

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
REGULAR MEETING
APRIL 9, 2012
5:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on April 9, 2012. Mayor Williams called the meeting to order at 5:30 p.m. and asked James Burrow to lead the Pledge of Allegiance. Mayor Williams asked Carol Virden, City Clerk/Treasurer to take roll call. The following were present:

Councilor Holman
Councilor Miller

Councilor Hood
Councilor Perry

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

Also present:

Carol Virden, City Clerk/Treasurer
H. John Underwood, City Attorney

APPROVAL OF AGENDA

Mayor Williams stated next item on the agenda was Approval of Agenda.

Mayor Williams entertained a motion to approve the agenda.

Councilor Miller moved to approve the agenda. Seconded by Councilor Perry.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

APPROVAL OF CONSENT AGENDA

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

Mayor Williams entertained a motion to approve the Consent Agenda.

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

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

APPROVAL OF MINUTES OF THE ORGANIZATIONAL/REGULAR MEETING OF MARCH 26, 2012.

Councilor Miller moved to approve the Minutes of the Organizational/Regular Meeting of March 26, 2012. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

APPROVAL OF ACCOUNTS PAYABLE

Councilor Miller moved to approve Accounts Payable. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

Mayor Williams stated the next item on the agenda was - Mayor's Comments.

Mayor Williams said Patty DeSoto from Lincoln County Transit has just received a scholarship, only one of two, DOT to attend a conference next month in Baltimore, Maryland for the Community Transportation Association of America. This is quite an honor and a great opportunity for her to go out and learn more about what it takes to manage a transportation system.

Mayor Williams said April is the target for "Recycle, Recycle, Recycle." He said there are recycling bin throughout the City and the Village and at Greentree Solid Waste. They are also targeting # 1 & #2 plastics, newspaper, and clean aluminum cans.

Mayor Williams said Earth Day and Earth Week coming up. They are having a ho down in Wingfield Park on April 22nd and anyone interested in attending can look it up on their website.

Mayor Williams said there would be the Biennale Grande II opening at the museum on Sunday and he encouraged all those interested to attend.

Mayor Williams said the next item on the agenda was - Councilor's Comments.

Councilor Perry said he did not have any comments.

Councilor Miller said she wanted to thank the Beautification Committee, the Fire Department, and everyone that helped them to get the Easter Egg Hunt going on Saturday and they had about 60-80 kids. She said she wanted to remind everyone that the cleanup would be on April

28th and they would be in the park to start everything at 8:00 a.m. There would be hamburgers and hot dogs for lunch and then prizes.

Mayor Williams recognized Sebrina Lundquist in the audience as a member of the committee.

Councilor Miller said Tommy Armstrong was the Easter Bunny again and the committee really appreciated that and that Tom Armstrong and his wife Virginia also came out for the Easter Egg Hunt.

Councilor Miller said she has asked Tom Armstrong to help with a "Rain Barrel" project that they hope to show people during the cleanup. It will be on the two ends of the Senior Center so they can water trees with rainwater.

Councilor Holman said he did not have any comments.

Mayor Williams said last Friday evening the presentation for the Engineering Excellence Award for Water & Storm Water 2012 was given to Molzen-Corbin in Albuquerque. The award was give to them for the Wastewater Treatment Plant and the client owner was Ruidoso & Ruidoso Downs JUB. It was a great tribute to the citizens for the tax money that was spent and to the staff doing the hard work of getting the rest of the grants.

Mayor Williams read a letter from the Juvenile Drug Court program thanking Ruidoso Downs for the consistent contributions via Lincoln County Transportation and Patty DeSoto.

Mayor Williams stated the next item on the agenda was - Consider Approving Resolution No. 2012-04 A Resolution of the City of Ruidoso Downs Governing Body of Ruidoso Downs, New Mexico, Authorizing the Submission of a Colonias Infrastructure Application to the New Mexico Finance Authority; and Authorizing the Mayor to Act as the City's Chief Executive Officer and Authorized Representative in All Matters Pertaining to the City's Participation in Colonias Infrastructure Process.

Cleatus Richards, Public Works Director said this is the first year of the Infrastructure Funding Program and we are applying for Phase I of the Agua Fria Sewer System and are requesting \$850,000. We have set out 4 phases for the project and it would total about \$5.2 million to finish the entire system. If we get funding on this first phase we are hoping it will keep us in good standing for the rest of the phases. Normally there is a 10% match, which can be attached to a loan, or you can apply for a waiver. The connection of Agua Fria and other areas of the community were mandated under the agreement with the New Mexico Environment Department and the EPA. The sooner we get funding and come into compliance the better.

