

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
REGULAR MEETING
JULY 12, 2010
5:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on July 12, 2010. Mayor Armstrong called the meeting to order at 5:30 p.m. and asked Wayne Williams to lead the Pledge of Allegiance. Mayor Armstrong asked Carol Virden, City Clerk/Treasurer to take roll call. The following were present:

Councilor Olivo
Councilor Holman

Councilor Williams
Councilor Hood

Carol Virden, City Clerk/Treasurer informed Mayor Armstrong there was a quorum.

Also present:

Carol Virden, City Clerk/Treasurer
Steve Dunigan, Planning & Zoning Director
Cleatus Richards, Public Works Director
Terri Mosley, Finance Director
A.C. Ortiz, Chief of Police
Zach Cook, City Attorney

APPROVAL OF AGENDA

Mayor Armstrong stated next item on the agenda was approval of the agenda.

Mayor Armstrong entertained a motion to approve the agenda.

Councilor Williams moved to approve the agenda. Seconded by Councilor Olivo.

Roll call votes: Councilor Olivo, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Hood, Aye. Motion carried.

APPROVAL OF CONSENT AGENDA

Mayor Armstrong stated next item on the agenda was approval of the Consent Agenda.

Mayor Armstrong entertained a motion to approve the Consent Agenda.

Councilor Williams moved to approve the Consent Agenda. Seconded by Councilor Hood.

Roll call votes: Councilor Olivo, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Hood, Aye. Motion carried.

Mayor Armstrong closed the regular meeting at 5:32 p.m. and invited H. John Underwood, City Attorney, Carol Virden, City Clerk/Treasurer, Terri Mosley, Finance Director, Robert Donaldson and Ed Burger. He asked Jay Smith, Museum Director to wait outside in case there were questions to be asked. Mayor Armstrong called for a five-minute recess.

Mayor Armstrong entertained a motion to go back into Open Session.

Councilor Williams moved to go back into Open Session. Seconded by Councilor Olivo.

Roll call votes: Councilor Olivo, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Hood, Aye. Motion carried.

Mayor Armstrong called the regular meeting back to order at 6:25 p.m. and asked that a member of the City Council attest to the fact that the only items discussed in Closed Session were that of the purchase, acquisition or disposal of real property or water rights Pursuant to §10-15-1 (H) 8.

Councilor Williams attested to the fact that the only items discussed in Closed Session were that of the purchase, acquisition or disposal of real property or water rights Pursuant to §10-15-1 (H) 8 and no action was taken.

Mayor Armstrong entertained a motion.

Councilor Holman moved to approve for the City Attorney to go forward with the proceedings that were discussed in executive session.

Councilor Williams asked for that to be clarified.

H. John Underwood, City Attorney said his instructions were for him to get the necessary documentation from the parties involved and bring it back to council for final review.

Seconded by Councilor Olivo.

Roll call votes: Councilor Olivo, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Hood, Aye. Motion carried.

ADJOURNMENT

They're being no further business to attend to Mayor Armstrong entertained a motion to adjourn.

Councilor Williams moved to adjourn at 6:27 p.m. Seconded by Councilor Hood.

All were in favor and motion passed.

Tom E. Armstrong, Mayor

ATTEST:

Carol Virden, City Clerk/Treasurer

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APPROVAL OF AGENDA

Mayor Armstrong stated next item on the agenda was approval of the agenda.

Mayor Armstrong entertained a motion to approve the agenda.

Councilor Williams moved to approve the agenda. Seconded by Councilor Olivo.

Roll call votes: Councilor Olivo, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Hood, Aye. Motion carried.

APPROVAL OF CONSENT AGENDA

Mayor Armstrong stated next item on the agenda was approval of the Consent Agenda.

Mayor Armstrong entertained a motion to approve the Consent Agenda.

Councilor Williams moved to approve the Consent Agenda. Seconded by Councilor Hood.

Roll call votes: Councilor Olivo, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Hood, Aye. Motion carried.

APPROVAL OF MINUTES OF REGULAR MEETING OF JUNE 28, 2010.

Councilor Williams moved to approve the Minutes of Regular Meeting of June 28, 2010. Seconded by Councilor Hood.

Roll call votes: Councilor Olivo, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Hood, Aye. Motion carried.

APPROVAL OF ACCOUNTS PAYABLES

Councilor Williams moved to approve Accounts Payables. Seconded by Councilor Hood.

Roll call votes: Councilor Olivo, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Hood, Aye. Motion carried.

UNFINISHED BUSINESS

Mayor Armstrong stated next item on the agenda was to Unfinished Business.

There was no Unfinished Business.

