

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, AUGUST 14, 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, 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 asked everyone to remember the victims lost in the tragedies that took place a couple of weeks ago. She also asked that we keep our local children who started school this week in your thoughts and prayers. She then called for fifteen seconds of silent meditation.

**3. PLEDGE OF ALLEGIANCE:**

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

**4. APPROVAL OF AGENDA:**

Commissioner Hechler moved to approve removing H.5 Appointment to Sierra County Tourism Advisory Board and Mayor Pro-Tem Clark requested Item G.1 to be pulled to include Discussion/Action on that item for the next agenda and approve the agenda as amended. Commissioner Baca seconded the motion. Motion carried unanimously.

**C. COMMENTS FROM THE PUBLIC:**

Denise Addie addressed the Commission related to:

- 1) She invited everyone to the September 11, 2019 Memorial Event that will be held at the Veterans Memorial Museum.

Andy Underwood addressed the Commission related to:

- 1) He owns property at the intersection of Foch & Main and it is affected by the loss of the parking spaces on that street. He feels people are driving too fast and he thinks a stop light would ensure better interaction because people would know when to stop and when not to. He's hoping the barriers are not the end solution and they will keep working on it.

Susan Brandt addressed the Commission related to:

- 1) She has the business right at the end of Foch & Main, and the barriers that were placed in the parking spaces are a problem for the handicapped people who often come to her business. She is having them call so she can take the items to their car. She also believes that a stop light would be a better solution to the problem.

Tom Smith, 609 Kruger St. addressed the Commission related to:

- 1) A couple of years ago he received a letter saying the City was going to pave the street from Kruger to 3<sup>rd</sup> Street as well as 7<sup>th</sup> Street, but that didn't happen. They only paved up to 6<sup>th</sup> Street and there is one block between 6<sup>th</sup> Street and 7<sup>th</sup> Street that is still not paved. He wants to know if it is in the budget this year to pave that area.

Linda DeMarino, MainStreet Truth or Consequences addressed the Commission related to:

- 1) She is excited about the possible city logo change that is on today's agenda. Our logo is placed on every piece of advertising that goes out for Lodgers Tax and the logo that we are using doesn't do a lot to help us with the marketing of our area. She would like to send a proposal for the new logo to become a product of marketing and branding since the logo is used for marketing materials for Lodgers Tax.

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

- 1) He feels that a trim package for an electric truck is not needed.
- 2) He is concerned about the payment increase given to Solar Producers.
- 3) He made a rude comment about Commissioner Szigeti's position as a City Commissioner and at that time Mayor Whitehead called a point of order.

Hans Townsend, Chamber of Commerce addressed the Commission related to:

- 1) He feels that a competition for the new logo would be a good idea.

**D. RESPONSE TO PUBLIC COMMENTS:**

Mayor Pro-Tem Clark responded as follows:

- She appreciates the Commission's understanding for her absence the last couple of months.
- She commented on the barriers placed on Foch Street and Main Street stating the area is a dangerous corner and unfortunately when our town was built they were not thinking about parking in that area.
- She thanked Linda DeMarino for her comments regarding the city logo. She then mentioned that the logo was created in the late 1990's and it may be something we want to re-do, so it is nice to know that MainStreet is willing to help us with that.
- It's very sad to hear all of the criticism towards them at these meetings. She told Commissioner Szigeti that she is very appreciative of his dignity and honor. The rules were followed when they put him into this position, and it was done with the intention of keeping him here.

Commissioner Szigeti responded as follows:

- He knew when he accepted the position it meant there would be a target on his back.
- In response to Mr. Fenn's comments about the trim package; he can understand why someone would look at the trim package and feel it may be a frivolous expense, but he trusts our staff enough to make the right decision with the city's money.
- In response to the article in the paper on public comment at the meetings, the way the letter was written it makes it sound like the Commissioners are bundled up and locked away until each meeting, when in fact every one of the Commissioners are available to be reached at any reasonable time. Their contact information is posted on the City website.