Councilor Hood asked which phase would be first?

Cleatus Richards, Public Works Director said Griffith and Parker Dr. on the east side of the project.

Councilor Hood asked if we were awarded this how soon would the work begin?

Cleatus Richards, Public Works Director said he hoped within 60 days.

Councilor Miller asked if that would give service to the people on the first day?

Cleatus Richards, Public Works Director said yes and each phase would be able to connect several of the houses.

Mayor Williams entertained a motion to approve Resolution No. 2012-04 A Resolution of the City of Ruidoso Downs Governing Body of Ruidoso Downs, New Mexico, Authorizing the Submission of a Colonias Infrastructure Application to the New Mexico Finance Authority; and Authorizing the Mayor to Act as the City's Chief Executive Officer and Authorized Representative in All Matters Pertaining to the City's Participation in Colonias Infrastructure Process.

Councilor Hood moved to approve Resolution No. 2012-04 A Resolution of the City of Ruidoso Downs Governing Body of Ruidoso Downs, New Mexico, Authorizing the Submission of a Colonias Infrastructure Application to the New Mexico Finance Authority; and Authorizing the Mayor to Act as the City's Chief Executive Officer and Authorized Representative in All Matters Pertaining to the City's Participation in Colonias Infrastructure Process. Seconded by Councilor Miller.

H. John Underwood, City Attorney said he would recommend to ask the public if they had any comments or questions.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action to Award RFP #2012-009P-Sanitary Sewer System Relocation Professional Services Contract to CH2M Hill.

Ken Mosley, Public Works Department said back in 2008 and during the flood that we had there was an extensive amount of damage done to the main interceptor that carries sewer from the Upper Canyon Reservation all the way down to the treatment plant. As a result of that a need for higher filtration and FEMA and the Corp of Engineers requested if we were going relocate outside of the streambed itself. FEMA has agreed to help fund that and we went through the RFP process on February 29th and we had three offers and decided to take the top two scorers and have presentations. The top two were CH2M Hill and HDR with the high scorer being CH2M Hill.

Mayor Williams moved to award RFP #2012-009P-Sanitary Sewer System Relocation Professional Services contract to CH2M Hill.

Councilor Miller move to award RFP #2012-009P-Sanitary Sewer System Relocation Professional Services contract to CH2M Hill. Seconded by Councilor Hood.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was – Consider Approving Wastewater Treatment Plant Operating Invoice for March 2012.

Mayor Williams entertained a motion to approve Wastewater Treatment Plant Operating Invoice for March 2012.

Councilor Hood moved to approve Wastewater Treatment Plant Operating Invoice for March 2012. Seconded by Councilor Miller.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was – Consider Approving Agenda Briefing Memorandum-Special Dispenser Permit-Village of Ruidoso Tourism Department-Tour Managers-Tour Reception-May 4, 2012.

Mayor Williams entertained a motion to approve Agenda Briefing Memorandum-Special Dispenser Permit-Village of Ruidoso Tourism Department-Tour Managers-Tour Reception-May 4, 2012.

Jim Kofakis, Museum Director said the Village of Ruidoso was hosting a Tour Managers Tour that was starting in Carlsbad and the first stop was in the Hubbard Museum for a wine & beer reception followed by dinner somewhere in midtown. There would be no cost to the City because he would be the one working it after hours.

Councilor Miller moved to approve Agenda Briefing Memorandum-Special Dispenser Permit-Village of Ruidoso Tourism Department Tour Managers-Tour Reception-May 4, 2012. Seconded by Councilor Perry.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was – Consider Approving Agenda Briefing Memorandum – Ruidoso Downs Police Department – Recommendation to the Purchase of Used Patrol.

Chief Babcock said they are recommending to purchase (4) used Crown Victoria Police Package Units from the New Mexico State Police. They turn these units in at 100,000 miles and historically they get another 50,000 to 60,000 miles on them. The vehicles will come at a cost of

\$2,500 each. Everything will be in them except for our own radios, radars, and video equipment. There are two available now and they will make two more available to us as they come in. There is currently \$20,930.08 in our Law Enforcement Protection Fund to cover the cost of an estimated \$10,000 and about \$4,000 to paint the vehicle, \$1,600 for the graphic packages and another \$2,000 for miscellaneous for a potential cost of \$17,600 and that would leave us with \$3,330.08.

Councilor Perry asked how many miles our units have on them?

Chief Babcock said most have over 130,000 and they are having a lot of problems. Just a couple of months ago they had to put in a transmission at a cost of about \$2,000 in the Durango that Officer Bailey was using. He said he would like to auction off about three of theirs.

