

CITY COMMISSION SPECIAL MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, DECEMBER 19, 2018

**A. CALL TO ORDER**

The meeting was called to order by Mayor Steve Green at 3:00 p.m., who presided and Renee Cantin, Interim City Manager/City Clerk-Treasurer, acted as Secretary of the meeting.

**B. ROLL CALL**

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

Hon. Steve Green, Mayor  
Hon. Sandra Whitehead, Mayor Pro-Tem  
Hon. Kathy Clark, Commissioner  
Hon. Rolf Hechler, Commissioner  
Hon. Paul Baca, Commissioner

Also Present: Renee Cantin, Interim City Manager/City Clerk-Treasurer

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

**PRESENTATION:**

Border Patrol Federal Agents presented an award of appreciation to Lt. Baker in recognition of her outstanding support to the El Paso Sector in the United States Border Patrol.

Lt. Baker thanked the United States Border Patrol as well as Mari and Jamie for all of their help with Shop with a cop.

**APPROVAL OF THE AGENDA:**

**Mayor Pro-tem Whitehead moved approval of the agenda as noted.  
Commissioner Clark seconded the motion.  
Motion carried unanimously.**

**PLEDGE OF ALLEGIANCE:**

Commissioner Hechler led the Pledge of Allegiance.

**SILENT MEDITATION:**

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

**C. NEW/UNFINISHED BUSINESS:**

**1. Discussion/Action: Appointment of Traci Burnette as the temporary designated Zoning Official. Renee Cantin, Interim City Manager:**

Interim City Manager/City Clerk Cantin stated according to the city code related to an administrative official, it says that the City Commission is required to designate a zoning official who can carry out the duties as directed in the code. Right now with the vacancy of the Planning & Zoning Coordinator, Traci Burnette has graciously been filling in to provide those services to assist in so those duties are continued with and taken care of temporarily until we have a new position. We are asking that you consider appointing her as the temporary designated zoning official. If we don't designate a zoning official, we will have to turn away.

City Attorney Rubin mentioned he is in support of this because he has been working with Traci, and he feels that she has a grasp on the procedures.

Mayor Green asked if this would be an addition to the jobs, roles, and responsibilities that Traci already has.

Interim City Manager/City Clerk Cantin responded yes.

Mayor Green with that being said, he would like to throw out for discussion that with this additional volunteering of responsibility, he thinks that should be recognized financially and until we are able to hire someone on a full time basis if we are asking someone to go above and beyond their job description, then he feels that we should show our appreciation in that way.

Interim City Manager/City Clerk Cantin stated In order to make things fair for all of those who may have asked for additional increases, we were directed to put a hold on any Interim pay or pay increases until the new City Manager comes.

Commissioner Clark thanked Traci Burnette for stepping up to the plate and taking on the additional responsibility.

**Mayor Pro-Tem Whitehead moved to approve the appointment of Traci Burnette as the temporary designated Zoning Official. Mayor Green seconded the motion. Motion carried unanimously.**

**2. Discussion/Action: Approve the proposed Golf Course Plan. Rolf Hechler, Commissioner:**

Commissioner Hechler began by saying we would like to terminate the contract for management of the Golf course effective January 1, 2019. He proposed the city take the Golf Course duties in house and hire two employees as Seasonal Employees one for Golf Course Supervisor for \$15/hour plus housing at the Golf Course; and the other would be a Seasonal Laborer position for \$18/hour which is a specialized worker that can be under Parks, and the money that is left in the budget to be moved to the Parks Department.

Mayor Pro-Tem Whitehead asked if the Golf Course employees will be offered any type of training as far as maintenance of taking care of the grass and equipment at the golf course.

Commissioner Hechler responded that these two individuals are actually Mr. Taylor's employees. They have been maintaining the Golf Course for quite some time now. He has met with both of the individuals and they are competent, and they have the knowledge written out to maintain that golf course and perhaps even improve it. We need to get the sulfur filtration system in place there to tackle the water system and we also need to get the fresh water pond re-activated. If we get those things done, he is confident that if we could go out for RFP, we would get a contractor that would be much more willing to maintain that facility, not having to tackle those two problems.

Commissioner Clark agreed with Commissioner Hechler.

Mayor Green asked about hiring them as Seasonal.

