

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
TUESDAY, OCTOBER 11, 2016

A. CALL TO ORDER

The meeting was called to order by Mayor Steve Green 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
Hon. Sandra Whitehead, Mayor Pro-Tem
Hon. Kathy Clark, Commissioner

Absent: Hon. Rolf Hechler, Commissioner (Excused)
Hon. Joshua Frankel, Commissioner (Excused)

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

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.

3. PLEDGE OF ALLEGIANCE

Mayor Green called for Mayor Pro-Tem Whitehead to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Mayor Green asked the Presentations are moved to before Public Comments.

Mayor Pro-Tem Whitehead moved to approve the amended agenda with moving Presentations Item E before Public Comment Item C. Commissioner Clark seconded the motion. Motion carried unanimously.

E. PRESENTATIONS

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1. Presentation of Certificates to the Solid Waste Department for receiving the Most Innovative Solid Waste Project of the Year. Steve Green, Mayor

Mayor Green announced this is always the fun part of a meeting to be able to honor and recognize people who have gone above and beyond. But not only to be recognized locally but statewide and nationally. The background on this is very simple. The New Mexico Solid Waste Association of North America Roadrunner Chapter has awarded our Solid Waste Department the Most Innovative Solid Waste Program of the year.

City Manager Fuentes made some comments on how proud the city is of all of them and presented the certificate to Sanitation Director Alvarez for his Leadership, Dedication, and Hard Work. Mayor Green and Mayor Pro-Tem Whitehead presented certificates to the employees in appreciation of their dedication and hard work.

Commissioner Clark stated this is reciprocated by the incredible teamwork, she thanked them. She also added we forget to say as an observation that we had some emergencies during the weekend. She added the Police Dept, Water & Wastewater, Electric Department, and the Parks Department were all on overtime this weekend. She thanked them too.

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

Mayor Green 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.

Klaus Wittern addressed the Commission related to:

- 1) Just had one question. In light of the few Commission Members in attendance, what will constitute a vote 2-1 or 3-0? He feels it's his opinion, it is 3-0.

Ron Fenn addressed the Commission related to:

- 1) Since we are giving awards today, he wants to give Mr. Green the smoking mirror award of the year. For the intent at diverting the violations as presented from the Office of the State Auditor. The difference in the numbers is totally meaningless. The one number that was never mentioned is the \$25,000 which is the trigger point where you were obligated to follow state law. Which includes Public Hearings, written appraisals from outside, and an explanation of why you give things away at lower than marketing value. These are all violations and he knew about them. So he gets the Smoking Mirror Award.

- 2) In terms of the Solid Waste Award. He can't understand which innovation the state would have recognized. Was it the sighting of our Trash Plant on our Well Field; the transport of our trash an extra 30 miles each way; building our residents with the threat of shutting off their electricity or water, if they didn't pay their trash bill; the annual price increase that no other trash facility gets awarded; or the lack of standards and accountability; the poor record keeping that makes it impossible to find out what's really

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going on in that department. He can't understand what to ask the state, this Roadrunner Division what it is that they awarded this for. This award is a joke.

Audon Trujillo addressed the Commission related to:

1) Letter received from the Office of the State Auditor on the violations of 3-54-1 was one week before the last meeting. At that same meeting, the city voted to extend the lease, which is an extension of the violation. He doesn't understand it, it just does not make sense to him. This response has hopefully been sent back and includes an apology by the city and some sort of recognition by the city and showing you will take some steps so this will never happen again. It's an easy thing to do, and he hopes you will be able to do that. He will be asking about it in an IPRA. You don't need your lawyers to get yourself out of stuff like this and a way to circumvent laws. You just need to read. He provided the Commission the specific language of 3-54-1. It's not subject to misinterpretation. The lease was extended and he's puzzled. Juan did not ask for the lease extension, he asked for more time to maintain the building as a Spaceport Visitor's Center. But you all approved extending the lease without having a formal request by Follow the Sun Tours to extend the lease. Or did you have it and there was no modification done to that lease like the time before when it was done. So what really happened? It's just puzzling, he doesn't understand that. Again, you don't need lawyers to dig yourself out of this, you just have to figure out what you're doing. Apparently for 21 years you wasted your money having a lawyer in here to help the City Commission here, because we no longer have that. He doesn't understand that either, what's the thinking on this? It saddens him and it's a kick in the face of the New Mexico State Auditor's Office to have a violation extended. It just doesn't make sense.

