

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, FEBRUARY 14, 2018

A. CALL TO ORDER

The meeting was called to order by Mayor Pro-Tem Whitehead at 9:00 a.m., who presided and Renee Cantin, City Clerk-Treasurer, acted as Secretary of the meeting.

B. INTRODUCTION

1. ROLL CALL

Upon calling the roll, the following Commissioners were reported present.

Hon. Steve Green, Mayor (Absent)
Hon. Sandra Whitehead, Mayor Pro-Tem
Hon. Kathy Clark, Commissioner
Hon. Rolf Hechler, Commissioner
Hon. Joshua Frankel, Commissioner

Also Present: Juan Fuentes, City Manager
Renee Cantin, City Clerk-Treasurer

Mayor Pro-Tem Whitehead announced Mayor Green is sick and excused from this meeting. He is listening, welcome Steve via radio.

There being a quorum present, the Commission proceeded with the business at hand.

2. SILENT MEDITATION

Mayor Green called for fifteen seconds of Silent Meditation and asked us to keep our veterans in our thoughts and prayers.

3. PLEDGE OF ALLEGIANCE

Mayor Green called for City Clerk Cantin to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Commissioner Clark moved to approve the agenda removing F.1 from consent and item I.4 from agenda. Commissioner Frankel seconded the motion. Motion carried unanimously.

C. COMMENTS FROM THE PUBLIC (3 Minute Rule Applies)

CITY COMMISSION FEBRUARY 14, 2018 REGULAR MEETING MINUTES

Mayor Pro-Tem Whitehead called for Public Comment, noting those wishing to comment would get three minutes, may only approach the podium once, and any material for the Commission was to be left in the black box by the podium.

Kale Thomas, 1715 Carrie St. addressed the Commission related to:

1) He owns the business on Carrie St., he bought the business as a business. It has been a business for 20-30 years. He's been at peach with his neighbors and has been an honorable citizen. About seven months ago a new neighbor moved in and has been harassing his children and his customers. He tried to be a good neighbor and lent him his forklift when he moved in. As far as the dirt in the road, he had his son go out and water the road, and he complained about that saying there were puddles. He's generally a peaceable citizen, he doesn't like to cause problems, but he feels he should stand up for his rights. He has threatened a customer in his shop. He has tried his best to do his duty to keep the peace.

Jesus, here for Kale Thomas, addressed the Commission related to:

1) He was a customer when Mr. Thomas' neighbor came up and threatened him. He explained the incident to the Commission.

Kelly Becker, 613 Ivy addressed the Commission related to:

1) She read her comments, about the already passed the bill for the Spaceport Authority seeking exemption from Inspection of Public Records. Could that be to conceal the deal on the \$10 million Spaceport hangar New Mexico just approved? She asked if it's possible they will be secreting weapons of mass destruction or even nuclear or toxic chemicals, even biological warfare fed to us by chem trails, sponsored by big farmas. She wondered why they don't allow a contest for this. She believes we all need to have our right to be heard.

Phyllis Mecca, 708 Carrie St. addressed the Commission related to:

1) They moved into the Rodeo Arena area knowing there was a business down the street. They have all tried to work together. She explained some incidents where the neighbors all came together to help. About seven months ago Mr. Stanley moved in and he has yelled at her dogs and others. It's also been brought to her attention Mr. Stanley has been taking pictures of kids in the neighborhood. This is very concerning behavior. The shop at the end of the street does not produce any more traffic. In her opinion, this is not a neighborhood problem, it's a Stanley Rickert problem. They just want to live there peaceful with their families as contributing members of our community.

Harv Klienstiver, 818 N. Pershing addressed the Commission related to:

1) Comments are very positive to the Commission to do what they can for the Golf Course. Some of it is not the Manager problem it's the Commission problem. One of the problems is an ample amount of water. For over a year, they haven't had fresh water. So no matter who you make as the Golf Course Manager, if they don't have water they won't be able to do their jobs. Bring back the Fiesta Golf Tournament.

