

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, FEBRUARY 27, 2019

A. CALL TO ORDER

The meeting was called to order by Mayor Sandra 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. Sandra Whitehead, Acting Mayor
Hon. Kathy Clark, Mayor Pro-Tem
Hon. Rolf Hechler, Commissioner
Hon. Paul Baca, Commissioner
Hon. George Szigeti, Commissioner

Also Present: Morris Madrid, City Manager
Renee Cantin, City Clerk-Treasurer

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

2. SILENT MEDITATION:

Mayor Whitehead called for fifteen seconds of silent meditation.

3. PLEDGE OF ALLEGIANCE:

Mayor Whitehead called for Commissioner Hechler to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA:

Mayor Pro-Tem Clark moved to approve the agenda. Commissioner Szigeti seconded the motion. Commissioner Hechler announced Mr. Lazich may not be here due to traffic and he asked if they can be added when they arrive. Mayor Pro-Tem Clark amended her motion to include that request. Motion carried unanimously.

C. COMMENTS FROM THE PUBLIC:

Steven Rice, Executive Director of Housing Authority addressed the Commission related to:

- 1) The New Mexico Mortgage Finance Authority is in the process of doing a 5 year Community Housing Needs Survey. He just wanted to bring that to everyone's

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attention. He also provided the Commission with flyers that had a link to complete the survey.

Ed Williams addressed the Commission related to:

- 1) He gave kudos to the city employees and any future employees we may get. They are doing a great job under the circumstances they have to work with, so he hopes that they continue to have your support and you continue to help them push forward in their endeavors.

Hans Townsend, Desert View Inn and Chamber of Commerce addressed the Commission related to:

- 1) It seems that we are always in the process of losing qualified people. He thinks that we don't recognize a lot of the qualifications we have around us. We are very lucky that qualified people retire here and offer services. All too often those services are not looked on professionally. One of the things that sticks in his throat is the Golf Course. He lives 2 blocks from the Golf Course and we had a great Golf Course but for political and personal reasons, we ignore the professionalism, and that is an offence to him. Howey Tucker has now gone to Roswell where he will be appreciated. We also lost our Airport Manager to Roswell. It's not a good thing that we don't appreciate people we have. He understands Melissa is gone, and she was very good too. We must be making mistakes somewhere. We would do a lot better if there were less personal feelings and more professionalism.
- 2) A lot of things have to be done very early in the year to make sure that you have a green Golf Course, and if things are not done this month, we will not have a Golf Course this year. He doesn't think the people running the Golf Course know what they are doing. He drives by it nearly every day, and it's just sad that we are going in that direction. We throw away our advantages all too often so he hopes we can do a better job and look at things in a different way.

Janice Gray addressed the Commission related to:

- 1) She thanked Mr. Madrid and Commissioner Hechler for the work they are doing at the Golf Course. She has applied to serve on the Golf Course Advisory Board and she hopes they will approve that. She thinks Bart who was hired at the Golf Course is trying his best to do a great job and she is hoping that the board will get behind him and help.

Michael Hogue, 516 Austin St. addressed the Commission related to:

- 1) He is here today on the behalf of Matthew 25 Food Pantry. He thanked the city for the grant of \$7,200 which helps fund the rent of the building for a full year, and allows the food pantry to allocate a larger portion of their private donations to purchase food for distribution. They manage closely to their budget, and for six months of the grant year they have a profit of \$24.51 against a budgeted projected loss of \$450. Matthew 25 is an all-volunteer organization and so far this year there are 511 households representing 912 individuals enrolled in the Matthew 25 food distribution program which includes 202 children. 70% of the households and individuals receive food stamps. Through January of this year,

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Matthew 25 distributed food baskets to 5415 individuals, and this includes 827 individuals living in public housing. The food baskets were delivered by volunteers and this includes 292 food baskets to individuals under emergency circumstances. Since 2014 Matthew 25 has distributed food baskets to over 32,000 families representing over 64,000 individuals.