City Manager Madrid responded as follows:

- He addressed the comment regarding the trim packages on city vehicles. The State Price Agreement is set up for you to order the basic model, plus any additional features you want on that vehicle. Some of those features may be 4 Wheel Drive, a Towing Package, a Safety Rack or a Mount for an electric generator. All of those things are considered trim packages. Anyone is welcome to look at our city vehicles to see how bare we equip them. He then encouraged the public to meet with him if they have concerns with anything they see in our records.
- He is a former Elected Official, and Public Comment is meant to address the Governing Body as a whole. Anytime someone mentions the name of an Elected Official, the name of an employee or staff member, or the name of a family member of any of those mentioned, that is entirely out of order. He thanked Mayor Whitehead for properly dealing with the situation. It is okay for the public to question things, but individually attacking someone verbally or being

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disrespectful does not have a place. You will get a lot more information if you go and see him than if you come up here for 3 minutes.

Mayor Whitehead responded as follows:

Mayor Whitehead thanked everyone for their public comments. Sometimes they don't always respond right away, but they work hard to respond. City Manager Madrid is always available and on the second meeting of the month in the evening where a citizen could even be given more time for their item.

### **E. CONSENT CALENDAR:**

- 1. City Commission Regular Minutes, July 24, 2019**
- 2. Acknowledge Library Advisory Board Minutes, July 29, 2019**
- 3. Acknowledge Airport Advisory Board Minutes, January 8, 2019**
- 4. Accounts Payable, July 2019**

**Commissioner Hechler moved to approve the consent calendar as noted. Commissioner Szigeti seconded the motion. Motion carried unanimously.**

### **F. ORDINANCES/RESOLUTIONS/ZONING:**

- 1. Discussion/Action: Resolution No. 12 19/20 approving the Loan/Grant Agreement (CIF-4927) and closing documents with the Colonias Infrastructure Board and the New Mexico Finance Authority for Water System Improvements. City Manager Madrid:**

City Manager Madrid called on Grant/Projects Coordinator & Designated Zoning Official Burnette to give the information on this item. He reported this is a Grant for \$81,000 that involves a Loan of \$9,000 and a match of \$10,000.

Grant/Projects Coordinator & Designated Zoning Official Burnette reported on June 26<sup>th</sup> the Commission approved the acceptance of the award from Colonias. This award is for a Water PER and it will include our entire Municipal Water System which includes our Wells, Booster Station, all of our Distribution lines, the SCADA System and the Cook Street Treatment Plant. Right now our PER only focuses on our downtown water lines and it limits what we can apply for funding, because all of our funding requires some type of a Preliminary Engineering Report. We applied for and received this award and these are the documents that are required for the closing of the Loan to proceed forward with the project.

**Mayor Pro-Tem Clark moved to approve Resolution No. 12 19/20 approving the Loan/Grant Agreement (CIF-4927) and closing documents with the Colonias Infrastructure Board and the New Mexico Finance Authority for Water System Improvements based on their conversation and recommendation by lawyer. Commissioner Szigeti seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**2. Discussion/Action: Resolution No. 13 19/20 to accept the ICIP for FY 2021-2025. City Manager Madrid:**

City Manager Madrid gave an overview of the process. We've had some discussion regarding the ICIP, and we've received input from our Department Heads, from some of our employees, and we also solicited input from the public. This is a draft of what we have come up with to be included in the ICIP. This is a declaration of what we would like to do. It is not ranked in the order it is listed. The top 8 or 9 would be considered our priority, and beyond that the ICIP is for funding agencies to look at. The State of New Mexico Funding Program's require an ICIP. What we have developed here is based upon all of the input we've received and the probability of funding and success. What we would like for the Governing Body to do today is rank the top 5 because they are the ones that really matter.

Grant/Projects Coordinator & Designated Zoning Official Burnette gave an overview of the current list for the Commission to review:

- We received funding for the Water System Improvements and we would like to combine this project with our Roadway Improvements. However, at this time we do not have the Street funds, but we would have partial funding if we call it an all in one project.
- We are in the process of doing an application with USDA for the Cook Street Improvements and the downtown water lines. That does not include street funding. We have to apply for that separately, so the downtown roadway improvements are on the list in hopes that we get the USDA Grant.
- The funding they received at MainStreet for the Main Street Great Blocks Project is for the purpose of the design and not the actual construction of the Foch Street Improvements so we have that listed on there as well.
- We will be looking at a possible relocation of water and sewer lines on the NMDOT I-25 Business Loop or Roundabout Project. We will be looking for funding to assist with those because that will be our responsibility if we have to relocate any of those water or sewer lines in that area.