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

1) Trick or Treat Downtown on Halloween Night Monday, October 31st from 5-7 p.m. they are doing something different this year and not going to shut down Broadway. They are trying to move people and those who are willing to hand out candy to the Healing Waters Plaza and it will include carnival games, costume contest, carved and painted pumpkin contests, those who don't have trick or treaters in their neighborhood can come and pass out candy via Trunk or Treat. They are excited about the changes they have made.

2) Haunted House at the Boys & Girls Club on Friday, Saturday and Monday. They are having an event as well for Halloween

3) November 4th will be the Scoop the Loop and Sock Hop and Veterans Day Car Show on November 5th. They are hoping to get those coming for the Car Show to come a day early for the Scoop the Loop and Sock Hop, stay overnight, and check out our shops. Those are things coming up before the next meeting.

Randall Lawson, 701 Poplar addressed the Commission related to:

1) He has been out of town and he understands at the last meeting a gentleman came up and was bashing the Friends of the Pool and comments at the last meeting that were made. He cannot for the life of him understand why he has such a grudge against them. He thinks anybody that knows them, and what they stand for and everybody is

passionate about our Pool and our City. He doesn't want to get into a shouting match with Mr. Lacy. They are a part of the Bountiful Alliance so they have rules they have to follow. They are here for the City and for the Pool. He takes exception to someone who bashes them for some sort of grudge. He left a statement of things they have accomplished and have done. He asked them to please read this. As far as Mr. Lacy, he was an arrogant lunatic and he thinks it speaks highly of his intelligence and character.

Rebecca Dow addressed the Commission related to:

1) Remind the Commission and those listening that today is the start of Absentee & Early voting. She is here to encourage everybody to vote.

D. RESPONSE TO PUBLIC COMMENTS

Commissioner Clark responded to Mr. & Mrs. Lawson about the pool. She was here at that meeting and there was a comment that was directed towards the Commission and then there was a comment made about the Friends of the Pool. She expressed her gratitude to the Friends of the Pool for the amazing amount of work they have put in. She finds it that volunteers don't get enough thanks from the Commission and she is personally very grateful for the work they do.

Mayor Green would also like to be associated with Commissioner Clark's remarks.

F. CONSENT CALENDAR

1. City Commission Regular Minutes, September 27, 2016
2. Airport Advisory Board Minutes, April 6, 2016 and August 2, 2016
3. Accounts Payable for September 2016
4. Out of State Travel for Judge Sanders for the National Judges Association Annual Fall Meeting in Las Vegas, NV.

Mayor Pro-Tem Whitehead moved to approve the City Commission Regular Minutes, September 27, 2016, Airport Advisory Board Minutes, April 6, 2016 and August 2, 2016, Accounts Payable for September 2016, and Out of State Travel for Judge Sanders for the National Judges Association Annual Fall Meeting in Las Vegas, NV. Commissioner Clark seconded the motion. Motion carried unanimously.

G. NEW BUSINESS

1. Discussion/Action: Approval of Professional Services Agreement between the City of Truth or Consequences and Delta Airport Consultants. Juan Fuentes, City Manager

City Manager Fuentes said in your packet you have the agreement between the City and Delta Airport Consultants. This is for the Airport Fuel Farm. Delta will provide construction and project information services for the work to include Schedule 1 of the Bid Package and also for Schedule 2 Alternative 1 of the Bid Package. The FAA has

committed the funding, as well as, the state. The local match has been identified for this project. There is an outstanding grant they applied for to replace a Jet A Tank as well to be funded by the state and the city. At this time we request this agreement to be approved between the City and Delta Airport Consultants.

Mayor Green asked where the funds were found. City Manager Fuentes responded the matching funds for this Phase have already been budgeted for. The matching funds for Jet A Tank is a combination of funds we have from a prior year construction, and a cash balance for the end of the year, and we will be requesting more funds from the General Fund.