Commissioner Hechler responded Seasonal can be up to 9 months and that would give us time to put a plan together and possibly go out for RFP in the future.

**Commissioner Clark moved to approve the Golf Course Plan as presented by Commissioner Hechler. Mayor Pro-Tem seconded the motion. Motion carried unanimously.**

**3. Discussion/Action: Publication of Ordinance No. 701 for Elected Officials Salaries. Kathy Clark, Commissioner:**

Commissioner Clark presented the item which was brought to the previous meeting and no action was allowed. She stated that we can actually pay our Commissioners up to what the County Commission receives. Whatever move we would make today is not going to affect a single one of us sitting up here. This is for future commissioners, this is not for current Commissioners. The thought is if we bumped that up a little bit, there might be some other people in the community that might consider putting their names into the hat when three of our positions go up for election in a year. Her thought was to get this done now instead of right before an election and to see how her fellow Commissioners feel about doing something like this.

Commissioner Hechler stated that he thinks it would be a good idea and it may bring forward other potential candidates and it may allow people to sacrifice other things in order to run for Commission because we all sacrifice to some degree to be here.

Commissioner Baca also agreed.

Mayor Pro-Tem Whitehead thinks it is a great idea and it has been a long time coming. She thanked Commissioner Clark for the effort and energy in putting it out even though it won't affect any of them now, it might affect some of them in the future or any future candidates who wish to throw their hats in.

Commissioner Hechler added, if they rely on the next election to offer this pay to three Commissioners then they will have a disparity on the board. That means these three Commissioners will be receiving this increased pay and two Commissioners will not. The other alternative we could discuss is sometime in the future when the new Commissioners would hold off until we have the next two Commissioners re-elected and then at that time we would institute the raise for them so all five Commissioners would have the same rate of pay at the same time.

Commissioner Clark noted that the people who will be affected is the Mayor Pro-Tem and Commissioner Baca so a lot of it would depend on their input.

Mayor Pro-Tem Whitehead stated that she doesn't have a problem with what she is getting now. She thinks it's just something to look forward to in the future.

Mayor Green cannot wrap his head around the idea that three new people who don't have knowledge who will be making twice as much and not doing as much as those who will not receive the increase. He is more in favor of keeping it a team effort so all will receive the increase.

Commissioner Clark stated that Commissioner Hechler brought up the option of doing 2022. She asked Interim City Manager Cantin if it is possible for three new Commissioners to be voted in and for 2 years be on the same playing field as the two existing Commissioners and then all five of them would go up to a new rate if we voted it in now?

Interim City Manager Cantin stated yes that would be possible if you made it effective the 2022 election.

City Attorney Rubin will do more research as to allowing the Commission to make the increase to be effective to all Commissioners after the 2020 Regular Election.

**4. Discussion/Action: Approve the contract for the new City Manager.  
City Commission:**

Commissioner Hechler announced that they have made their final selection for our new City Manager and we've negotiated terms for him to come on board and he feels pretty confident in the selection of Mr. Morris Madrid. He has a bachelor degree in the county. He has an MBA in General Business. He has been the senior accountant at Highlands University and he has also been a City Manager and Finance Director for the City of Las Vegas, NM. More recently he has worked for the Department of Finance and Administration and he is the Public Service Director for San Miguel County. So with all this experience and background, we felt he was the perfect fit for what we were looking for and a perfect fit for the leadership of our City. We really look forward to bringing him board.

Mayor Green thanked his fellow Commissioners for their hard work and support.

The Commission will meet with Mr. Madrid in Executive Session for final negotiations of the contract.

**5. Discussion/Action: Selection of a process to fill the vacancy for the Position V City Commissioner. Renee Cantin, Interim City Manager:**

Interim City Manager Cantin presented the process that is generally followed to fill a vacancy on the City Commission. The Commission can appoint a qualified elector to serve for the remainder of the term which will be the next regular election. She has extensively looked through the local election act to make sure everything was the same or similar and the only difference was if it is less than half a term then you go to a Special Election, but that is no longer in place. Anytime there is a vacancy in an elected official position the governing body would just appoint someone until the next regular election. The thing we would have to figure out is how long the Commission would like to allow to receive letters of interest and declarations of candidacy for the position. IF you wanted to do something to the effect of January 25<sup>th</sup> or the end of January, or if you wanted to do it before the second meeting in January so that you can start the interview process. She thinks that a clean cut might be the end of January to give plenty of time for notification and publication. We also have three weeks in between that and the February 13<sup>th</sup> meeting. The easiest way to do it and keep track and make sure we have qualified electors is for us to revise the declaration of candidacy that you all are required to submit for your regular filing and then a letter of interest to show why they would be interested. Once we receive those declarations of candidacy then we can schedule a time for them to present.

