendous support of the good people of Ruidoso Downs. I will see all of you real soon. Again, thank you and God Bless.

Mayor, Bob A. Miller

Mayor pro tem Garrett said she would still like for all of us remember him and keep thinking about him for a speedy recovery.

Mayor pro tem Garrett asked if there was any other Public Input? She said if there was not then they would move on to Item 9 Unfinished Business.

UNFINISHED BUSINESS

Mayor pro tem Garrett stated next item on the agenda was Unfinished Business-Consider approving skateboard park name "(K) (C) ROWN OF THE DOWNS." She said it was her

understanding that Mrs. Richardson's committee, the Parks and Rec Committee had not had a chance to meet so she was going to ask someone to table it.

Councilor Miller moved to table it. Seconded by Councilor Holman. Roll call votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion tabled.

OTHER BUSINESS

Mayor pro tem Garrett stated next item on the agenda was Other Business. She said these are items to be discussed only and no action will be taken. She said it was her understanding that Chief Ortiz would like to speak.

Chief Ortiz said he would like to introduce the newest members to their department. He said these are officers who joined their department recently. He said it gave him great honor to present a husband and wife team and they come from Rio Rancho, the Sandoval County Sheriff's Department, Mrs. April Dominguez and her husband Brian Dominguez. There was a round of applause. Chief Ortiz said both of the Dominguez's had about five or six years law enforcement experience in the Rio Rancho area in the police department and sheriff department. He said we certainly welcome their expertise and their presence here. Mayor pro tem Garrett said we really welcome them. Chief Ortiz said at this time would like to introduced another police officer that joined our force earlier this year, actually she was waiting to get out of the academy DeAnna Preston and she comes to us from the Hobbs area. He said she's been doing a fantastic job for us since she got here so we're real pleased to have her here to join our force. There was a round of applause. The councilors welcomed all of the new officers.

Mayor pro tem Garrett said Jay Smith would like to speak about the new Volunteer Program. Jay Smith, Museum Director said part of the reason for the bulk of the Council agenda this evening is the fact that they included our new Volunteer Program, Volunteer Manual. He said he brings it the their attention because it represents a new initiative on our part to begin the recruitment process of the volunteers at the Hubbard Museum of the American West. He said it also represents something new for us and something a lot of the larger museums across the country are doing and that is to devise a contract between the volunteers and the museum facility so that it is clear that the museum is entering into an agreement to provide the best training, the best service it can for the volunteers so that it is known as a two-way street. Volunteers at the Hubbard Museum of the American West aren't there to replace staff they are there to augment staff. You will find if you look at the Volunteer Manual that it's all about public servants. He said what we ask of the volunteers is the same as we ask of the staff and that is when you walk in the door to ask yourself the question "What will I do today to improve the service of the Hubbard Museum?" And, when you leave at the end of the day to ask the same question and provided we can all answer in the affirmative in some form or another and the museum does nothing but improve as a result of that. He said for those in the audience we would love to have them come down and visit with them and talk about how we might work with them as a volunteer. He said for those who might know people that might be interested in coming down and there was a variety of things to do from guiding tours to working with collections to providing landscaping. He said some people like to get outside and work in the flowerbed. He said he strongly encouraged them to take advantage of this and they had any questions about it to please give him a call and he said he hope the Council was pleased with the progress that they have made in that area.

Jay Smith, Museum Director said he just got this bit of news this afternoon after our staff meeting so this was new to everyone here but he received a letter from Anne Imelda-Radice who is the Director of the Institute Museum and Library Services in Washington DC and she was writing to notify that the Hubbard Museum is the recipient of an honor that provides us literally thousands of dollars in free resources about the conservation and management of our collections. He said we are one of eleven facilities in New Mexico that will receive these materials. He said they were called "Connecting To Collections" bookshelf and they will be CD's, DVD's, hardbound and soft back books all about the management and conservation materials. He said we applied for this to make sure that we had cutting edge information about how to preserve our collections. He said he was very pleased to receive this letter and that it was an honor sponsored by the Getty Foundation, the Henry Luce Foundation, the Institute of Library Services, and the American Association for State and Local History. He also said we didn't have to pay for anything.

