

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
REGULAR MEETING
MARCH 23, 2009

The Council of the City of Ruidoso Downs met in regular session on March 23, 2009. Mayor Armstrong called the meeting to order at 5:30 p.m. and asked Jay Smith to lead the Pledge of Allegiance. Mayor Armstrong asked Carol Virden, City Clerk/Treasurer to take roll call. The following were present:

Councilor Hood
Councilor Holman

Councilor Williams
Councilor Olivo

Carol Virden, City Clerk/Treasurer informed Mayor Armstrong there was a quorum.

Also present:

Carol Virden, City Clerk/Treasurer
Steve Dunigan, Planning & Zoning Director
Jay Smith, Museum Director
Terri Mosley, Finance Director
Alfred Ortiz, DPS Director
Cleatus Richards, Public Works Director
W.T. Martin Jr., City Attorney
Jim Kofakis, Museum

APPROVAL OF AGENDA

Mayor Armstrong stated next item on the agenda was approval of the agenda. He said there were two items to be pulled from the agenda.

Mayor Armstrong entertained a motion to approve the agenda with the removal of Item 11A- Employee of the 1st Quarter, January 2009 through March 2009 and also removing Item 14. Executive Session.

Councilor Williams moved to approve the agenda with the deletion of Item #11A and Item 14. Seconded by Councilor Hood.

Roll call votes: Councilor Hood, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Olivo, Aye. Motion carried.

APPROVAL OF CONSENT AGENDA

Mayor Armstrong stated next item on the agenda was approval of the Consent Agenda.

Councilor Olivo moved to approve consent agenda. Seconded by Councilor Williams.

APPROVAL OF MINUTES OF REGULAR MEETING OF MARCH 9, 2009.

Motion was made by Councilor Olivo and seconded by Councilor Williams to approve the Minutes of the Regular Meeting of March 9, 2009 of the City of Ruidoso Downs.

Roll call votes: Councilor Hood, Aye; Councilor Williams, Aye; Councilor Holman, Aye; Councilor Olivo, Aye. Motion carried.

APPROVAL OF ACCOUNTS PAYABLES

Motion was made by Councilor Olivo and seconded by Councilor Williams to approve Accounts Payables.

Roll call votes: Councilor Hood, Aye; Councilor Williams, Aye; Councilor Holman, Aye, Councilor Olivo, Aye. Motion carried.

APPROVAL OF MONTHLY REPORTS

Motion was made by Councilor Olivo and seconded by Councilor Williams to approve Monthly Reports.

Roll call votes: Councilor Hood, Aye; Councilor Williams, Aye; Councilor Holman, Aye, Councilor Olivo, Aye. Motion carried.

COMMITTEE REPORTS

Councilor Williams said the Beautification Committee, Keep Ruidoso Downs Beautiful is working on the annual request of \$6,000, a grant from New Mexico Clean & Beautiful for projects throughout the City that they are trying to initiate. He said they just forwarded the application last week but they did receive \$6,000 from the grant last year. The big occasion they are looking at is the Great American Cleanup on Saturday, April 25th. He said he would like to encourage all participants in the city, the village, the county, whatever and also the council to participate in this event. This is the big one of the year. There is another one in the fall that is similar but this is the one that they really put a lot of effort into. What they are doing this year too to coincide with Arbor Day, which is the day before; they are ordering tree saplings to give to each of the volunteers that come in that day to encourage them to plant in their yard or neighbors yard. They are hopeful that it will encourage people to come out and participate and also the friendship and camaraderie that they like to spread around when they have those types of events. As they may have noticed outside around the exterior of the City Hall area they are starting the improvements portion and would like to thank Cleatus Richards and his staff for beginning the process of cleaning it up and beginning the regeneration of the outside area that they really feel comfortable about and the image they want to project of the City and it's a very positive image that is being addressed. He told them to notice the outside by the parking area and already have rocks sitting out there and will planting the Desert Poppy and some other flowers in the area that has been tilled up in the front. They look for a lot of changes within the City Hall area that the community is working on along with

the staff of Parks & Rec to work on Heights and All American Park including trees. Councilor Williams said a lot of things are happening here before the committee and he wanted to let people know in the City that if they have any disposable trash, your yard needs to be cleaned up or if you have something that needs to be hauled away to feel free to call City Hall and they would buzz him and he would be out there to do the job. He said he himself last month picked up 30 tires from residents and disposed of them. He said he wants citizens to know if they can't do it themselves that we are out there to help them and encourages them to do that and would definitely take care of them. He said other than that he would like to thank the Public Works people and Leonard Sanchez in Parks & Rec who is doing a great job of rehabbing some of the area at All American Park. They have really done a great job at the playground area and the ball fields. He said if you see a lot of changes happening it took a while to get there but they are really happy with it in the committee and Parks & Rec and Public Works are really working together. He said the cleanup would begin at 8:00 a.m. until noon and they will supply some munchies and refreshments that will energize them as they cruise down the streets of the City.

There was no one to speak for the Economic Development Board but the mayor said the report was in their packets.

Cleatus Richards, Public Works Director spoke for the Parks & Rec Committee. He said right now they are working on the ball fields and have brought in some red dirt and are working the infields and bringing in some gravel around the backstop. He said they will be using the water cannon tomorrow and the winds were supposed to die down some.

Mayor Armstrong said on this baseball thing we have just completed the backstop and we had some wiring and stuff that was going bad. He said they have the water line in for the water cannon and that will be a new item for Parks & Rec that they would be seeing happening.

Cleatus Richards, Public Works Director said the water cannon can be moved to all areas of the park and they could tie in to the hydrant over by the skateboard area to water that area. It has much greater flexibility and they have removed the irrigation heads out the ball field which he said was more of a hazard than a help and the water cannon would give them a much more efficient watering system.

Mayor Armstrong said he wanted to thank the crews for working and getting things done and that there had been several training things but they had heard his wishes. Cleatus Richards he had some streets and park and water people all day today.

Steve Dunigan, Planning & Zoning Director said he didn't have anything to report and that the Planning & