

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
REGULAR MEETING
SEPTEMBER 28, 2015
4:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on September 28, 2015. Mayor Williams called the meeting to order at 4:30 p.m. and asked Bonnie Ambrose to lead the Pledge of Allegiance. Mayor Williams asked Carol Virden, City Clerk/Treasurer to take roll call. The following were present:

Councilor Miller
Councilor Morales

Councilor Perry
Councilor Ritter - Absent

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

Also present:

H. John Underwood, City Attorney
Mary Castaneda, Finance Director
Christopher Rupp, Police Chief
Steve Dunigan, Planning & Zoning Director
Dale Graham, Project Manager
Dakota Crouch, HMAW Associate Director

APPROVAL OF AGENDA

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

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

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

APPROVAL OF CONSENT AGENDA

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

Mayor Williams entertained a motion for Approval of the Consent Agenda.

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

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

APPROVAL OF MINUTES OF REGULAR MEETING OF SEPTEMBER 14, 2015.

Councilor Morales moved to approve minutes of Regular Meeting of September 14, 2015.
Seconded by Councilor Miller.

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

APPROVAL OF ACCOUNTS PAYABLES

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

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

APPROVAL OF MONTHLY REPORTS

Councilor Morales moved to approve Monthly Reports. Seconded by Councilor Miller.

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

APPROVAL OF COMMITTEE REPORTS

Councilor Morales moved to approve Committee Reports. Seconded by Councilor Miller.

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

UNFINISHED BUSINESS

Mayor Williams stated the next item on the agenda was Unfinished Business - Discussion and Possible Action - Adoption of Ordinance 2015-02.

Steve Dunigan, Planning & Zoning Director said during our last Council meeting there was a point brought up about a certain section K. Councilor Ritter had asked for some consideration or a little bit of research as to whether we could ask for manufactured homes to be required to be placed on a permanent foundation. We did some research trying to make sure that we had that authority and we were able to do that. One of the things I want to point out is I think the reason we were told that we could not require that was a statement out of the Housing and Construction is the manufactured housing requirements Chapter 12 NMAC on permanent foundations. It simply says no political subdivision of the state shall regulate the installations or construction standards of a manufactured home including foundation systems. I think the misinterpretation of that after speaking to the

bureau chief in Santa Fe was that it's not the foundation systems that we're asking to add here. That would be if a town or city wanted to tell someone how they had to build a foundation system. Manufactured Housing regulates everything from the construction, the installation, the foundation systems, and they do all that as well as permitting any additions or alterations to any manufactured homes. What we're proposing is adding language which I've included in your packages because I am supportive of permanent foundations in residential neighborhoods where manufactured homes are doublewide, triplewide, and modular homes require permanent foundations anyway. I think it's to the homeowner's advantage. The actual home itself will last longer and I think it's a standard that the Manufactured Housing Division is allowing us to add to our ordinances. The reason I'm saying that is the section here when we talked to the bureau chief they are allowing cities as ourselves to regulate the placement of manufactured homes as long as we're not setting higher restrictions on those than we would in a residential district of a site built home. What they don't want cities and entities to do is place higher restrictions on manufactured homes or singlewides where it's burdensome. That's all part of Article 21. So, we can require permanent foundations. I recommend keeping them to multi-section modular.

Mayor Williams entertained a motion – Adoption of Ordinance 2015-02.

Councilor Miller moved to adopt Ordinance 2015-02. Seconded by Councilor Perry.

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

NEW BUSINESS

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

Mayor Williams said the highway is finished and they will be back to finish the crosswalks on both lights. That will be coming up in the next week to ten days.

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

Councilor Miller said we didn't have a quorum with our Beautification meeting last week but it's tentative that our Toss No Mas cleanup will be October 10th from 8:00 to noon over here in the park. Everyone is welcome and we need the volunteers. I think the Farmer's Market will be going on also so maybe I can get them all signed up and give them a bag.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Special Dispenser Permit Application – Lincoln County Cowboy Symposium – October 8th – 11th, 2015.

Mayor Williams entertained a motion to approve – Special Dispenser Permit Application – Lincoln County Cowboy Symposium – October 8th – 11th, 2015.

Councilor Morales asked if we were going to be closed on the 12th?

Mayor Williams said yes.

Councilor Morales moved to approve Special Dispenser Permit Application - Lincoln County Cowboy Symposium - October 8th - 11th, 2015. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Surplus of Unused City Vehicles and Equipment - Via Auction by GovDeals.