Mayor Green read some information from Commissioner Hechler with his suggestions. He stated, "He can bring this up at a future meeting, but as we get closer to the construction stage of the new fuel tanks, we should invite a member of the Airport Advisory Board to the construction bid opening and initial walkthrough. We should also have a member of the Airport Advisory Board present during the final inspection and any mile-stones regarding projects at the Airport. We need to reach out to the Airport Advisory Board so they can provide us with their valuable input and so they can be part of the overall process."

Mayor Green agreed with his comments and would like to add that the Airport has never turned a profit or even broken even. And he can live with that very easily. If we use that Airport as a doorway to Truth or Consequences or Sierra County, he was talking to Steve Spaw and a lot of Hunters are flying in their Jets, and that's where we make our money (in jet fuel). A little Piper Cub doesn't burn a lot of gas. They're coming in and they're hunting in the county and they are using County facilities and out packers who are guides. Even though this is the Truth or Consequences Airport, it impacts the entire County, including Elephant Butte and Williamsburg. He doesn't think it's necessarily fair that 100% of the cost of the operation of the Airport should fall under the expense of the Truth or Consequences citizens. He thinks we might want to consider having a workshop with our neighbors and the County to break the chain of business as normal. He would also like to give the Airport some of the Lodger's Tax so they can produce some events. So we can market our community. He was told a company came in and they didn't buy a drop of gas because they carry their own special gas for the special engines in these very small planes. But guess what, two car loads went into town and went to museums, spas, and restaurants. So it was still a revenue generator. He appreciates City Manager Juan Fuentes for jumping on this and finding a way so we can be compliant and so we don't have to be red tagged because our Fuel Tanks can't pass the safety measure. He is pleased we are finding the money for this asset. Let's do it and make that asset work for us and the Community at large.

Mayor Pro-Tem Whitehead moved to approve the Professional Services Agreement between the City of Truth or Consequences and Delta Airport Consultants. Commissioner Clark seconded the motion. Motion carried unanimously.

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2. Discussion/Action: Approval to combine the November meetings and December meetings to hold one meeting each month due to the Holidays.
Renee Cantin, City Clerk

City Clerk Cantin presented the item. Last year the two meetings for December were combined and one meeting was held. For November, we are looking at combining both meetings and hold one meeting on November 15th. And if that doesn't work we can decide another date or a different time. We are also requesting to cancel the second meeting in December and only hold the December 13th meeting. She added if any important issues arise, we can call a Special Meeting if it's needed. She also attached in there packet the Open Meetings Act Resolution that allow the Commission to make this change. One of the reasons they decided to do this early this year is because she already has one publication for November so if we decide to change the meeting, now is the best time to get the publication in on time.

Commissioner Clark said this is her third year on the Commission and they've done the same thing. She appreciates City Clerk Cantin's thought to go in between the two weeks.

Mayor Green has the Festival of the Crane's on November 15th from 9:00 a.m. – 2:00 p.m., so if it is the will of the Commission to still have it at 9:00 a.m., then you would be in great hands with Mayor Pro-Tem Whitehead who knows how to wield a gavel. Or if you want to entertain having the meeting at 6:00 p.m. at night, then he could be available for that.

City Clerk Cantin added she did speak to Commissioner Frankel and Commissioner Hechler and neither of them had a conflict with those dates.

Mayor Pro-Tem Whitehead suggested that we go ahead and change the meeting to be held at 6:00 p.m. so Mayor Green can attend. City Clerk Cantin added we will have to republish the meeting anyway so the time change is no problem at all.

Commissioner Clark commented that Mayor Pro-Tem Whitehead definitely runs a great meeting and the rest of them miss a meeting once in a while, so she doesn't see why it would be impossible for him to miss one. So she is game for either the 9:00 a.m. or 6:00 p.m. But we would have to check with both of the missing Commissioner's today. Mayor Pro-Tem Whitehead said either one is good for her also.