NEW BUSINESS

Motion was made by Councilor Holman and seconded by Councilor Miller to approve destruction/disposal of unusable public property-Museum Department. Roll call votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion carried.

Mayor pro tem Garrett stated next item on the agenda was New Business-Review of Zoning District Map Update.

Paul van Gulick said they had been working on a zoning map forever now. He said it was an incremental process unfortunately but that they finally had it in some shape for something to approve. This coincides with a bunch of other things and he said he thought there was a plotter in Alto where we could print up maps when people need them. It's in a format now and the final proof will be in a .PDF format to put on the website. All of the changes were made to be web-friendly. Paul van Gulick said he was now going to hand it over to Steve who had done a tremendous amount of work.

Steve Dunigan, Planning & Personnel Services Director said as Paul said, since March of last year of 2006 they held a series of workshops as well as public hearings all designed to put together a document that they felt gives the City of Ruidoso Downs a complete zoning map including all the annexed areas and some review of areas that came into zoning or changed since it was last approved. They've asked for public input, listened, looked at the Master Plan and how the growth of the City would fit that plan and they've produced a plan that was ready for the next step. He said they would like to ask to be able to continue and to allow this ordinance to be passed. He said that's where they were at with this review and didn't have much else to add so they were asking the Council to consider moving to the next step.

Councilor Miller asked Steve Dunigan, Planning & Personnel Services Director if property owners would be notified that there was a zoning change to their property? Steve Dunigan said they would notify as many people as they possibly could. He said there were several publications in the newspapers and if you could get hold of the last Public Hearing at the Hubbard Museum and advertise that. He said specifically each and every homeowner that has been affected by this has not had a letter sent at this time and perhaps that was something to look at in addition. He said

with the number of meetings, publications and advertising they've done they felt they have adequately notified the public. Councilor Miller said that was not so really because a lot of people do not look at those publications. She said this is pretty for us tonight; usually there are five or six people here. She said they don't know unless they're notified by mail. And if there is a property, a zoning change for their property she said everyone has the right to be notified. She said that may come up in your public hearing. Mayor pro tem Garrett asked how many people were they talking about? Do we have a number? She asked if we were changing very much? Steve Dunigan, Planning & Personnel Services Director said both of the recommendations were actually taking in the all of the annexed areas that were part of the ETZ and were not designated at all. So, he said we were talking predominantly to the east of our town, the annexed areas. He said there are some recommendations to change a few locations around town that have changed over the months and years. He said to notify each and every individual by individual letter would be a substantial undertaking but he said whatever he was directed to do to make this go through would be fine. He said they were trying to communicate with the public the best they can. He said they have held probably twice the meetings that they needed to in an effort to continue to reach out for public input however under directive that would certainly be fine. Mayor pro tem Garrett asked if they had much response at upgrading too and he said yes and the responses were better than the rest of the hearings throughout the year. He said he could safely say there were twelve to fourteen, fifteen people there. Paul van Gulick said they had contrasted since the last time by having a printed map and sending it out. He said he didn't know how many people ultimately arrived but enough did, two showed up to closely identify a couple of areas that they missed so that was encouraging. Again he said they did have people come in who had some things to straighten out with how their property was being zoned and he said he would definitely echo the same sentiments that they certainly want to make sure everybody aware of whatever changes.

