

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
ORGANIZATIONAL AND
REGULAR MEETING
MARCH 10, 2014
4:30 P.M.

Mayor Gary L. Williams called the meeting to order at 5:30 p.m. and stated the first item was:

1. Oath of Office to Newly Elected Officials and Presentation of Certificates of Election administered by Municipal Judge Mansell.
2. ORGANIZATIONAL MEETING OF THE GOVERNING BODY FOR THE CITY OF RUIDOSO DOWNS, NEW MEXICO.

- A. Pursuant to Chapter 30 §30.04 Mayor Pro-Tem: The Governing Body shall elect one of its members to act as Mayor Pro-Tem in the absence of the Mayor.

Councilor Hood moved to elect Councilor Morales as Mayor Pro-Tem. Seconded by Councilor Perry.

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

- B. Reading of Rules of Debates from the City of Ruidoso Downs Municipal Code of Ordinances 31.02 (E) Rules of Debate 1 through 7.

- C. Pursuant to Chapter 32: City Officials Section 32.001 Appointive Officers the Mayor shall submit, for confirmation by the Governing Body, the names of persons who shall be employed to fill the Appointive officers of City Clerk/Treasurer, Chief of Police and City Attorney. I am presenting to Council tonight for consideration as City Attorney H. John Underwood, for Chief of Police Christopher Rupp, and for City Clerk/Treasurer Carol Virden.

Mayor Williams entertained a motion to appoint those named as the Appointive Officers.

Councilor Morales said I would like to abstain from voting for the City Attorney because I have a conflict. I will be happy to make a motion to approve Carol Virden as City Clerk/Treasurer.

Councilor Miller moved to approve appointment of Carol Virden as City Clerk/Treasurer. Seconded by Councilor Perry.

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

Councilor Hood moved to approve appointment of H. John Underwood as City Attorney. Seconded by Councilor Miller.

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

Councilor Miller moved to approve appointment of Christopher Rupp as Chief of Police. Seconded by Councilor Hood.

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

Oath of Office to Newly Elected Officials and Presentation of Certificates of Election administered by Municipal Judge Mansell to Carol Virden; City Clerk/Treasurer, H. John Underwood; City Attorney, and Christopher Rupp; Chief of Police.

- D. Pursuant to Chapter 32: City Officials Section 32.002 Appointments; Terms. Appointed officers and appointed special committee members serve at the pleasure of the Mayor and City Council. At an Organizational meeting of the City Council, which shall be held every two years following the March general election, the Mayor shall immediately submit, for confirmation by the City Council, the names of persons who shall fill the various appointive offices of the City or shall serve as members of the various special boards, commissions, or committees of the City.
1. Appointment of City of Ruidoso Downs Special Boards, Commissions, or Committees.
 - a. Parks and Recreation Board
 - b. Lodgers' Tax Board
 - c. Planning and Zoning Commission
 - d. Greentree Solid Waste Council Liaison
 - e. Regional Wastewater Treatment Plant Joint Use Board – Pursuant to Joint Powers Agreement Resolution No. 2002-03 Mayor-Member; Mayor Pro-Tem Alternate; Employee or Citizen of the City of Ruidoso Downs and Alternate

- f. Budget and Finance Council – Sub-Committee
- g. Economic Development Board
- h. Beautification Committee
- i. DWI Council – Ruidoso Downs Council – Liaison
- j. Museum Advisory Board

Mayor Williams entertained a motion to approve appointments to special committees as presented to the City Council.

Councilor Morales moved to approve appointment to special committees as presented to the City Council. Seconded by Councilor Miller.

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

2. Consider Re-Approval – Resolution No. 2013-25 Open Meetings Act.

Mayor Williams entertained a motion for Re-Approval – Resolution No. 2013-25 Open Meetings Act.

Councilor Morales moved for Re-Approval – Resolution No. 2013-25 Open Meetings Act. Seconded by Councilor Miller.

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

Mayor Williams entertained a motion to close the Reorganizational Meeting.

Councilor Hood moved to close the Reorganizational Meeting. Seconded by Councilor Perry.

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

CALL TO ORDER

Mayor Williams called the Regular Meeting to order.

PLEDGE OF ALLEGIANCE

Mayor Williams asked Councilor Morales to lead the Pledge of Allegiance.

ROLL CALL

Mayor Williams asked Carol Virden, City Clerk/Treasurer to take roll call. The following were present:

Councilor Miller
Councilor Morales

Councilor Perry
Councilor Hood

Quorum was met.