Mayor Green thanked Interim City Manager Cantin for her research. He asked to be part of the process of choosing a replacement to sit in Position V. He asked if any of his fellow Commissioners reached out to anyone who has expressed an interest and that they think would do a good job filling in for the 14 months up to March 2020. If no one has a name, he would like to suggest that they appoint George Szigeti as the Position V candidate. He has been the Co-Chair of the Bountiful Alliance Recycling Committee and he is the Chairman of the Public Utility Advisory Board. He knows how government works, he does his research, he's a sharp guy and he's worked for the United States Government. He's

got the highest clearance that the Department of Defense gives anybody, so he's dealt with executive sessions so we know that he can keep a secret. One his concerns and one of the reasons he is stepping down is that if they have three new City Commissioners, it puts an undue burden on Mayor Pro-tem Whitehead and whatever position it may be in January and Commissioner Baca so he felt that now would be the time to let someone hit the ground running who's been speaking in front of them for all these years and who could bring something to the table.

City Attorney Rubin recited NMSA 3-14-9 related to Vacancies in commission, states If a vacancy occurs in the commission, the remaining elected and appointed commissioners shall, by a majority vote, appoint a qualified elector to fill the vacancy until the next regular local election, at which time a qualified elector shall be elected to fill the remaining unexpired term, if any.

Mayor Pro-Tem Whitehead with all due respect, Mayor Green has stepped down and now he is appointing his replacement so she has some concerns of how the public would perceive that and if we are being transparent. She asked if the Commissioners, (*excluding Mayor Green*) should vote for their new replacement for Mayor Green's position, or if Mayor Green is allowed to vote for his replacement. She's been in County Government for a very long time and it has always been perceived that if you sat on one seat or one department and you decided that you didn't want to sit on that department anymore, you couldn't resign your position to run for that next office without your term limits.

City Attorney Rubin advised Mayor Green that he is allowed to vote.

Mayor Green noted that the citizens voted for them and none of them got every single vote so they are counting on us to use good judgement, good faith, and move forward.

**Mayor Green moved to approve appointing George Szigeti to serve in the vacancy of the Position V term beginning January 1<sup>st</sup>, 2019 until the next Regular Election. Mayor Pro-Tem Whitehead seconded the motion. And added her comments. Mayor Green wanted to add Mayor Pro-Tem Whitehead never ceases to amaze him and he appreciates her support and the love she has to deliver the love to all of the people. Motion carried unanimously.**

Mayor Green asked Interim Manager Cantin to get Mr. Szigeti sworn in after January 1<sup>st</sup> so he can attend the 1<sup>st</sup> meeting in January and the Mayor also indicated that he would like to be notified of when it will be held. City Clerk Cantin said she can do the swearing in.

**D. EXECUTIVE SESSION:**

- 1. Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2):**

Mayor Pro-Tem Whitehead moved to approve going into executive session at 3:58 p.m. to discuss Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2). Commissioner Hechler 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 4:21 p.m.

Mayor Pro-Tem Whitehead certified that only matters pertaining to Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2) was discussed in Executive Session and no action was taken.

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

Commissioner Hechler moved to authorize City Attorney Rubin to prepare a contract for Morris Madrid for \$95,000 to include 8 hours of Annual Leave per pay period with the regular benefit of a city employee and designated as an At-Will Employee for a contract term of one year from January 7, 2019 to January 6, 2020. Commissioner Clark seconded the motion. Motion carried unanimously.

**F. ADJOURNMENT**

Meeting was adjourned at 4:26 p.m.

Passed and Approved this 23<sup>rd</sup> day of January, 2019.

  
Sandra Whitehead, Mayor

ATTEST:

  
Renee L. Cantin, CMC, City Clerk