CITY COMMISSION FEBRUARY 14, 2018 REGULAR MEETING MINUTES

Audon Trujillo, addressed the Commission related to:

- 1) He sent an email regarding the renewal of the Municipal Golf Course contract which expired over a year ago and the city failed to extend it. Today he directs his comments to the review of the Golf Course Management to be conducted by an outside contractor.
- 2) He also recalled the contract for legal services which was extended twice past its four year term. Extending the Follow the Sun Tours lease past its expiration. He referred to State Statute 3-54-1.
- 3) These are a portion of the management issues and a review is needed including not have a Planning & Zoning Commission with members for over two years. We created committees which are not functioning or seen as a priority including the Convention Center and Entertainment Board. We have an ordinance in place where it requires separate accounts to be set up for developers and these have not been set aside as required. We also have a GRT that was set up to support our Police Officers, these funds have not been used to support our Police Department. We have Department Heads who do not initiate and control the functions and grants that fall under their purview. We still have employees who did not receive an annual evaluation. The City has mismanaged their resources and has not followed procurement ordinances and good practices. We can do better. Thank you.

Rick Masingill, 1715 Carrie St. addressed the Commission related to:

- 1) Here to support Mr. Thomas' business. He's been on that street for 29 years, longer than anybody. Kale is a super good neighbor and goes out of his way to help anybody. And he echoes all of the comments from the other neighbors. Since Stanley moved down the street, he's been out there waving them to slow down because of the dirt. Kale should be grandfathered in with his business.

Steve Zeski, 1019 Parway addressed the Commission related to:

- 1) He started with a "I told ya so" about the Brewery. He drove by on Sunday and the cars were everywhere in front of the Brewery.
- 2) He agrees with Mr. Ashbaugh's last ad, but if people don't want to come here, they won't come here. Spend the money on the sewers and forget about that smart meter thing. \$40,000 a month would fix a lot of sewers. Explained an incident where the fire hydrant was running for about four hours. When he called the water department, they said they were working on a main. If it's in that bad of shape that you have to keep it running to waste water, you need to work on fixing the system.

Howie Tucker, 1800 3rd St. addressed the Commission related to:

- 1) Even though you get a lot of heat, we do appreciate your service. He was the Golf Course Professional and Manager, and he complimented Terry because it's a tough job. Whoever you get there, the city needs to help from the word, "go". For Economic Development you need the Golf Course. You need to be happy with it and advertise it. Has GRT helped? You have to do something, something, something. This is a fun place, sell this place. Its got to be a community thing.

Ike Eastvold, 1301 N. Silver addressed the Commission related to:

CITY COMMISSION FEBRUARY 14, 2018 REGULAR MEETING MINUTES

1) What they are trying to do in creating a conservancy is a Quality of Life issue, the more of those things you can do, the more you can attract people. They are trying to set aside an area which can be developed as an eco-education for the schools. This would be unique for T or C with an eco-conservancy. They love those birds and they ask for the participation and involvement. They have to start with securing the boundaries. There is a sign that was smashed by an ATV which they were told was destruction of real property. They are educators and would rather work at teaching people the need to treat this area as special. It is a special area. And they would get Trespassing signs up but they need to let the community and children know what a value this is to the area.

Sharon Eastvold, 1301 N. Silver addressed the Commission related to:

1) Considering an OHV/ATV elimination in the city limits. They would like them to consider the liability for them. Even when the driver is at fault. When a loved one is injured or killed, it's natural for them to seek blame. She brought up some cases to bear in mind about the misuse of ATV's in city limits. On January 19th, she personally witnessed a man riding with a child on his lap, neither wearing helmets. She explained the rest of the incident where they illegally trespassed on private property. What if he had crashed or injured that child on her private property? The possible cost of injury far exceed any possible economic gain.

2) ON this day in 1983 they witnessed the City of Riverside, CA, approve the Sycamore Park during their courting. And here they are now trying to create this conservancy for Truth or Consequences and it's been their privilege, and honor and great joy to be associated with this man for 25 years. And Happy Valentines Day.

Ron Fenn, 316 N. Foch St. addressed the Commission related to:

1) In going through the Accounts Receivables for last month he noticed a payment of \$83,463 for Professional Services for the now defunct Armory Building. This is part of a \$194,000 contract we had with NCA Architects. Are you folks aware of the money when you approved the RFP? Are you aware of the fact there was virtually no public awareness of this plan that goes back to 2014. Back in 2014 the city authorized the City Manager to dispose of our Police Station downtown. This is things being done way out of line of what should be done. If the citizens knew, we would say no, and we can't afford that with all of the other problems in the city. You stated at the beginning of this meeting that it's the business meeting of the City of Truth or Consequences. The City of Truth or Consequences is its people, we the people are the City. Therefore, when you conduct business of the city, you conduct our business and we have a right to know what business that is. What it's going to cost us and why you are proposing to do these things. Since 2014 the Police Department has been renovated and yet it's not under this authorization for City Manager Fuentes to dispose of the property. Were you planning on disposing it per the 3-54-1 State Statute for disposal of property? We, the people need to be properly informed before you start making decisions that cost everyone money.