Bonnie Ambrose, Public Works said I have listed four vehicles, a horse trailer, a bridge, and a pile of scrap. We did get approved through GovDeals rep that he had to look into state rules to make sure we could get rid of anything other than just vehicles. We go approved so we can get rid of scrap piles, pallets of old office equipment, chairs, cubicles, and he said almost anything someone would buy. Since this is to the public we are able to set our own reserves and see how much actually think we need to get from it or how much we want for it. We do have control as to if we don't get what we want we can still offer it to the highest bidder if we so desire to really get rid of it. On there I have a van and a truck that came from the museum that they no longer use. Both are in pretty bad shape. There is a Ford Ranger that we no longer use in our department and a Dodge Durango from the Planning & Zoning Dept. since they got a new truck. We got the horse trailer from Game & Fish. The old Parker bridge since it was replaced was brought down to us. We've had people come down to look at it and they would like it to use on their ranch. Our scrap pile is something we've done that we can't specifically contract someone to come and pick up so this is a way where we could sell it and they would have to pick it up.

Councilor Miller asked how is this handled? How do people know what you have?

Bonnie said Kathy put a link on our website and also GovDeals does all the marketing themselves. They have a representative of New Mexico and so when I put up items our rep gets those and distributes them to public sites.

Councilor Miller asked how they put a bid in?

Bonnie said they go online and register. Everything is done from the customer to GovDeals so there is no cash exchange between the City.

Carol said because the scrap pile wasn't listed on the spreadsheet Bonnie should come back at the next Council meeting with a corrected. The reason is that there is a public package and I don't want someone to come back later and say it wasn't listed on there.

Mary Castaneda, Finance Director said that list would have to be very clear and that also goes in track with the asset listings and so when we remove it from our asset listing we have the schedule that went before Council and we can say these items were removed on this day.

Mayor Williams entertained a motion to approve – Surplus of Unused City Vehicles and Equipment as listed – Via Auction by GovDeals.

Councilor Miller moved to approve – Surplus of Unused City Vehicles and Equipment as listed – Via Auction by GovDeals. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Personnel Recommendation – Planning & Zoning Department – Position – Non-Exempt Compliance Assistant.

Steve Dunigan, Planning & Zoning Director said I'm very eager to ask for your approval of a position that was budgeted and created during this last year's budget session for a Compliance Assistant. We held interviews with two candidates and we feel the one that I'm recommending Mr. Ely Polaco will do a very good job for the City. He has a lot of background in landscaping, grounds maintenance, power equipment operations, small repairs, outdoor work, and heavy equipment operations. I fully intend to use him as an assistant but not riding around with Mr. Gilbert Morales the Code Enforcement Officer but when we need someone to assist in educating people on ordinances and when we had discussed creating the position to be a witness or to help lift something that is too heavy for one person. The position will predominantly be to keep items off the right-of-ways that are illegally dumped that show up, rubbish, brush piles and do a little bit of weed eating around safety issue corners like stop signs in the sight lines.

Mayor Williams entertained a motion to approve – Personnel Recommendation – Planning & Zoning Department – Position – Non-Exempt Compliance Assistant.

Councilor Morales moved to approve – Ely Polaco - Personnel Recommendation – Planning & Zoning Department – Position – Non-Exempt Compliance Assistant. Seconded by Councilor Miller.

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

The next item was from the Consent Agenda.

Discussion and Possible Action – Wastewater Treatment Plant – Invoices – July and August 2015.

Councilor Morales moved to approve – Wastewater Treatment Plant – Invoices - July and August 2015. Seconded by Councilor Miller.

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

The next item was from the Consent Agenda.

Discussion and Possible Action – Regional Wastewater Treatment Plant (RWWTP) Parametrix Billing – July 2015.

Councilor Morales moved to approve – Regional Wastewater Treatment Plant (RWWTP) Parametrix Billing – July 2015. Seconded by Councilor Miller.

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

OTHER BUSINESS

Mayor Williams stated the next item on the agenda was – Updated Financial Status Reports – Hubbard Museum of the American West and Lincoln County Transit.

Mary Castaneda, Finance Director said Lincoln County Transit had a beginning cash balance of \$36,216.24. Revenues of \$1,621.46. Expenditures of \$11,756.60. Leaving them an ending cash balance of \$26,081.10. The museum had a beginning cash balance of \$4,878.88. Revenues of \$12,397.68. Transfers in from Lodgers' Tax of \$27,500.00. Expenditures of \$32,382.49. Leaving them an ending cash balance of \$12,394.07.

Councilor Morales asked if the \$14,000 was from attendance at the museum?

Mary said if you mean the \$12,397.68 it was from attendance and sales from the Gift Shop. She said \$150 of that was from a rental.

PUBLIC INPUT

There was no Public Input.

ADJOURNMENT

There being no further business to attend to Councilor Morales moved to adjourn. Seconded by Councilor Perry. All were in favor and the meeting adjourned at 4:54 p.m.



Gary L. Williams

Gary L. Williams, Mayor

Carol Virden

Carol Virden, City Clerk/Treasurer