

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
REGULAR MEETING
MARCH 11, 2013
5:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on March 11, 2013. Mayor Williams called the meeting to order at 5:30 p.m. and asked for a moment of silence and for everyone to stand for the passing of former Ruidoso Downs Police Chief Alfred Ortiz. Mayor Williams asked Dale Graham 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 Perry

Absent: Councilor Hood

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

Also present:

H. John Underwood, City Attorney

Cleatus Richards, Public Works Director

Dale Graham, Public Works Project Manager

Terri Mosley, Finance Director

Doug Babcock, Police Chief

APPROVAL OF AGENDA

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

Mayor Williams entertained a motion for approval of the agenda.

Councilor Miller moved for approval of the agenda. Seconded by Councilor Perry.

Roll call votes: Councilor Holman, 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 for Approval of the Consent Agenda.

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

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

APPROVAL OF MINUTES OF REGULAR MEETING OF FEBRUARY 25, 2013

Councilor Miller moved to approve the Minutes of the Regular Meeting of February 25, 2013. Seconded by Councilor Perry.

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

APPROVAL OF ACCOUNTS PAYABLE

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

Roll call votes: Councilor Holman, 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 Friday, April 5th and Saturday, April 6th is the Tire Amnesty that we'll have in All American Park. It will be 8:00 to 5:00 on Friday and 8:00 to Noon on Saturday. He said you can recycle car, SUV tires, with or without rims, discarded pots and pans. No commercial tires. It's been a success the last two years and it has been held in Ruidoso Downs.

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

Councilor Miller said last year we collected almost 400 tires. She said on Saturday, March 30th we will have our Easter Egg Hunt and we're going to have it down at River Park this year. We're going to have some beautiful signs that are going to be put up so people will know where it's at. Councilor Miller said she had one more comment that bothered her for the last two weeks. With all do respect to our Mayor and this Council I felt like we were deprived of our right to discuss the Humanitarian Ordinance. During the discussion Councilor Holman was stopped and the vote was called for. None of the rest of us got to discuss it. I felt like that wasn't fair to be stopped during our discussion time. Also it wasn't fair on the ordinance. Everybody was a little bit confused on that ordinance. I came in the next day and said I want over. I found out the only way you can have overs on that is the prevailing side can ask for it. I just wanted you to know because this has bothered me for weeks.

Mayor Williams stated the next item on the agenda was – Consider Selecting 2013 Colonias Infrastructure Project.

Cleatus Richards, Public Works Director said on March 4th we held a Public Hearing regarding the Colonias Infrastructure Projects. Dora Bautista from COG conducted the hearing. We had comments from one property owner. Carl Jackson requested consideration of the Di Palo and Wood Lane area and the general consensus was to continue the Agua Fria project since we had already gotten round one planning money to do engineering studies for the project with assurance that the second round if we applied we would be given construction money. We will be requesting \$100,000 for construction. The match required is 20% and we would actually have to put up the cash to match 10% and then there is a loan component of 10% so the overall commitment would be 20%. The 10% loan is payable after all funds are expended. I am requesting that the Council approve Agua Fria as our Colonias Project.

Mayor Williams entertained a motion to approve Selecting 2013 Colonias Infrastructure Project.

Councilor Miller moved to approve selecting Agua Fria Subdivision Phase I as the 2013 Colonias Infrastructure Project. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Consider Approving Resolution No. 2013-03 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.

Mayor Williams entertained a motion to approve Resolution No. 2013-03 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 Miller moved to approve Resolution No. 2013-03 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 Perry.

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

Mayor Williams stated the next item on the agenda was – Consider Approving Resolution No. 2013-04 Budget Adjustments.

Terri Mosley, Finance Director said there is just one line item increase of \$13,600 into the Police Department in the General Fund. That is an increase because we had received a grant that we had to put in.

Chief Babcock said the grant is from the Hubbard Foundation from back in July and it was for upgrading the laser radar in some of the police vehicles.

Mayor Williams entertained a motion to approve Resolution No. 2013-04 Budget Adjustments.

Councilor Miller moved to approve Resolution No. 2013-04 Budget Adjustments. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was - Consider Approving Agreement Between the City of Ruidoso Downs and Engineering Firm URS Corporation for Community Development Block Grant (CDBG) 12-C-RS-I-G-31 Project.

Cleatus Richards, Public Works Director said Paul Herrera with the DFA is requiring that we enter into a new contract with URS. He previously had issued a task order for design of all the projects including Nevada Lane and Riverside Park. For some reason the State is not willing to allow us to continue under that task order so we're having to do a separate contract. This is the final order for 12-C-RS-I-G-31. The State is considering this a sole source, which I initially had a problem with but that is what the State is considering. We already had a contract in place with a task order issued but DFA is taking a different approach on this and asking us to enter into a new separate contract to accomplish the same work that was previously and approved. I am asking Council to approve the agreement between the City of Ruidoso Downs and Engineering Firm URS Corporation in the Community Development Block Grant Program.

Councilor Miller asked when this would be completed?

Cleatus Richards, Public Works Director said hopefully this year. Basically all the engineer has to do is once the DFA clients' signature is on the contract is to prepare the bid documents and put it out to bid. It will be about a 90-day construction project.

Mayor Williams entertained a motion to Approve Agreement Between the City of Ruidoso Downs and Engineering Firm URS Corporation for Community Development Block Grant (CDBG) 12-C-RS-I-G-31 Project.

Councilor Miller moved to approve agreement between the City of Ruidoso Downs and engineering firm URS Corporation for Community Development Block Grant (CDBG) 12-C-RS-I-G 31 Project. Seconded by Councilor Perry.

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

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 Whole with a 3-Minute time limit)

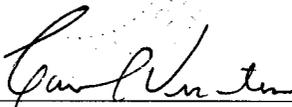
Peggy Lu Jane said I am here tonight because I feel at the last Council meeting some citizens rights were trampled upon and what I fear is that I don't like to be trampled upon. We elected you officials because we thought that your input is valuable and we want to openly and honestly make discussions and then you make decision based on those discussions. The idea that one Councilor can be silenced and then a decision be made is wrong. I worry about myself and other people and their rights being stepped on.

ADJOURNMENT

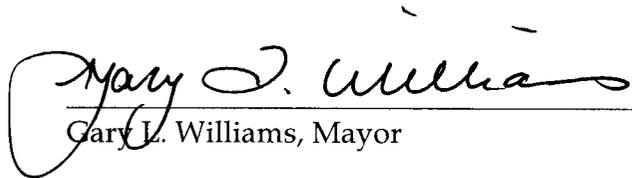
There being no further business to attend to Mayor Williams adjourned meeting at 5:50 p.m.



ATTEST:



Carol Virden, City Clerk/Treasurer



Gary L. Williams, Mayor