Lt. Erica Baker, Police Department addressed the Commission related to:

1) Wanted to notify the Commission they received 15 brand new flashlights from George Lee and the DWI Compliance Office. They owe a great appreciation for that. They were provided for the On Duty Officer's. They will also be purchasing new impairment goggles

for the Department which educates our children in schools and the community of the impairment that can happen when you are driving under the influence. She just want to tell Mr. Lee thank you.

Les Dufour, 918 Kopra addressed the Commission related to:

- 1) Has been very remiss in communicating the needs at the Golf Course. He thinks there is a lot of work that needs to be done and one of the things that has been brought up is the responsibility of the city. The contractor should get help in understanding the contract obligations.
- 2) While the Golf Course Improvement Fund is in the General Fund, they are working on a list of projects they would like to see the Commission be a part of. The filtration system and the water used would reduce problems with sprinkler heads. The Advisory Board is working with users to see what is needed.

Stanley Rickert, 1705 Carrie St. addressed the Commission related to:

- 1) Matters involving neighbors lot. Mr. Fuentes gave him the idea of making this an official matter and they could not be doing this informally. He will be putting his comments together and presenting it, so they can get the matter taken care of.

D. RESPONSE TO PUBLIC COMMENTS

Commissioner Hechler feels for the people that are involved in the road issue, and Mr. Ricker and his neighbors.. He asked for them to please involve the Police Department and make a report and please don't let the issue get heated so it escalates. Please don't take matters into your own hands.

Commissioner Frankel thanked Howie Tucker and other who showed up today to let them know about the Golf Course. He would like to see the effort made to bring the Fiesta Tournament back to its former glory and the problems addressed to get it back to where it needs to be. He would like to see the beverages served on the course and the improvements that need to be made to get done.

Commissioner Clark thanked the Eastvold's for coming into our community and making an effort to bring a background and bringing something great to our community. She offered to help with anything they need.

Mayor Pro-Tem Whitehead thanked everyone for their participation and public comments. It's always good to hear the issues and she hopes we can all work together to solve the issues.

E. PRESENTATIONS

1. Presentation related to Utilities Department. Melissa Torres, Finance Director and Sonya Williams, Utility Office Supervisor

CITY COMMISSION FEBRUARY 14, 2018 REGULAR MEETING MINUTES

Ms. Williams announced Ms. LeClair put the presentation together and she will be giving the presentation. Ms. Chelsea LeClair gave the presentation on the past, present, and future of the Utility Office which is part of the agenda packet.

City Manager Fuentes said we were very fortunate to hire the staff and Sonya, Chelsea, Melissa and the others who have done a great job. He wanted to share with the Commission and the public about part of the overall plan for the restructuring the Utility Office to include the Meter Readers, and Meter Reader Supervisor, they will now be working in the Utility Office. On the other side, you will see a key position called the Accounts Receivable Supervisor, who will be in charge of all of the contracts. They will also be an additional back up Supervisor to the Utility Office. That will help to make sure we are on top of those deadlines and contracts. Some of these improvements are to address some of the audit findings we have had in the past and to again try to provide a better operation in the Utility Office on how the Utility Billing is handled.

Finance Director Torres added one of the things we are constantly looking at is being efficient and effective. How can we better serve our community and our customers? People don't understand they have a turnaround when it comes to the Meter Readers. And that puts them flatfooted when it comes to billing. If we don't get the rereads or notices out in a timely fashion it will affect the whole operation. So one of the things they proposed is having the Meter Readers under their operation. Just as the Electric and Water Department's daily operations are important to their department, this operation is important to them. There were times they were having a tug of war because of their limited resources. So with they are hoping to serve the community more efficiently and effectively. On the Accounts Receivable side, one of the things that was challenging is there was a bridge where they did not have under them. They checked other municipalities to see what they are doing and we are shadowing Silver City and what they are doing. This will give them the team they need for Accounts Receivable and the contracts so they are able to oversee them. And to comply what they need to be versus ordinance and state statutes. They are very excited for some of these changes that are going to be happening.