OTHER BUSINESS (items are for discussion only-no action will be taken)

Mayor Armstrong stated next item on the agenda was Other Business and no action would be taken.

Mayor Armstrong stated next item was the introduction of newly hired employees. He said there were none here.

Cleatus Richards, Public Works Director said on Saturday, July 24th they were going to hold a "Hot Wheels Rally" at All American Park. Starting around 10:00 they were going to have Bike Safety Training and they have some 15 helmets they were going to pass out for free. He said he believed the Optimist Club was also going to be donating some free helmets. There was going to be a skateboard competition in the afternoon and they were also going to open the BMX Track that day with a formal opening for that facility. There would be food and entertainment and he invited everyone to come.

Cleatus Richards, Public Works Director said he would also like to report on the Highland Lane paving project. He said the paving was in place and they were doing the shoulder work this afternoon so that project was basically now complete. He said he had filed for reconsideration on Friedenbloom and Joe Welch based on the last bids received. They were given a favorable recommendation to the FEMA people so they would hope to wind up those too.

Mayor Armstrong said he had a question from one of our residents about why there were "X's" in the new pavement. Cleatus said those locate the manholes to the interceptor sewer. They will cut those out late and seal with manhole covers. Mayor Armstrong asked who would be doing that? Cleatus said our street crew.

NEW BUSINESS

June 28, 2010
City of Ruidoso Downs
City Council Minutes
Re: Wayne Williams
Public Input

Recap verbatim:

Mr. Mayor, members of the council, my name is Wayne Williams. I come here, today I wanted to thank Chief Ortiz for the quick response given to the abandoned car at the end of our street. It was almost immediate. I appreciate it. I drove down to the river park today, the Riverside Park and I noticed trash cans were in place. I assume that that's the Parks or Ruidoso Beautification Committee and the City had something to do with it too. I saw the railroad ties and gravel work that is being done down there. We appreciate that and living close to that area. I have one thing I want to bring up and that was you know how I felt about the Lincoln County Transit System being unconstitutional. I thought it was going in direct competition with private enterprise like the one door to door. This tax, increase in public tax money, citizens taxes to support one single private enterprise. If that's not unconstitutional then boy I'm living in a different country. Something is deadly wrong if we can tax tax on all the tax paying population to benefit one private enterprise. Now I don't particularly want to see the Hubbard Museum of, I mean the Hubbard racetrack leave either. But, taxing the entire population to benefit one private enterprise. The next thing you're going to do is going to tax to support Joe Blow's gas station down the street. I don't think that the City ought to get behind that. I think that it's unconstitutional. But, your legal staff might know better than me but it just don't make sense. Thank you for your time.

Mayor Armstrong stated next item on the agenda was New Business.

Mayor Armstrong stated next item on the agenda was Selection of a Voting Delegate and Alternate-NMML 2010 Annual Conference Taos, NM.

Carol Virden, City Clerk/Treasurer said it was customary that the mayor of the municipality was nominated as the voting delegate so you will need a nomination for the mayor and an alternate.

Councilor Olivo nominated Mayor Armstrong as Voting Delegate and Mayor pro tem Holman as alternate voting delegate. Seconded by Councilor Williams.

Roll call votes: Councilor Olivo, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Hood, Aye. Motion carried.

PUBLIC INPUT

(All concerns to be addressed only to the Governing Body as a Whole with a 3-minute Time Limit)

Mayor Armstrong stated next item on the agenda was Public Input.

Wayne Williams said at the last meeting he spoke up about the tax and the City supporting the tax program to benefit the Hubbard racetrack and the printing said the Hubbard Museum and I may have said that during the meeting because I wasn't reading. It was just off the top of my head. So, I would like that corrected that when he made his statement at the last meeting that he was talking about the Hubbard racetrack that he thought that putting a tax on the entire county to benefit one private enterprise was unconstitutional. He said that may not have been exactly what he said but that was what he meant.

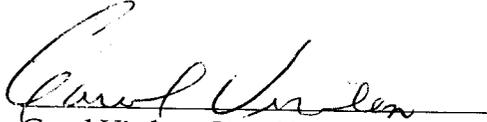
ADJOURNMENT

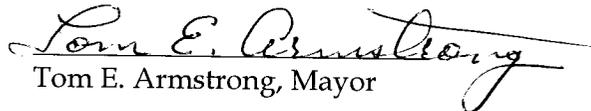
They're being no further business to attend to Mayor Armstrong entertained a motion to adjourn.

Councilor Holman moved to adjourn at 5:37 p.m. Seconded by Councilor Williams.

All were in favor and motion passed.

ATTEST:


Carol Virden, City Clerk/Treasurer


Tom E. Armstrong, Mayor