D. RESPONSE TO PUBLIC COMMENTS:

Mayor Pro-Tem Clark responded to a couple of things she thinks are extraordinary:

- She commended the Housing Authority.
- Matthew 25: She has seen those lines every Thursday morning for years and the line continues to be long every week.
- Mr. Williams if you hadn't said it, she would have repeated those exact words.

City Attorney Rubin clarified the funding from the city for Matthew 25 was pursuant to a contract and it was not donated.

Commissioner Szigeti added, it is sad that we lose people to other cities but it also says something very well about the quality of employees that we have.

E. PRESENTATIONS

1. Presentation of the business impact in New Mexico by Jason Lazich, Virgin Galactic:

Tabled until later on the agenda.

2. Presentation related to a Footbridge across the River. Merry Jo Fahl, Jornada Resource, Conservation, & Development Council:

Ms. Fahl, Executive Director mentioned she was approached by John Masterson from the Brewery and he asked if she could help them secure a footbridge over the river so they would have access to trails on the other side. They had talked collectively with the Village of Williamsburg, the City of T or C, and the City of Elephant Butte on how a bridge would enhance the entire community. The loop starts at Geronimo Springs Museum down to Rotary Park, over the footbridge and makes a loop all the way back to Geronimo Springs Museum. All of the trail is on city land and if we could develop Rotary Park and the Footbridge, we could do more with the Healing Waters Trail.

Mayor Pro-Tem Clark said several years ago she had looked at doing a bike path.

Ms. Fahl responded, if we go across at Rotary Park we would have to develop the road. They have already been in contact with Mr. Shepard who would like a road going across which would be separate. They would like the city to consider submitting an application.

Mayor Whitehead suggested Ms. Fahl get with City Manager Madrid about the application. City Manager Madrid asked her to contact Executive Assistant Tammy Gardner.

F. CONSENT CALENDAR

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- 1. City Commission Regular Meeting Minutes, January 9, 2019**
- 2. City Commission Regular Meeting Minutes, January 23, 2019**
- 3. Public Utility Advisory Board Regular Minutes, October 15, 2018**
- 4. Public Utility Advisory Board Regular Minutes, November 19, 2018**
- 5. Lodgers Tax Advisory Board Regular Minutes, October 25, 2018**
- 6. Golf Course Advisory Board Regular Minutes, December 12, 2018**
- 7. Golf Course Advisory Board Regular Minutes, January 2, 2019**
- 8. Library Advisory Board Regular Minutes, January 28, 2019**
- 9. Accounts Payable, January 2019**
- 10. 2nd Quarter Reports for Lodger's Tax Grant recipients**
- 11. Re-Appointment of Daniel Mena to the Housing Authority Board**
- 12. Appointment of John (Jack) Noel to the Library Advisory Board**
- 13. Appointment of Claudia Raines and Janice Gray to the Golf Course Advisory Board**
- 14. Appointment of Gina Kelley to the Lodgers Tax Advisory Board as the Tourist Services Member**
- 15. Appointment of Don Armijo and Gil Avelar to the Public Utility Advisory Board and Impact Fee Board**
- 16. Approve the annual Law Enforcement Protection Fund Application**

Mayor Pro-Tem Clark moved to approve the Consent Calendar as noted. Commissioner Hechler seconded the motion. Motion carried unanimously.

G. ORDINANCES/RESOLUTIONS/ZONING:

- 1. Discussion/Action: Resolution No. 27 2018/2019 Confirming the City of Truth or Consequences to participate in the Department of Transportation Municipal Arterial Program Local Government Road Fund Program. Traci Burnette, Grant/Projects Coordinator & Zoning Official:**

Grant/Projects Coordinator Burnette presented the item and announced that they would like to put in an application for a project that would include Smith Avenue, Silver St., and 9th Avenue Loop. Our ICIP includes 9th Street which is right in front of the hospital and then the project would go up Silver Street, connect into Smith Street, and back out onto Date Street. It meets all of the general criteria and the Resolution is a part of the application process.

Commissioner Hechler moved to approve Resolution No. 27 2018/2019 Confirming the City of Truth or Consequences to participate in the Department of Transportation Municipal Arterial Program Local Government Road Fund Program. Commissioner Szigeti seconded the motion. Roll call vote was taken by City Clerk Cantin. Motion carried unanimously.