Commissioner Hechler thanked City Manager Fuentes and the Finance Department for these types of reports. He hopes to have more of them in the future. It's important, not only for the Commission but the community to understand what's happening. This is excellent and he thanked them for the hard work. That's \$400,000 that's going to benefit this community and the citizens.

Mayor Pro-Tem Whitehead thanked them for their hard work.

Utility Billing Supervisor Sonya Williams wanted to say they really appreciate City Manager Fuentes and Melissa Torres who have been their backbone. Without their support and being there for them, it helps a lot to be able to make these changes and move forward. She also appreciates the Commissioners who have stopped by to offer support.

F. CONSENT CALENDAR

1. City Commission Regular Minutes, January 10, 2018 (removed to be separate)
2. Accounts Payable, January 2018
3. Accepting the Canvass of Returns for the January 23, 2018 Special Election.

Commissioner Hechler moved to approve the Consent Calendar items F.2 and F.3. Commissioner Frankel seconded the motion. Motion carried unanimously.

ITEMS REMOVED FROM THE CONSENT CALENDAR

F.1 City Commission Regular Minutes, January 10, 2018

Commissioner Hechler moved to approve the Consent Calendar items F.2 and F.3. Commissioner Frankel seconded the motion. Motion carried unanimously.

Commissioner Hechler moved to approve Item F.1 on the Consent. Commissioner Frankel seconded the motion. Motion carried by a vote of 3-0-1. Commissioner Clark abstained because she did not listen to or attend the meeting and did not want to vote against it.

G. PUBLIC HEARINGS

1. Public Hearing: Final Adoption of Ordinance No. 691 amending Section 8-33 of the Code pertaining to the offense of Criminal Trespass. Jay Rubin, City Attorney

City Attorney Rubin provided his comments including when they looked at the Code of Ordinances, he agreed to start going through it and trying to get some updated. These two ordinances is a start and there is already wording in the State Statute that will need to be used.

He then read each of the new or revised sections included in the ordinance.

Mayor Pro-Tem Whitehead announced we have three proponents who signed up.

Sharon Eastvold mentioned as she mentioned they have encountered several trespasses on their property. They had Chief Apodaca come out and witness damage to one of their signs on their property. She urged them to continue with this effort to update ordinances and perhaps the Chief can explain it further. She mentioned possibly separating the trespassing into a different ordinance. She really supports their effort to do this.

Ike Eastvold mentioned they closed on their property on October 17th. When they went to survey the property, they noticed some damage. He showed the Commission some posts that he found on his property related to the Poker Run Trail. It was run by the Off Highway Vehicle (OHV) Group on November 11th. It was sponsored by Steve Bell of the Cedar Cove RV Park. When asked if he got permission, they said he did not. This was

to be an event with 70 ATV's outside of T or C. they proceeded with the posting of signs and some have been destroyed. They have dealt with properties like this most of their lives, and this is nothing new to them. They don't intend to bring in the Law Enforcement but they would like to work with them perhaps to help them with some fencing. The archeologist remains are very important and are valuable for the future. He will say it's been a real pleasure working with Chief Apodaca and the former Chief. On January 19th of this year, they did observe an operator of an ATV on a road that enters their property that is owned by the Joint Powers Commission.

Kelly Becker. Did not want to speak at this time.

City Attorney Rubin doesn't think you have to prepare another ordinance for the sign issue. If it happens you can charge them two separate counts on the same ordinance.

2. Public Hearing: Final Adoption of Ordinance No. 692 amending Section 8-35 of the Code pertaining to the offense of Disorderly Conduct. Jay Rubin, City Attorney

City Attorney Rubin read the amendments in the ordinance that are being added from the State Statutes plus paragraph C, which included maliciously making a telephone call.

Mayor Pro-Tem Whitehead said we have no Proponents or Opponents signed up. She asked if there was anyone who wanted to make comments. There being none, she closed the public hearing.

H. ORDINANCES, RESOLUTION, & ZONING

1. Discussion/Action: Final Adoption of Ordinance No. 691 amending Section 8-33 of the Code pertaining to the offense of Criminal Trespass. Jay Rubin, City Attorney

City Attorney Rubin had no further comments.