Following are the top 6 priorities chosen by the Commission:

1. Water Infrastructure Improvements -Downtown/Cook Street
2. Water Distribution Line Replacement - Water Lines and Streets
3. Street Light Replacement
4. City Wide Storm Drain Improvements
5. Foch Street Improvements
6. E. 9th Street Roadway Improvements

**Mayor Pro-Tem Clark moved to approve Resolution No. 13 19/20 to accept the ICIP for FY 2021-2025. Commissioner Szigeti seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**3. Discussion/Action: Resolution No. 14 19/20 amending Rules of Procedure. City Manager Madrid:**

City Manager Madrid started by giving an update on the evening meetings he has had with the public. He explained how he has handled them including sitting at the table so it's informal and so he can spend more time if he wants to with each of them. He feels like the meetings have been working really well and we get a better turn out in the evening than we do at the City Commission Meetings. It's more productive because he finds that people that are willing to take the time to sit with him have a concrete issue that is open to discussion. .

**Commissioner Hechler moved to approve Resolution No. 14 19/20 amending Rules of Procedure. Commissioner Szigeti seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**G. UNFINISHED BUSINESS:**

**1. Discussion: Live/Work in Downtown Buildings. City Manager Madrid/Kathy Clark, Mayor Pro-Tem:**

Item was removed to add it to the next agenda as Discussion/Action.

**H. NEW BUSINESS:**

**1. Discussion/Action: Consider the recommendation of the Airport Advisory Board to re-appoint Gerald LaFont & David Senn. City Manager Madrid:**

City Manager Madrid reported this is a recommendation of re-appointment that was made by the Airport Advisory Board at their last meeting.

**Commissioner Szigeti moved to approve to reappointment of Gerald LaFont & David Senn based on the recommendation of the Airport Advisory Board. Commissioner Baca seconded the motion. Motion carried unanimously.**

**2. Discussion/Action: Consider the recommendation of the Airport Advisory Board to appoint Bill Weddle as a new member. City Manager Madrid:**

City Manager Madrid reported this is a recommendation for the appointment of a new member from the Airport Advisory Board.

**Commissioner Hechler moved to approve to appoint Bill Weddle as a new member based on the recommendation of the Airport Advisory Board. Commissioner Szigeti seconded the motion. Motion carried unanimously.**



**3. Discussion/Action: Approval of Master Mutual Aid Agreement. City Manager Madrid and Fire Chief Tooley:**

City Manager Madrid thanked Fire Chief Tooley for all of his expertise, collaboration, and information he is always willing to provide.

Fire Chief Tooley gave an overview of this Mutual Aid Agreement. A Mutual Aid Agreement is for local Fire Departments to call upon each other for aid during any incident. T or C Fire has requested help in the past from other Fire Departments and we have provided help to them as well. This "Agreement" has been approved by the State Fire Marshal's Office and will be presented to the County Commissioners at their next meeting. All 7 County Fire Departments have confirmed their intention to join this Agreement.

**Commissioner Szigeti moved to approve the Master Mutual Aid Agreement. Mayor Pro-Tem Clark seconded the motion. Motion carried unanimously.**

**4. Discussion/Action: Selection of a Voting Delegate and Alternate for the NMML Annual Conference to be held in Las Cruces, New Mexico from August 28th – 30th, 2019. City Manager Madrid:**

City Manager Madrid reported this item calls for the selection of a Voting Delegate and an Alternate for the NMML Annual Conference that will be held in Las Cruces, New Mexico from August 28th – 30th, 2019. The Municipal League represents all of the Municipalities except for those few who choose not to be members. There are several committees and bodies that meet year round in determining the types of Resolutions to be presented to the Legislature for various things. This creates representation of the City of Truth or Consequences to have a voice in selecting that leadership for the next year. These selections take place during the last week of August at the Municipal League's Annual Conference. This action is to select the voting delegate and alternate, and normally the voting delegate is a Chief Elected Official.

**Mayor Pro-Tem Clark moved to approve City Manager Madrid as the delegate and Mayor Whitehead as the Alternate. Commissioner Hechler seconded the motion. Motion carried unanimously.**

**5. Discussion/Action: Appointment to Sierra County Tourism Advisory Board to replace Commissioner Clark. City Manager Madrid:**

Item was removed from the agenda.