Also present:

H. John Underwood, City Attorney
Christopher Rupp, Police Chief
Cleatus Richards, Public Works Director
Ray Pawley, Independent Consultant, Hubbard Museum

APPROVAL OF AGENDA

Mayor Williams entertained a motion for approval of the Agenda with the removal of Item B in Other Business – Update on Financial Status of Lincoln County Transit and the Hubbard Museum.

Councilor Hood moved to approve the Agenda with the removal of Item B in Other Business – Update on Financial Status of Lincoln County Transit and the Hubbard Museum. Seconded by Councilor Perry.

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

APPROVAL OF CONSENT AGENDA

Mayor Williams entertained a motion to approve the Consent Agenda.

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

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

APPROVAL OF MINUTES OF REGULAR MEETING OF FEBRUARY 24, 2014.

Councilor Miller moved to approve the minutes of the Regular Meeting of February 24, 2014. Seconded by Councilor Morales.

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

APPROVAL OF ACCOUNTS PAYABLE

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

Roll call votes: Councilor Miller, Aye; Councilor Perry, Aye; Councilor Morales, Aye; Councilor Hood, 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 I would like to personally congratulate newly elected Mayor Battin of the Village of Ruidoso. It is a good selection by the citizens of Ruidoso and I think we are going to have a good relationship as we move forward in both communities. I would also like to thank the newly elected officials here. My gratitude to the citizens that took the time and came out and voted for those they supported as the best candidate.

Councilor Hood said I'd like to thank everyone that came out and voted not only for myself but for Margie. Thank you.

Councilor Miller said I'd like to also thank everybody that got out and voted. We need this process and it's so important. I want to congratulate not only the winners but those who ran because at least they care. They got out and did it. Ruidoso didn't have much competition except for mayor so it's nice to have a choice in Ruidoso Downs.

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Acceptance of Termination Notice - Independent Contractor Agreement "Between" the City of Ruidoso Downs and Ray Pawley.

Mr. Pawley said I'd like to read a brief final report to the City Councilors from your outgoing Contractor/Director. I'd like to start with the museum performance for the month of February 2014. Based on figures from Teresa the Gift Shop Supervisor the 2014 attendance in February was 686. Admissions were 80 more than they were last year. I was concerned that the attendance would be quite low because of the skiing in February of the year and not as good as last year.

Mayor Williams asked Mr. Pawley to pass that along to each of the Councilors.

Ray Pawley said I don't have copies.

Mayor Williams said we can make copies and I appreciate you wanting to give detailed information but we need to go through as we are looking at our agenda item.

Ray Pawley asked should I move ahead then?

Mayor Williams said go ahead and give your reason sir why Council should accept your termination.

Ray Pawley said I wanted to say that Janis's new position as Associate Director that she is performing very well. Currently the museum is involved in a changeover of an exhibit on the mezzanine from the Ysleta exhibit which is being taken down today and tomorrow and the a new exhibit the Art Quilt exhibit will be put in place and should be completed on Sunday the 16th. The employees are reporting directly to Janis to accommodate that. The term for the contract between myself as Contract Director and Consultant calls for a 30-day departure window following the date of my contract termination. That date of termination would be February 25th. In the best interest of all, particularly my client the City of Ruidoso Downs, I'm requesting a departure date of actually March 18th which is twenty-one days, three weeks from my resignation date of the 25th. The reason I am extending that, and I was originally looking at a termination date of tomorrow or the day after, but given the needs over at the museum as outlined to me by the Mayor, I want to extend that to the 21st to March 18th which would be twenty-one days from my resignation date of February 25th. After that I would submit a final invoice to the City and after two weeks into my four week departure period it seems to me with Janis on board and the way she is taking charge of the museum the City will be in the best of hands. The last week I have been working in my office tackling various tasks and some conceptual ideas for the museum without let up. When I turn in my invoice I will leave these items with the Mayor as well. That is my presentation.

Mayor Williams said to Council that the Director has provided you with the date that he would like for you to consider.

Mayor Williams entertained a motion to accept Termination Notice – Independent Contractor Agreement “Between” the City of Ruidoso Downs and Ray Pawley.

Councilor Hood moved to accept Termination Notice – Independent Contractor Agreement “Between” the City of Ruidoso Downs and Ray Pawley. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Service Agreement “Between” Village of Ruidoso and City of Ruidoso Downs – Lincoln County Transit.