Commissioner Frankel moved to approve Final Adoption of Ordinance No. 691 amending Section 8-33 of the Code pertaining to the offense of Criminal Trespass. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Final Adoption of Ordinance No. 692 amending Section 8-35 of the Code pertaining to the offense of Disorderly Conduct. Jay Rubin, City Attorney

Commissioner Clark read it and has a little bit of a problem with C. How will you know if the intent to maliciously bother someone won't be two hang ups when that's not usually bad? The other thing that concerns her is disturbing the peace. What would be the definition of disturbing the peace. Chief Apodaca said obviously if you have some intoxicated person yelling and carrying on that can be disturbing the peace. And

CITY COMMISSION FEBRUARY 14, 2018 REGULAR MEETING MINUTES

Disorderly Conduct has to happen in a public place. Commissioner Clark mentioned the other day she was done at work and a car is parked and a gentleman went screaming up to the car and would that be considered disturbing the peace. Chief Apodaca confirmed this.

Commissioner Clark said then her only concern is the malicious use of a cell phone. Chief Apodaca said in a phone call situation like that, they have to investigate and caller ID is very difficult. Now we have technology where we can get ahold of the phone company and they have the ability to investigate it now. If they find out they are calling and hanging up repeatedly, there's a possibility of harassment.

Commissioner Clark said obviously if it's misused, it can be brought back to be changed. City Attorney Rubin said he left it off of the original and they requested to add it back in. Commissioner Clark asked if it's a special request for the Police Department. Chief Apodaca confirmed.

Commissioner Clark moved to approve Final Adoption of Ordinance No. 692 amending Section 8-35 of the Code pertaining to the offense of Disorderly Conduct. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Resolution No. 23 17/18 Budget Adjustment. Melissa Torres, Finance Director

Finance Director Torres read the information included in the Commission Action Form.

Commissioner Clark said there was reference made to an \$83,000 Architect payment. Finance Director Torres responded if she doesn't mind they can go into that at the next meeting.

Commissioner Clark moved to approve Resolution No. 23 17/18 Budget Adjustment. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

4. Discussion/Action: Resolution No. 24 17/18 to abate a dangerous structure at Lot 11, Blk. 76 Original Townsite. Robbie Travis, Building Inspector and Susanna Diller, Planner/GIS Tech

City Attorney Rubin announced it affects his personal interest and Commissioner Frankel says it affects his as there is property he has for sale nearby. And Commissioner Clark also asked if she is close enough and should recuse herself. City Attorney Rubin asked how she feels about it? She said she is the one who complained about it first.

Mayor Pro-Tem Whitehead announced at this time we have people who need to recuse themselves and we do not have a quorum to hear this. So it will need to be postponed until the next meeting so we will have a quorum.

Commissioner Clark moved to postpone this item until the next meeting until February 28th due to lack of a quorum. Commissioner Hechler seconded the motion. Motion carried unanimously.

5. Discussion/Update: Discussion of installing antennas on the water tank on the hill off North Foch Street. Robbie Travis, Building Inspector and Susanna Diller, Planner/GIS Tech

Planner/GIS Tech Diller announced they are here to discuss the installation of antennas on the water tank. Amy McKenzie will give a presentation.

Ms. McKenzie gave her presentation which is part of the agenda packet. They would be attached to the existing tower just above the decorative mural on it. And they would be painted the same color so it would match the tower.

Commissioner Clark said this came up in front of us a couple of months ago. And these are her concerns. She does have a business downtown and have an extremely hard time with reception. And we have so many out of town guests who depend on service. And that's a real big issue for her is the placement and that the other carriers such as AT& T, also needs to be included and she is worried about giving preference to Verizon.

Building Inspector Travis responded they did meet with AT& T and they are interested also. He said that we can let them know they cannot have exclusive availabilities.

Commissioner Clark feels we are doing a disservice if we give them exclusive rights. Ms. McKenzie responded it could be included in the lease agreement. They have done this all of the time to co-locate with other carriers.

Commissioner Clark really does feel it's important that we do have both carriers involved. Ms. McKenzie said that's one of the reason they are here is to enhance 911 services.