Mayor pro tem Garrett said they would move on to Item C and they would probably consider that during that time. She said Item C was - Consider Instructing City Clerk to Begin Process of Public Hearing on Notice of Intent to Adopt Proposed Ordinance Amending Zoning District Map. She asked what the pleasure of the Council was? Councilor Hood said he thought we should send a letter out and that would be the proper thing to do. He said a lot of people don't look back there in the legal notices and Councilor Miller said no, they don't. Councilor Holman said that he agreed with Councilor Hood and asked if maybe we could get this out with the water bill, just a little note in there? Mayor pro tem Garrett said she thought what Councilor Miller was asking was the specific person that was having the zoning change because they don't all get a water bill. Councilor Miller said just those people that it affects was what she was thinking and said that shouldn't be a whole lot. Councilor Holman said that would be his point and those would be the ones to go out but this was always the dilemma of trying to be sure that something this important that people who care about it get the communication. He said it's always a problem to get that done and he wished we could come up with a method of where they'd all feel better about it. Councilor Miller said if there weren't that many changes, and she asked Steve Dunigan if there were that many changes? He said there were quite a few people affected by this and there were quite a few changes. Councilor Miller said, "So there are quite a few people, so there are quite a few changes?"

John Waters, City Manager said our P & Z Ordinance has notification procedures that we have to meet including posting requirements as well. He said we have to do that during this process that the Council would have to consider once the hearing starts. Notifying a few people of it, there are a couple of methods mentioned, one of them being the water bill. He said to remember the water

has only enough space for about two lines to be written so it would be difficult other than getting "If interested in P & Z come to the Council on this day" would be about all that could fit. He said the newsletter was sent out with about half of the newsletter was dedicated to this particular item. We could send another one out or one for that particular item. He said it costs us about six hundred dollars per mailing of those and asked Carol Virden, City Clerk if that was right? She said if they were talking about notifying each and every individual who were going to be affected by the new zoning update and she said she thought in the Planning and Zoning Articles, and she said to correct her if she was wrong, it called for certified return receipt for any zoning change. She asked how many homes they were talking about out there, two hundred at the most time times almost three dollars. She said that was quite a bit of money. Councilor Holman asked John Waters, City Manager about a notice in the newspaper and getting with the radio? He said there was just so much you could do on things like this and then it becomes the responsibility of the public to keep up with it. But, he said you do hate to see a situation where someone isn't informed, and it happens a lot and then they're upset after it's a done deal. John Waters told Mayor pro tem Garrett we certainly would fulfill all the requirements of the P & Z Ordinance and if there were additional opportunities to get with the media and maybe put some additional notices out perhaps closer to the end of the 30-day notice period, maybe a week or two before that might be the best time to schedule that and then perhaps it would draw more people in. He said first and foremost was to comply with the P & Z Ordinance and meet the State statute requirements for this regular ordinance change. He said we will definitely put out all available, of course the newsletter was something we put out on a regular basis, actually there will be another one due here soon so we might just speed it up a little bit, maybe make this new newsletter letter "Planning & Zoning-Come to the Hearing" and we may have even a map that we can break down into quadrants opposed to a single one. He said if they would remember the one that was sent out in the newsletter maybe a little bit larger than 11 1/2 by 17, about the size of the Vamonos foldout that we had in there. He said if we could break it out into quadrants maybe people could see their streets and neighborhoods in there. He said six hundred dollars was nothing when it comes to a notice and even if we try to blow that map up as much as we could given the limitation of printing with newsprint the resolution wasn't great so blowing the map up and cutting it into quarters might be the best way to do that. Councilor Holman said that did sound good and just what we were doing right now at least we were doing the best we could do. He said if we can do that and we've done the very best we can do then we would all feel better about it. Mayor pro tem Garrett said she thought that was due diligence. Councilor Miller said the newsletter was going out anyway. Paul van Gulick said if he could just follow-up with that he said he thought it certainly is a consensus that it clears up our minimum zoning ordinance requirement is way too little. He said in order to be good neighbors he thought this discussion had gone the right way. An individual mailing could become problematic but he said he thought having a newsletter and having a foldout. He said additionally maybe plan to put something in the newspaper that makes it plain what is happening and we can provide at this time a drawing of the proposed map that can be posted on the web that people could be directed to that and they could actually blow it up to any size they want and it was more satisfactory from a lot of people's point of view to have it on the screen so they could see what they need to. He said he thought if we did all of these we could all feel comfortable that we've done what we could.