- 2. Discussion/Action: Ordinance No. 701 for publication approving the Land Use Assumptions and Capital Improvements Plan final report. Traci Burnette, Grant/Projects Coordinator & Building Official**

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Grant/Projects Coordinator Burnette presented the item and announced that the Impact Fee Board has recommended the Impact Fee Study to go to the Commission. It has also been reviewed and approved by City Attorney Jay Rubin and City Attorney John Appel.

City Manager Madrid added that this item is for publication only, which is part of the process of amending the ordinance. This is not the final action for this item. It is only for publication so we can solicit any concerns regarding changing the ordinance.

Commissioner Szigeti moved to approve Ordinance No. 701 for publication approving the Land Use Assumptions and Capital Improvements Plan final report. Commissioner Hechler seconded the motion. Motion carried unanimously.

H. UNFINISHED BUSINESS:

1. Discussion/Action: Potential ordinance related to an increase for Elected Officials Salaries. Kathy Clark, Mayor Pro-Tem:

Mayor Pro-Tem Clark referred to City Attorney Rubin who had some additional information about this.

City Attorney Rubin presented Article IV, Section 27 related to increased compensation for officers.

Mayor Pro-Tem Clark mentioned the concern that was brought up as to whether the Commission could put it in place for the 2022 Election where all Commissioners would receive the increase at the same time.

City Manager Madrid suggested either an amount, or something they can put in the ordinance itself.

Mayor Whitehead suggested that staff process the ordinance, put in a fee, and then bring it back to the Commission for discussion and review.

I. NEW BUSINESS

1. Discussion/Action: Selection of Streets for the 2019 Local Government Road Fund (LGRF) participation. Benny Fuentes, Street Department Supervisor:

Streets Supervisor Fuentes presented the item which included the following streets for recommendation:

1. Golf Club Dr.
2. Veater, Iron to Arroyo (completed)
3. Veater, Hyde to Arroyo (already approved on this year's funding)
4. City Street, dead end to Myrtle
5. City Street, Myrtle to Henson
6. City Street, Henson to Radium

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7. Marshal, Platinum to Tin
8. Marshal, Tin to Coal
9. River Road, Tin to bottom of Hill
10. West Riverside, Wyona to Daniels
11. Kruger, 8th to 7th
12. East 8th, Coleman to Tingley (already approved on this year's funding)
13. Locust, 6th to 7th
14. Locust 6th to 5th
15. Locust 5th to 4th
16. Glenn from Rodeo Arena Rd. to dead end (Used Millings – needs chip seal)

City Manager Madrid responded his recommendation would be to start with Kruger (*option 11*), and or depending on the funding, he would go with options:

7. Marshal, Platinum to Tin
8. Marshal, Tin to Coal
9. River Road, Tin to bottom of Hill

City Manager Madrid added, based on the level of funding and the benefit from either chip seal or asphalt, he thinks it's always better to do a permanent improvement if we can. He believes the level of the LGRF funding will go up this year. That's one of the funds that is going to benefit from the additional Capital Outlay. NMDOT will administratively be doing a lot more funding for street improvements.

Commissioner Hechler moved to approve City Manager Madrid's recommendation of Option 11, then Options 7, 8, & 9. Commissioner Szigeti seconded the motion. Motion carried unanimously.

2. Discussion/Action: Approval to proceed with final design and construction documents for Great Blocks on Mainstreet/Foch Street Project. Morris Madrid, City Manager:

City Manager Madrid reported on the public hearing process that has been done, and the recommended option they are presenting for approval includes the New Mexico MainStreet (NMMS) Great Blocks on Mainstreet Program that is designed to assist Arts and Cultural Districts with economic revitalization projects. The primary objective of the Truth or Consequences Great Blocks Project is to continue revitalizing this section of the historic district by creating a complete street design that includes best practices in pedestrian safety improvements, streetscape enhancements, creative place making opportunities, and way finding signage.

Commissioner Hechler moved to approve to proceed with Option B for the final design and construction documents for Great Blocks on Mainstreet/Foch Street Project. Commissioner Szigeti seconded the motion. Motion carried unanimously.