Commissioner Hechler asked if we have reached out to AT & T. City Manager Fuentes said that is the meeting Building Inspector Travis was referring to. Building Inspector Travis did speak to AT & T and if they are willing to come because of the users they have in this area. One of the issues is that the first responders would have first access. Chief Apodaca responded the First Net is what is used for the First Responders.

City Manager Fuentes thinks that we already have a company interested, we could reach out to the other company to see if they would also like to come in. Commissioner Clark thinks that's really good.

Commissioner Hechler would feel more comfortable if we could get a yes or no for the use of that tank and we could deal with them at a later date.

Ms. McKenzie said if they decide to go, who gets the decision of need. They have a commitment and they are not wishy washy about whether they want to. There is an identified need and they would like some form of dedication to Verizon

Mayor Pro-Tem Whitehead would also like to see that we don't wait too long. We need to start somewhere and we need to get going. If AT & T is aware this is being discussed. Building Inspector Travis said they were out a year or a year and a half before they would get to that for building a tower.

Commissioner Clark said if they are a year or year and a half, she would put Verizon at the top of the sand box. Ms. McKenzie said the only thing they really need to work with AT & T is where they would go on the tank. The only working part of it, is separating them. They will already know where Verizon is being placed. She said if they really want on that water tank, they will figure out how to get on it.

Commissioner Hechler feels we should wait 30 days and get with AT & T. City Manager Fuentes said it was just an update so they know where they have to go.

Commissioner Clark asked about an FCC regulation that requires a tower within so much of a distance. Ms. McKenzie has never seen that, but she knows tower companies have a different agenda than wireless does. You have to have connectivity and have to be able to connect to the next tower so it would work. Commissioner Clark added doing a lease directly with you would cut the middle man out. Ms. McKenzie agreed and all they would need to lease is a small part of the tower.

I. NEW BUSINESS

1. Discussion/Action: 2019 Local Government Road Fund (LGRF) participation.
Don Armijo, Public Works Director

Public Works Director Armijo gave his presentation which is part of the agenda packet. He presented the streets that have been discussed and included in the past. Any full asphalt we do now, we are required by law to do ADA and Sidewalk.

Commissioner Clark talked to someone else about there are certain areas in our community where more streets have been done. Have we looked at strategic planning by going from one neighborhood to complete that or plop random streets with sidewalks where there are no improvements elsewhere? Chip seal holds better than asphalt on the Mineral Water soil. She asked if 32' is still a narrow road. Public Works Director Armijo responded that's an average width. Commissioner Clark said each driving lane is 10 ft. She asked if we ever looked at Turtleback Avenue. When it rains people who live there are stuck there. Public Works Director Armijo said if we want to look at continuing an area, maybe we should look at West 8th to tie into Kruger where we did the last area. Eventually they will be looking at other funding with Grant/Projects Coordinator Burnette and working on getting ADA Compliant.

CITY COMMISSION FEBRUARY 14, 2018 REGULAR MEETING MINUTES

City Manager Fuentes said sometimes we have had questions on how we built this list and how we prioritize which roads are done. This is only LGRF fund money and hopefully we can work on more funding to do more streets.

Commissioner Clark said this isn't listed by priority. Public Works Director Armijo responded eventually we will have to put ADA and Sidewalks.

Mayor Pro-Tem Whitehead also likes the idea of if we start an area we should finish it before we move on to something else.

Commissioner Hechler would like to concentrate on those areas where we invite people in to use. He also likes focusing on the downtown area, we have a beautiful downtown, then you get on McAdoo and it looks like you're in Mexico. Those roads are just terrible. To get to the City Offices, the roads look terrible and also need to be cleaned up. City Manager Fuentes responded this is just the Local Government Road Fund money. He will address the downtown area in his report. Commissioner Hechler said in that case he is more in favor of doing something by the Rodeo Arena.

Public Works Director Armijo said East 8th Coleman to Tingley
And #2 and #3 based on Veater because of the Rodeo Arena and the Ballfields.

Commissioner Clark moved to approve the priorities to be 1) East 8th Coleman to Tingley; and #2 Veater, Iron to Arroyo and #3 Veater, Hyde to Arroyo. Commissioner Hechler seconded the motion. Motion carried unanimously.