Councilor Hood moved to approve Briefing Memorandum-Ruidoso Downs Police Department-Recommendation to the Purchase of Used Patrol. Seconded by Councilor Perry.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was - Consider Approving Letter of Resignation from Councilor Miller as Primary Appointment to the Regional Wastewater Treatment Plant Joint Use Board.

Mayor Williams said he asked Councilor Miller for that letter because under the requirement of the JUB we should have a member of the Public Works as a board member. He entertained a motion to accept the letter from Councilor Miller.

Councilor Hood moved to approve Letter of Resignation from Councilor Miller as Primary Appointment to the Regional Wastewater Treatment Plant Joint Use Board. Seconded by Councilor Perry.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams said the next item on the agenda was - Consider Approving Mayor's Recommendation of Primary Appointment to the Regional Wastewater Treatment Plant Joint Use Board - Cleatus Richards, Public Works Director.

Mayor Williams entertained a motion to approve Mayor's Recommendation of Primary Appointment to the Regional Wastewater Treatment Plant Joint Use Board - Cleatus Richards, Public Works Director.

Councilor Hood moved to approve Mayor's Recommendation of Primary Appointment to the Regional Wastewater Treatment Plant Joint Use Board - Cleatus Richards, Public Works Director. Seconded by Councilor Miller.

Roll call votes: Councilor Holman, Aye; Councilor Hood Aye; Councilor Miller, Aye; Councilor Perry, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was - Consider Approving Mayor's Recommendation of Appointment to the Planning and Zoning Committee-Susan J. Garrett.

Mayor Williams said they had a letter from Ms. Susan Garrett requesting to be on the Planning & Zoning board. He said he was bringing that name up before the council for approval and asked for a motion and a second.

Councilor Hood moved to approve Mayor's Recommendation of Appointment to the Planning and Zoning Committee-Susan J. Garrett.

Mayor Williams said there was a motion on the floor.

Mayor Williams said a second brings it to the floor and doesn't stipulate any voting patterns that you may have. This is a business item and council should decide yes or no whether this should go forth. He asked if there was a second on the floor? He addressed the council and said that they had a responsibility to the citizens of this community when a volunteer comes forth to serve on a board or committee and should at least get consideration for that person and to let the public know what their position is. He asked for second at that time. He said their service to the community had not been recognized here today and that he was disappointed with their actions and the mayor's recommendation would be pulled.

Carol Virden, City Clerk/Treasurer said the motion died for a lack of second.

Mayor Williams said yes it did and would be noted as such.

OTHER BUSINESS (items are for discussion only-no action will be taken)
There was no Other Business.

PUBLIC INPUT

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

Jim Burrow said he has been on the Planning and Zoning Board for many years. They have had problems over the past years in getting people to come on that board and stay on. He said he personally asked Sue Garrett if she would serve on that board and she agreed. He said he personally asked Steve Dunigan if he had any objections to Sue Garrett serving on that board and there were none. He said he asked the mayor and he said yes. Mr. Burrow told the council that they didn't know how hard it was to run a meeting that way.

Mayor Williams asked the council to put down their papers and give the man some consideration during Public Input.

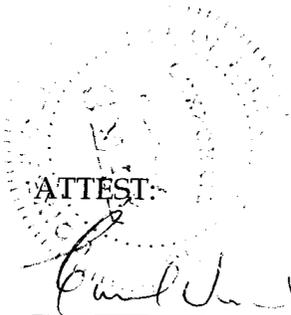
Mr. Burrow said it was hard to get something done and something passed when they didn't have a quorum. She did not get a second and now they were short a member on that board and would have to come up with other names.

Councilor Holman asked the mayor to call 3-minutes. Mayor Williams said his time was disturbed by him rustling papers and would get one more minute.

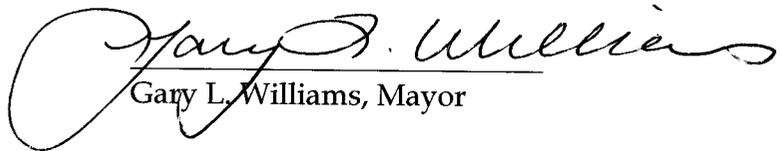
Mr. Burrow said that when the next one comes up for consideration that the council think about what they come up against.

ADJOURNMENT

There being no further business to attend to, Mayor Williams adjourned the meeting at 6:17 p.m.



Carol Virden, City Clerk/Treasurer


Gary L. Williams, Mayor