Mayor pro tem Garrett said she would like to ask for a motion to instruct the City Clerk to begin the process.

Councilor Miller moved to approve instructing the City Clerk to begin the process of the public hearing of intent to adopt proposed ordinance amending Zoning District Map. Seconded by Councilor Holman. Roll call votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion carried.

Mayor pro tem Garrett said Item D was the presentation and discussion on Business Retention and Expansion Plan - Mercedes Fernandez-Wells and Phyllis Taylor - Sites Southwest.

Paul van Gulick said on behalf of Mercedes Fernandez-Wells who could not be here this evening of the Economic Development Board he would like to introduce Phyllis Taylor of Sites Southwest. He said she has done a lot of great work with the Board including most recently sending out a survey and we actually got a decent response. We got a small sample since we're a small town and the response was a little over twenty percent. He said it actually covered a cross-section, it wasn't a narrow slate. What's been happening since he said was that Phyllis Taylor of Sites Southwest has been putting together the Business Expansion and Retention Plan based on that so he was going to turn it over because we haven't seen it either.

Phyllis Taylor said she really wanted to thank all of the Board and Kathy Tetreault because they really helped her. She said they reviewed the survey, they helped check the survey, they got the survey distributed to people, and collected it and got it back to them. She said they sent out one hundred sixty surveys to everyone who has a business license in Ruidoso Downs and they got forty back. She said that was a response rate of twenty five percent and it was a pretty long survey so they were pretty pleased. She said they wished they had gotten more and hopefully with some of the things that they were recommending some of the businesses could get more involved with each other and with the community and that we could do this again in a couple of years and see how people are feeling then. Phyllis Taylor was having trouble with the PowerPoint presentation and continued to report to the Council and audience. She said the Economic Development Board has been doing quite a lot of different activities with one of those being certified by the State to be certified by the Economic Development Department and one of the things that was in that certification called for looking at a Business Retention and Expansion Plan. She said the point of that has to do with how important existing businesses are to your local economy. She said she was sure they all knew that and that they provide jobs today, they're paying taxes today. She said they should have the plan in their packet. Also, she said this compliments other things the City would be doing like attracting new businesses, encouraging local products, etc. This is a part of many things that you will be doing. The purpose of the plan are identifying barriers to growth of the businesses that are here, identify opportunities for things the City is already doing to support local businesses like the CID program, looking at ways businesses might help each other and help each other and work together, and then looking at ways for the City to improve their physical and economic environment for local business. She said they asked businesses directly in the survey what they need, their attitude toward the City, what they would like to see improved and that they were proud of, things they were already proud of as positive aspects in the community. The City mailed out the surveys and collected them back. She said the Economic Development Board helped with that and then everything came to Sites Southwest and they put it together. Phyllis Taylor said she was hoping to get the PowerPoint to show because they did have some graphs. She said the things they found from the survey was the people that responded were fairly new businesses and they were small. She pointed out on the graph that most had one to two employees so that was the highest amount both for part-time employees which was kind of reddish and the