2. Discussion/Action: Golf Course Management and Operations. Terry Taylor, Golf Course Manager

Mr. Taylor stated Manager Fuentes asked him to come and let them know some of the issues at the Golf Course. He started by saying the first issue the staff recognizes is the effluent water and the distribution on the Golf Course. A large sum of money was put into parts for the sprinkler system a couple of years ago. They have exhausted those parts now. The city has changed the delivery of the effluent water. It used to test high in chlorine when they tested it. This morning checking the effluent pond there is a huge amount of scales in the pond. He said he would meet with Water & WW Director Salayandia on that. Jimmy spends a lot of time on clogged sprinkler heads. Some of the Commission wasn't here when they brought the pipes to show some of the problem. The Course was formed in 1946, so it's over 70 years old. When they added the effluent system, the city added a filter system that didn't really do the job. The highest priority is some kind of filter system that will clean the water better than it is. It's not a fix all but they think it's essential right now. Some sprinklers are not repairable and they will probably find a real need for the replacement parts. The Advisory Board is very interested in doing some kind of Co-op system with the city to install the filtration for the system. The next priority is the clear water pond. That well has been down for over a year and its his understanding it's been lumped in with two other wells that are in need of repair. That pond is essential for them because just last fall the effluent went down and they used it

as a backup. Its tough to say how long that will go because you can't tell when the grass will stop responding because it's salty. It's his understanding the clear water pond in under the bid process. They also like to use it as a flushing through the grass. The next thing is the new pumping system operates very good. But when they had the filter system that failed and fish were there, they were pushing chunks of sushi through the filter heads, along with the sushi came chunks of plastic and the only thing he can figure is it's parts of the turbine coming out. In order to check that they will have to take that pump out and see if they are faulty. Commissioner Hechler asked him to provide a list of some beautification items. He sent several of those to the City Manager. Some of those things they can use to update the course. The posts on Marie St. need to be repaired or replaced. The cart paths, if they could get some pressure fines, they could fix those. The old apartment above the Clubhouse needs cleaning and painting. Somewhere down the line, they have a full Liquor License but don't really have a Club House to use it in. It's a non-insulated building that's hot in the summer and cold in the winter. They don't get the outside trade they should get for the City to fully utilize that Liquor License. Years ago there was talk of putting in a completely new Pro Shop and a Club House at the other end of number 1. But that license cannot be fully utilized unless something is done. The main item for them is to keep things growing. They do their best to keep the sprinkler system running the best they can. Greens have to get water first and the fairways to get water second.

Commissioner Hechler asked if we can turn some of that around so the city doesn't have to pay that much money for the Golf Course in the coming year. Mr. Taylor responded. He had a couple from Juarez come to play here. They said they have 1.5 million people and one Golf Course, and we have 8,000-9,000 and two Golf Courses. He doubts there is anyone with this size Golf Course who do not subsidize it. He saw a report where Aztec was looking at doing that to theirs.

Commissioner Hechler noticed we haven't had very many tournaments in the last couple of years. Mr. Taylor responded they have had a couple and they didn't turn out so great. But they have been offered. He remembers when the Fiesta opened it was one of the biggest tournaments for the year. He has identified the times for two upcoming and he's not sure about the turnout. Even those who complained about not having them have not signed up for one when it's scheduled.

Commissioner Hechler asked how many regulars they have. Mr. Taylor said almost all of them are regulars, it seems that they average 250-300 rounds a month. There are times that you can play in the afternoon and it's your own course to play. In the summertime, there is not a lot of play.

Commissioner Clark said Commissioner Hechler's question was how many regular people not regular rounds. Mr. Taylor said it's not a number they keep track of.

Commissioner Clark continued the water system at the Golf Course is absolutely awful. To get the amount of water or use the effluent as it was designed seems to her will completely need to be replaced. If that were the case and we had to rework the Golf

Course to be more efficient and maintained properly. It's important to discuss the health of our Golf Course. If we have 25 people, is that more or less than ten years ago? If we did have to rework our Golf Course could the players get a certificate or something to play at Elephant Butte so they can still have the ability to golf. She gave an example of when she lived by one and it was shut down and it became a hiking, biking, walking complex that was packed.

Mr. Taylor said his job is to run the Golf Course and that's what he focuses on. He recognizes we need to look at if there is a better way to do it. And to check into the City of Elephant Butte, those are questions we might want to ask. Are they even going to stay alive. Right now, he is just working on what they can do on a daily basis in the operations. This time of the year is the toughest because nothing is growing. Other communities pay money to over seed there fairways to keep them green, and a lot of people would like to see that. But how the money is spent is up to you.