3. Discussion/Action: Approval to submit an application to the New Mexico Historical Preservation Department. Blair Wyman, Airport Manager:

Airport Manager Wyman presented the background on these buildings as well as their request for approval to apply for a grant to designate these buildings as Historical Buildings at the state and national level. The application is due on March 8th and they will get an answer by March 25th. The due date for the National Registry Nomination is in September. The ultimate goal would be public access to a historic site. At the moment, the relay station for the runway lights is located in the FSS Building and we have a process of building an electrical vault separate and taking those out of that building.

Commissioner Hechler mentioned that the upkeep historical buildings is really expensive and any improvements or renovations have to first go through the Historic Preservation Office and they will dictate on how you do those things, and that gets expensive real quick. He recommends that we look at this really hard before we make a decision because if we do go with it, then we have to understand that our hands are going to be tied in the way that we are going to upgrade and take care of these buildings.

Mayor Pro Tem Clark agreed with Commissioner Hechler and recommended that they look at what improvements need to be done prior to getting that designation, and without destroying our abilities to get the designation. She is curious as to why we are not also applying through the state. The national designation used to be for private businesses, and owners who got a 50% match on remodeling the buildings. She asked if it also works for Municipalities and publicly owned buildings.

Airport Manager Wyman responded that it is going through the state first, and then the national register.

Former Community Development Director Bill Slettom reported that they are requesting grant funding to continue this process and do the assessment of the building to see if that area still qualifies, as well as help pay for the submission of the form for the national nomination. We don't have the money yet and we may get tuned down for this grant application. It's only \$50,000 for the entire state and there are going to be a lot of communities applying for this money. He suggests that we continue to apply for the money and if we get the grant money, to proceed with the nomination. We don't have to accept it if you feel that the project is not worthy of going forward.

The Commission requested to postpone this item.

4. Discussion/Action: Approval of Tower Structure Lease Agreement with Gravity Pad Towers, LLC. Traci Burnette, Grant/Projects Coordinator and Zoning Official:

City Manager Madrid began with a short story about the difference in Elected Officials from up North to here.

Grant/Projects Coordinator and Zoning Official Burnette reported the Special Use permit which was approved at the City Commission Meeting on January 9, 2019 for placement of cell antennas on the T or C Water Tank located at the end of West 2nd Street.

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City Attorney Rubin gave an overview of this item including the public hearings that were held for the Special Use Permits. He referred them to Section 4.

Mayor Pro-Tem Clark added, in relation to this issue we have a long history with Verizon. She had concerns regarding the contract stating that we wouldn't be able to change anything for 15 years. She's almost certain there will be new ways of delivering information in 15 years. The contract also says that Gravity Pad has the right to rent to three other carriers. She doesn't remember the Commission saying that's a good idea.

Commissioner Szigeti had some concerns about the 5G area network being dangerous to public safety. Communication companies are in it for the money and he feels the Commission might be pushed into something they don't want, and that worries him on this contract.

Chief Aragon said that too many systems on the tank may interfere with the radio traffic. He stated that Fire Chief Tooley is the Guru on this, but we do need to pay attention to the needs for public safety.

Mayor Whitehead responded, she would be more comfortable in postponing this so they can look at it again, because they did not agree to a lot of the stuff that is in the agreement.

City Attorney Rubin responded to some of their questions including whether we agreed to have only these two carriers or should additional carriers be allowed.

Mayor Pro-Tem Clark moved to postpone to have staff bring back at a later date. Commissioner Szigeti seconded the motion. Motion carried unanimously.

Mayor Whitehead recessed the meeting at 11:11 a.m. and reconvened at 11:20 a.m.

Return to Item G.1 Presentation.

1. Presentation of the business impact in New Mexico by Jason Lazich, Virgin Galactic:

Commissioner Hechler introduced Mr. Chris Lopez, Lori McCravey, Lead Administrator, and Jason Lazich, Director of Infrastructure & Ground Services.