Mayor Williams said this is an agreement that we already have in place and allows us to receive the funding that the Village of Ruidoso is obligated to give to the City in order to be a partner in Lincoln County Transit.

Mayor Williams entertained a motion to approve Service Agreement "Between" Village of Ruidoso and City of Ruidoso Downs - Lincoln County Transit.

Councilor Hood moved to approve Service Agreement "Between" Village of Ruidoso and City of Ruidoso Downs - Lincoln County Transit. Seconded by Councilor Miller.

Councilor Miller asked if this is exactly the same?

Carol Virden, City Clerk/Treasurer said except for being for this fiscal year in the amount of \$28,000.

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

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Approval of Personnel Recommendation - Public Works Department - Position - Water/Wastewater Maintenance Worker.

Cleatus Richards, Public Works Director said I'm recommending the appointment of Larry Nunez for the position of Water/Wastewater Maintenance Worker. The previous worker resigned back in October. We advertised the position for a Level II Operator and had absolutely no responses. We reconsidered because we needed another position in that department and wanted to make it a labor position. Larry is a very capable person and familiar with the operation of equipment. I would highly recommend approval for him.

Mayor Williams entertained a motion for Approval of Personnel Recommendation - Public Works Department - Position - Water/Wastewater Maintenance Worker.

Councilor Morales moved to approve Personnel Recommendation - Public Works Department - Position - Water/Wastewater Maintenance Worker Larry Nunez. Seconded by Councilor Hood.

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

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Approval of Personnel Recommendation(s) Ruidoso Downs Police Department - Position(s) Police Officer(s).

Chief Rupp said recently the Ruidoso Downs Police Department conducted interviews for positions needed in the department. Tonight we are recommending Hunter Weaver and Carolee Jones.

Mayor Williams entertained a motion to approve Personnel Recommendation(s) Ruidoso Downs Police Department – Position(s) Police Officer(s).

Councilor Miller moved to approve Personnel recommendation(s) Ruidoso Downs Police Department – Position (s) Police Officer(s) Hunter Weaver and Carolee Jones. Seconded by Councilor Hood.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Personnel Recommendation – Ruidoso Downs Police Department – Position – Temporary Police Officer.

Chief Rupp said this temporary position is for one that we have available through the background and hiring process. We did find an eligible candidate and he is in transition from active duty to retiring out of the military. He is highly qualified for the position and because of his transitioning he will not always be available. At this time we would like to recommend Zachary Burt.

Mayor Williams entertained a motion to approve Personnel Recommendation – Ruidoso Downs Police Department – Position – Temporary Police Officer.

Councilor Hood moved to approve Personnel Recommendation – Ruidoso Downs Police Department – Position – Temporary Police Officer Zachary Burt. Seconded by Councilor Perry.

Carol Virden, City Clerk/Treasurer said these are all Chief Rupp’s recommendations for hiring.

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

OTHER BUSINESS

(Items are for discussion only – no action will be taken)

Mayor Williams stated the next item on the agenda was – Update on Additional Hubbard Museum of the American West Funding. I had a discussion with the Foundation and the City has received a commitment for an additional \$25,000 for the Hubbard Museum. So, we can thank Robert Donaldson from the Hubbard Foundation for that obligation. They didn’t have to but they are willing to help us dig ourselves out and work our way back up.

Mayor Williams stated the next item on the agenda was - District 6 Meeting: Thursday, March 27, 2014: the Lodge Resort at Cloudcroft, 1 Corona Place, Cloudcroft, NM. He said any Councilors wishing to attend can get with Carol and she can make the arrangements.

Mayor Williams state the next item on the agenda was - 2014 Newly Elected Officials Institute: March 22, 2014, Albuquerque, NM Marriot on Louisiana; March 29, 2014, Las Cruces, NM, Hotel Encanto de Las Cruces.

PUBLIC INPUT

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

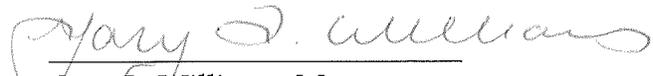
There was no Public Input.

ADJOURNMENT

There being no further business, Mayor Williams entertained a motion to adjourn.

Councilor Hood moved to adjourn at 5:07 p.m. Seconded by Councilor Morales.





Gary L. Williams, Mayor



Carol Virden, City Clerk/Treasurer