full-time employees in blue had a few for three to four, a few with five to ten and then it really dropped off from there. She said they asked a question about whether there was an issue with recruiting and retaining employees because that was something we did have resources for in the community. She said thirty five percent of the people that responded said they really didn't have a problem but the rest had some sort of problem mostly hiring skilled and semi-skilled people and as the skilled level goes down there's less trouble getting people hired. When they asked about the kind of recruiting problem people had they talked about poor work attitude, low skill levels, high work turnover being the biggest problem but when asked about their employees specifically they said they had great employees. People may have trouble hiring but once they find those people they were fairly satisfied with that, at least the small places. They asked them how they would rate a series of local services and she said you could actually see them all here (on the PowerPoint) it was the legend that got cut off, so the red were the ones that got negative comments, the white in the middle were things that people were neutral about, the green were things people felt positively about. She said you could see that at least the majority of the respondents feel positive about just about everything. Phyllis Taylor said the things that people were not happy with are the airport facilities and she said she didn't know how much control we had over that but she understood that was a transportation issue. Road maintenance, drainage, and transportation costs, and she said they saw a lot of comments all the way through the survey about the cost of fuel, that people are feeling it's higher here than elsewhere and she said she didn't know how much control we had over that either. She said the road maintenance and drainage kind of had to do with the appearance of the community also. She said they asked people about their attitude toward Ruidoso Downs as a place to live and own a business. Again she said the red on the bottom were negative comments, the white in the middle were neutral, and the green were positive comments. The things people felt most positive about were climate which is definitely an asset for this place, the availability of cultural facilities like galleries, theaters, libraries, museums and also there were some positive comments about the quality of the schools, health services, and parks and recreation facilities. The most common complaint are the small labor pool, lack of affordable housing, high land and fuel cost, low income and wages and people felt like there were limited opportunities for training their employees. Phyllis Taylor said she would like some feedback on that because she wondered if that was just not knowing what resources were available. Then there were comments about the poor schools, the parks and trail systems and need for more cultural entertainment even though those also got positive comments. So, the comments that were taken directly from people's survey (that you can't see) were lack of affordable housing and low wages keep people from moving here, labor is underpaid and hard to retain, daycare is hard to find, and need more parks and things for small children and teens. She said then you have everybody's comments verbatim in the report. She said she kind of thought people would like to see change in relation to cleanup through Code Enforcement and aesthetic improvement in residential and commercial areas where especially Highway 70 was mentioned because that is the most visible thing to people moving through Ruidoso Downs. She said improving roads so paving more roads and continuing maintenance of those. Try to have public health with affordable housing, people mentioned better government cooperation across the board, and then fully controlled drug enforcement and prevention. When they asked people about opportunities they came back with that there were lots of unimproved commercial properties along Highway 70 that people saw as a real asset for growth to promote the small town uniqueness. They pointed out that this area does have nightlife, shopping, and lots of things to do so that was a positive about the community. They felt that Ruidoso was limited but Ruidoso Downs has space to grow. She said somebody made the comment that it's important to get it right the first time. They asked

people about ways that businesses might work together so a lot of that had to do marketing and promotion and package deals and doing kind of cooperative marketing that way and maybe having some incentives for that. She said she knew they had talked with the Economic Development Board about the Chamber of Commerce and the role it might play and she thought it had a real important role to play in being kind of an opportunity for businesses to get together to talk about things, come up with solutions, figure out how they can work together. She said the City has a web page already and maybe that's something that could be enhanced enough to have more marketing for local businesses as well. When they asked about ways to improve the local business climate the things that came up were quality of life improvement and that goes back to the cultural and parks and recreation kinds of things, affordable childcare, looking at some tax incentives, increasing communication between the City and local businesses, having more worker training programs, and improvement to the public schools. She said they had a few recommendations; they have five big ideas and then some specific things underneath that. One has to do with the quality of the build environment and she said she knew that was a constant thing the City was working on, the CIT, roads, drainage, wastewater, especially when those kind of affects what the public sees, the most visible things is important to business, code enforcement and having properties cleaned up and meeting all your codes is important. Phyllis Taylor said then there are opportunities through the Certified Communities Program for some special projects. She said they were small but there was a little bit of money and there's coop advertising associated with that. As for affordable housing there were lending institutions and State housing agencies that are working on workforce housing. She said they were trying to take care of that in the State and that it was a big issue in tourism oriented communities. Something other communities were doing that we may want to consider or maybe just hopefully an opportunity will present itself, was to identify parcels that the City might own that can provide a location for future workforce housing. Marketing assistance was the fourth one and taking advantage of the City website for that, maybe we could have a coop advertising fund for that, business mixers and social groups for marketing she said was a Chamber of Commerce type of function. Workforce development was a fourth big idea and she said we did have training opportunities through ENMU, it's making people aware of what's needed. She said she knew if there was a big enough need ENMU would work with you to tailor a program that meets special requirements of certain businesses so thought we had a resource here pretty close. So, she thought getting those connections would be a good idea. In looking a local business involvement was the fifth one. A Chamber of Commerce, typically a clearinghouse of information can provide ideas, educational programs and can be a forum for business involvement and helping the community plan for things that are going to be supportive of the business environment here. And, trying to make sure the right people were involved with the Economic Development Board and Chamber activities and an example of that would be to have people from ENMU come and talk about what they've got available. She said they did have some comments about private utilities and making sure those people were on board so they could talk about what they have available and listen to them talk about the cost of utilities.