Commissioner Clark moved to approve the request hold one meeting on November 15th with the time depending on Commissioner Hechler and Commissioner Frankel's availability for 6:00 p.m. and to cancel the December 27th Regular Meeting and only hold the December 13th Meeting at 9:00 a.m.. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

3. Discussion/Action: Workshop with County to determine if our Rodeo Arena can be used as an instrument for Economic Development. Steve Green, Mayor

Mayor Green presented the item. He brought this as discussion to the Commission a couple of times. It's not about a one person effort, it's a team effort. This was brought up about a year and a half ago by Commissioner Richter where he mentioned the Punk Greer Arena was being underutilized; under maintained; not used as an Economic Driver; and we did have more rodeos in the past than we do now. He suggested we pay some attention to that arena and we started to do that where we had some clean ups. County Commissioner Luna and the Gymkhana group was out there painting and pulling weeds, etc. Mayor Green was invited to the Rodeo by County Commissioner Luna who introduced him to E.D. Edwards who works for the Armendariz Ranch and he also produces rodeos. He showed him what the potential is for rodeos. Frances said we should have a workshop to see if we have interest and what it would take financially to make us a player in the rodeo circuit. He would like to ask the Commission to allow him to work with the County Commission in order to hold a workshop to explore the possibilities to upgrade the Punk Greer Arena. We would need to see what we need and what it would cost to partner with the County and move forward. He also feels Commissioner Richter should be invited to the workshop to have his input.

Mayor Pro-Tem Whitehead thanked Mayor Green for keeping this ball rolling.

Commissioner Clark moved to approve having the Mayor reach out to the County to holding a Workshop with County to determine if our Rodeo Arena can be used as an instrument for Economic Development. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

H. REPORTS

a. City Manager

City Manager Fuentes notified them in regards to the Special Legislative Session, none of the projects for the city were on the list of capital outlay money that is being recalled. There was only one project in Sierra County for the City of Elephant Butte that was on the list. However, that doesn't mean we are completely safe going into the Regular Session.

In January, we are just at the edge of getting started with the Animal Shelter Project and Traci will be reaching out to the State officials to make sure we can move forward with that project. That is the only project where we have a couple of appropriations that are a year or two old. But we will be reaching out to them to be able to move forward with that. All of our other grants, either USDA, Colonias money, we should be good. However, there is going to be limited funding out there for Capital Improvement Projects. Later this month, there will be an infrastructure conference in Ruidoso where Traci and Melissa and some of our other staff will be attending. This will help us get a sense of what pot of money will be out there going into the Regular Session.

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Mayor Green asked that City Manager Fuentes present a list of our ICIP Projects to our Legislators. So once the election happens we will have a new Representative, who will be representing our community in Santa Fe. He would like them to be familiar with our challenges in Santa Fe and also Senator John Arthur Smith.

b. City Commission

Commissioner Clark once again appreciated the employees who sit through these meetings. She also recognized Sherry Fletcher our County Commissioner and Cookie Johnson, a former Mayor. She thanked them for being here.

Mayor Green announced the film crew that was in town. They are eating, and sleeping, and buying stuff from our hardware stores. And they are buying gas for those big trucks that they keep running 24/7 even though they aren't moving. He asked everyone to thank them when you are out on the street for coming to our community. This is great business for us. We don't have to spend anything. They come, spend their money, have a great time, and if we show them that we appreciate their business and all the assets that we have in this county, we will attract more film crews here. We had a presentation at the last meeting on the new County Film Website. He wanted to remind everyone we have 1,000 dogs coming into our community this weekend at the Fairgrounds. Thursday through Sunday, the American Kennel Club is involved in this. These people take this very seriously. And if you go out to the Fairgrounds, and you see someone wearing a button or a pin, thank them. To the best of his knowledge, this is the first time this has happened in Sierra County and we want to be on their schedule every single year. A lot of things are happening, there are exciting times for our community. And as Commissioner Clark pointed out before, you can never thank people enough. And we should go out of our way to let them know we appreciate them and that we are aware they are here. Because they can go into other towns and spend their dollars.

I. ADJOURNMENT

Mayor Pro-Tem Whitehead moved to adjourn at 9:52 a.m. Commissioner Clark seconded the motion. Motion carried unanimously.

Passed and Approved this 25th day of October, 2016.


Steven Green, Mayor

ATTEST:


Renee L. Caplin, CMC, City Clerk