**6. Discussion/Action: Approval of design for City of Truth or Consequences Billboards on Interstate 25. City Manager Madrid:**

City Manager Madrid presented the design of the two Billboards that were received from Joanie Griffin at Griffin & Associates. These designs were reviewed by the Lodgers Tax Board. The board liked the designs but they had a few minor changes. One of the changes is the contrast on the lettering that says SierraCounty.info. They also recommended that the coloring of the letters be re-done to provide a better contrast. They would also like the contrast to be adjusted where it says "Hot Springs, Cool Town." Specifically around the word "Town" and the T in the word "True."

**Commissioner Szigeti moved to approve sending this design back with the recommendation to remove the word "True" from the top line if it's not required by the State, and increase the size of the words "Hot Springs, Cool Town" and to make adjustments to the contrast. Mayor Whitehead seconded the motion. Motion carried by a vote of 4-0-1. Mayor Pro-Tem Clark abstained due to conflict.**

**7. Discussion/Action: Approval of design for City of Truth or Consequences logo. City Manager Madrid:**

City Manager Madrid reported that this was brought forward because we ran out of stickers for our vehicles. This design is similar to our current logo with minimal changes to the design which are the addition of the New Mexico Flag and United States Flag, and the change in font where it says "City of Truth or Consequences." There is also a change in the background color.

The board agreed that the logo design needs to be looked into further and remain the same until a new design is drafted.

**Commissioner Szigeti moved to approve to keep the design as it is, replace the stickers with the current design, and redesign our logo within the next six months. Commissioner Baca seconded the motion. Motion carried unanimously.**

**I. REPORTS:**

**City Manager Madrid reported the following:**

He reported the concerns brought up at the last Town Hall meeting:

- Someone had an issue with their Landlord and he was able to point them in the right direction.
- A couple who just moved into town wanted to volunteer for any type of activities they could get involved in. He referred them to some organizations as well as some various departments within our Municipality.
- A concern was brought up regarding the adoption of the Parks design.
- Someone asked about watering of the Golf Course and how that takes place. He explained to them that they do all of the watering at night.



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- He also had a question regarding the requirements of the budget.

### **He also reported on the following items:**

- He thanked Sanitation Director Alvarez for taking the initiative to redesign the logo.
- He has heard some comments about us not reading the meters anymore. He clarified by saying we are not reading them this month due to some staffing issues and the billings that are going out within that time will be estimated by our system except for the demand meters which need to be read manually. There have been no changes in customer service. If you have any questions, you can still get those resolved.
- On August 23<sup>rd</sup> we will be converting to a new telephone system. It's an upgrade and it will save the city about 40%. In the event of an emergency or landline failure, they can temporarily be routed to our cell phones. The idea is to use the features to get directly to a person. He asked on that day that people be patient with them.

### **City Attorney Reports:**

- None.

### **City Commission Reports:**

#### **Mayor Pro-Tem Clark reported the following:**

- She thanked everyone for putting up with her absence. It means an awful lot to her.

#### **Commissioner Hechler reported the following:**

- White Night II is now at Spaceport America and they have been doing testing for a couple of days and it will be there for two weeks.

#### **Commissioner Szigeti reported the following:**

- He thanked City Manager Madrid for bringing in the new phone system. He has heard some complaints on messages or voicemails not being returned.
- He wanted to address Mr. Smith's Public Comment regarding the paving on Kruger. When they were working on that project the intent was to pave that entire extent of Kruger. He doesn't personally know what happened, but apparently there were not enough funds to complete that project. Since that time, the new projects that have come up were focused on other areas. He would however like to see if we could somehow complete that project.
- To address Mr. Underwood's concern of people speeding, he encourages the public to contact the Police Department if they see someone speeding through town.

#### **Mayor Whitehead reported the following:**

- She announced that the next meeting will be on Tuesday, August 27<sup>th</sup>, 2019 due to the Annual Municipal League Conference.

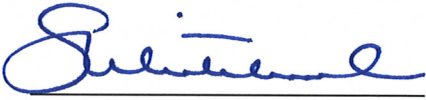
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- She also asked Chief Aragon to remind the officers to look out for dogs in cars.

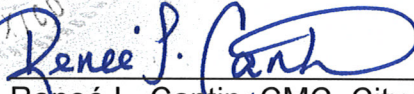
**J. ADJOURNMENT**

**Mayor Whitehead adjourned the meeting at 11:28 a.m.**

**Passed and Approved this 27th day of August, 2019.**

  
Sandra Whitehead, Mayor

ATTEST:

  
Renee L. Cantin, CMC, City Clerk