She said that was about it and she apologized for the PowerPoint not working and then asked if there were any questions?

Mayor pro tem Garrett said she read it last night and she was sure if anyone wanted a copy they could talk with John Waters, City Manager. She said it was a very interesting document and explains a lot about Ruidoso Downs and she said we are small businesses. Phyllis Taylor said there were some comments people and gave their little quip so there were some senses of humor

here. She said she thought it was interesting too and was glad we got as many responses as we did. We got responses from some of our really big businesses too so they were pleased with that as well.

Mayor pro tem Garrett asked if there were any other questions or comments. She thanked Phyllis Taylor for her presentation. Phyllis Taylor said she would get some extra copies down here and said she had one extra copy if anyone would like one and she would get copies for the Economic Development Board and a few extras and said the City had the electronic version.

Paul van Gulick said the greatest thing about this or the thing that came up top was the number of businesses who were planning to relocate, but they were planning to relocate within the City. He said there was a fair amount of loyalty showing there. Mayor pro tem Garrett said she gets comments all the time about businesses wanting to relocate to Ruidoso Downs because they feel we'll communicate with them and they have the ability to come in to talk to the City and she felt that was an important fact. John Waters, City Manager said he was informed by Carol Virden, City Clerk that if anyone was interested in a copy they could come by City Hall tomorrow.

EXECUTIVE SESSION

Mayor pro tem Garrett stated next item on the agenda was Executive Session: Discussion of all threatening and/or pending litigation pursuant to Open Meetings Act; Section 10-15-1 Subparagraph (H) 7: Wastewater Treatment Plant.

Mayor pro tem Garrett entertained a motion to go into Executive Session for the discussion of all threatening and/or pending litigation pursuant to Open Meetings Act; Section 10-15-1 Subparagraph (H) 7.

Councilor Holman moved to go into Executive Session for the discussion of all threatening and/or pending litigation pursuant to Open Meetings Act; Section 10-15-1 Subparagraph (H) 7. Seconded by Councilor Miller. Roll call votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion carried.

Mayor pro tem Garrett closed the regular meeting at 6:20 p.m. and invited W.T. Martin, Jr., City Attorney, John Waters, City Manager and Carol Virden, City Clerk, into the Council Chambers after a five-minute recess.

Mayor pro tem Garrett entertained a motion to go back into open session.

Councilor Miller moved to go back into regular session. Seconded by Councilor Hood. Roll call votes: Councilor Hood, Aye; Councilor Miller, Aye; Councilor Holman, Aye; Mayor pro tem Garrett, Aye. Motion carried.

Mayor pro tem Garrett called the regular session back to order at 7:14 p.m. and asked a member of the Council to attest to the fact that the only items discussed in Executive Session were that of threatening and/or pending litigation pursuant to Open Meetings Act; Section 10-15-1 Subparagraph (H) 7.

Councilor Miller attested to the fact that the only items discussed in Executive Session were that of threatening and/or pending litigation pursuant to Open Meetings Act; Section 10-15-1 Subparagraph (H) 7: Wastewater Treatment Plant and no actions were taken.

ADJOURNMENT

Mayor pro tem Garrett entertained a motion to adjourn.

Councilor Hood moved to adjourn at 7:15 p.m. Motion seconded by Councilor Miller. Motion passed unanimously.

Susan Garrett, Mayor pro tem

ATTEST:

Carol Virden, City Clerk/Treasurer