Virgin Galactic representatives showed a video and reported that they have big plans for Truth or Consequences and mentioned that they have been using local restaurants and hotels quite often for their visitors that come through. They were previously working with former Mayor Green, and they are looking forward to working with the rest of the Commission as well.

Mayor Whitehead added, we want to be involved, on top of the game, and we want to let people know we do exist for Spaceport America.

Mr. Chris Lopez said that they are seeing about an 80%-20% split, 80% think they will live closer to Las Cruces, and 20% has indicated they will come and stay in Sierra County. He also mentioned Exo Aerospace is coming this Saturday and guess where they are staying.

5. Discussion/Action: Permission to use the water towers located above the football stadium for display of Student Art at Hot Springs High School for the We Are Tigers Art Contest. Jim Shiley, Requestor:

Mr. Shiley presented his letter to the City Commission asking permission use the water towers located above the football stadium at Hot Springs High School. The contest winner would have their art reproduced on a large scale, tentatively 4'x8' and affixed to the tower. They are proposing initially to use the shorter of the two towers at that location. Beneath the art they would place the names of all the students in the class of 2019 and each year they would attach a winning piece of art and the names of the graduating class of that year.

City Manager Madrid let the Commission know this is an easy decision to make and he recommends approval.

Mayor Pro-Tem Clark moved to approve Permission to use the water towers located above the football stadium for display of Student Art at Hot Springs High School for the We Are Tigers Art Contest. Commissioner Baca seconded the motion. Motion carried unanimously.

6. Discussion/Action: Approval of the Civilian Volunteer Program & related policy for the Police Department. Randall Aragon, Police Chief:

Chief Aragon presented the item and reported that the Police Department will greatly benefit by having civilian volunteers to assist with administrative and other such "non-enforcement" tasks. Additionally, this initiative will also authorize the appointment of a volunteer to serve as a Departmental Chaplain who will, as deemed necessary, provide spiritual/faith-based guidance to departmental members, provide an outreach to our citizens when we initiate community-based policing efforts, and also serve as an advisor to our top-level executives relating to community affairs. This initiative will not result in any special budgetary outlay. Serving as Chief in numerous other police agencies I have successfully implemented civilian volunteer programs (with Chaplain Positions) of which have proven highly rewarding for each municipality, my departments, and the citizens. This initiative will unquestionably prove to be a "force multiplier" that should allow our full-time staff the opportunity to devote more time to their core mission-essential tasks. The cost-benefit aspect (non-paid volunteers at "zero cost") will certainly assist our Police Department.

City Manager Madrid has seen some programs similar to this. One is a Chaplain program which can be helpful when they have cases like severe child abuse. And the other was the Explorer's program where they were used to assist and help the Officer's where they may be needed.

Commissioner Szigeti moved to approve the Civilian Volunteer Program & related policy for the Police Department. Commissioner Baca seconded the motion. Motion carried unanimously.

7. Discussion/Action: Appointments to additional External Boards & Committees to replace Steve Green. Renee Cantin, City Clerk-Treasurer:

a. Southwest Area Workforce Development Board:

Mayor Pro-Tem Clark moved to approve Mayor Whitehead to the vacancy. Commissioner Hechler seconded the motion. Motion carried unanimously.

b. Region IV, Chief Elected Officials Board:

Mayor Pro-Tem Clark moved to approve Mayor Whitehead to serve on the board and Mayor Pro-Tem Clark as the Alternate. Commissioner Szigeti seconded the motion. Motion carried unanimously.

c. South Central Regional Transit District (SCRTD):

Commissioner Szigeti moved to approve Grants Projects Coordinator Burnette to serve as the board member and Streets Supervisor Benny Fuentes as the Alternate. Commissioner Hechler seconded the motion. Motion carried unanimously.

8. Discussion/Action: Approval of the amended Guidelines as recommended by the Lodgers Tax Advisory Board. Renee Cantin, City Clerk:

City Clerk Cantin reviewed the amended changes and reported last year the City Commission directed the Lodger's Tax Board to review the guidelines so they would be stricter when deadlines such as submitting initial applications & submitting quarterly reports are not complied with.