Commissioner Hechler asked City Manager Fuentes and his staff to do more research with other Golf Course's and municipalities. And see how they subsidize, if they do, and how they make it work. He knows we are up for contract renewal and he would like to extend it for a couple of months on a month to month basis to do the research. City Attorney Rubin said they talked about it yesterday and there are issues he and City Manager Fuentes are going to take a look at.

Mayor Pro-Tem Whitehead thanked him for his presentation.

3. Discussion/Action: Request for funds for USDA Rural Business Development Grant. Linda DeMarino, MainStreet Truth or Consequences

Mrs. DeMarino and Sazi Marri, who is the President. They submitted a grant last year because they didn't get enough points in the matching funds part. One of the things that kills her is sitting in a restaurant and hearing a waitress who is asked about the Hot Springs who say, I don't know, I've never been to one of them. She described the program and what it would entail. Their goal is it get 100 people and focus on managers and customer service.

Commissioner Clark made some comments about allocated a portion of the convention Center funds to support this application. It's important to understand the Manager's would have the consistent training for them as well as employees. She asked the Eastvold's to share the story they shared with her before the meeting. Mr. Eastvold said when they are asked why they moved here, their response is they really like the people. They like the Hot Springs, and the Healing Waters Trail, Rotary Park, and the birds and wildlife everywhere here. They appreciate the meetings and being open to Public Comment. They appreciate the openness of the government here very much. They also like the people who set them up at the Charles. Commissioner Clark said we get lucky every once a while where people stay.

Commissioner Hechler said coming from an industry that relied on referrals, it's important to all of our businesses. And being able to refer them back to the community is important as well.

Commissioner Clark moved to approve the Request for funds by MainStreet for USDA Rural Business Development Grant. Commissioner Hechler seconded the motion. Motion carried unanimously.

4. Discussion/Action: Branding of Truth or Consequences. Steve Green, Mayor

Removed.

J. REPORTS

a. City Manager

A project Grant/Projects Coordinator Burnette is working with Wilson & Co. for NMDOT funding is to apply for road money for Date St. to 3rd St. and it ties to major arterial roads. That will be forthcoming down the road.

2) Share with the Commission where we are at with the Legislative Session and with the Cook St. Water System, we have an application for Colonias. The Water Dept. distribution lines we are submitting our application for interest. Ms. Burnette and the Finance Department are working on the information to apply.

3) under HB306 we do have \$100I000 identified for road improvements which is for down town. We thank Representative Dow for her share of the contribution for this. We also originally identified funding for the resurfacing of the pool, and the downtown streets money has already been used for the pool repairs and has already been transferred back to streets. He share other plans that are in the works.

b. City Attorney

None.

c. City Commission

Commissioner Clark wondered if it would be a good idea to write Representative Dow a thank you letter. City Manager Fuentes knows Mayor Green did email a thank you.

K. EXECUTIVE SESSION

1. Threatened or Pending Litigation (City vs. McGeachy) *Pursuant to 10-15-1(H.7)*
2. Threatened or Pending Litigation (City vs. HSLD) *Pursuant to 10-15-1(H.7)*

Commissioner Hechler moved to approve going into executive session at 12:03 p.m. to discuss Threatened or Pending Litigation (City vs. McGeachy) Pursuant to 10-15-1(H.7); Threatened and Pending Litigation (City vs. HSLD) Pursuant to 10-15-1(H.7). Commissioner Frankel seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Pro-Tem Whitehead reconvened the meeting in open session at 12:43 p.m.

Commissioner Hechler certified that only matters pertaining to Threatened or Pending Litigation (City vs. McGeachy) Pursuant to 10-15-1(H.7); Threatened and Pending Litigation (City vs. HSLD) Pursuant to 10-15-1(H.7) was discussed in Executive Session and no action was taken.

L. ACTION ON ITEMS DISCUSSED DURING EXECUTIVE SESSION, if any. ADJOURNMENT

None.

M. ADJOURNMENT

Commissioner Hechler moved to adjourn at 12:45 p.m. Commissioner Frankel seconded the motion. Motion carried unanimously.

Passed and Approved this 14th day of March, 2018


Steven Green, Mayor




Renee L. Cantin, CMC, City Clerk