Marilyn Pope from Geronimo Springs Museum reported that they pay the bill when they have something done, she puts together a packet which has her invoice from the company, a copy of the ad (*or whatever the service was*), and a copy of the cancelled check, and that packet gets submitted to the city for reimbursement.

Mayor Pro-Tem Clark stated that they flipped it to make it easier on the people who are volunteering and putting on events that we benefit from. She is concerned with the fact that these businesses have to borrow money in order to pay for things.

Mayor Whitehead asked that City Clerk Cantin review the minutes to see when this was previously discussed and see what changes were made and how that was handled. She also asked City Manager Madrid to look into possibly changing and updating it so

these businesses are not out on a limb, and we can make it easier for them to receive their funds.

Mayor Pro-Tem Clark moved to approve sending back to staff to review state statutes and bring back to the next meeting. Commissioner Baca seconded the motion. Motion carried unanimously.

J. REPORTS:

City Manager Madrid reported the following:

- Golf Course: New staff at the Golf Course, the need for new carts, the Sulfur Unit, and facility improvements.
- The resignation of our Finance Director.
- Possible hire for Water/Wastewater Director.
- Working on Classification for Departments with Certification levels to bring to the Commission for approval.
- He asked Chief Aragon to give an overview of the Police Department Assessment that was done.

Chief Aragon reported the following:

- Police Department employee training.
- He Gave up one position from 15 Officer's to 14 Officer's and would like one back. That would be pending funding availability.
- Risk Management should be a full time position. Jamie Sweeney currently covers the front desk and also handles these duties. It should really be a full time job on its own. He will still need an Administrative Assistant.
- Community Policing Program.
- He would like to have a group of Officer's who would be Neighborhood Response Team who would be able to go on a 3 or 4 hour mission.
- Animal Shelter.
- Police Department face lift. They did the sign and paint and are making it look great again so the building would last longer.

Commissioner Hechler wanted him to recognize sometimes people don't get a pat on the back and they haven't heard much about the Shelter lately so thank you for what you are doing.

Commissioner Szigeti would like to hear from him a little more often. We hear from him far too infrequently.

City Attorney report:

None.

City Commission reports:

Mayor Pro-Tem Clark said she would like to bring the subject of living in downtown buildings back for a discussion.

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Commissioner Baca asked City Manager Madrid to check into getting some sort of lighting and maybe a sidewalk between Date and Kopra.

Commissioner Szigeti agreed.

Mayor Whitehead reported she and Traci Burnette were at the State Capitol last week for the Legislative Session on Colonias issues. Then on Tuesday she and Chief Aragon were invited to speak at the Knights of Columbus on what's happening in the city.

K. EXECUTIVE SESSION:

**1. Purchase, Acquisition or Disposal of Real Property (450 W. Riverside)
Pursuant to 10-15-1.H(8):**

Commissioner Hechler moved to approve going into executive session at 1:28 p.m. to discuss Purchase, Acquisition or Disposal of Real Property (450 W. Riverside) Pursuant to 10-15-1.H(8). **Commissioner Szigeti** seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Whitehead reconvened the meeting in open session at 1:45 p.m.

Mayor Pro-Tem Clark certified that only matters pertaining to Purchase, Acquisition or Disposal of Real Property (450 W. Riverside) Pursuant to 10-15-1.H(8) was discussed in Executive Session and no action was taken.

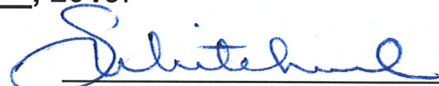
**L. ACTION ON ITEMS DISCUSSED DURING EXECUTIVE SESSION, if any.
ADJOURNMENT**

None.

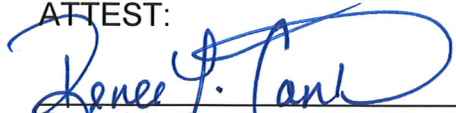
M. ADJOURNMENT

Mayor Pro-Tem Whitehead moved to adjourn at 1:46 p.m.
Commissioner Hechler seconded the motion. Motion carried unanimously.

Passed and Approved this 27th day of March, 2019.


Sandra Whitehead, Mayor

ATTEST:


Renee L. Cantin, CMC, City Clerk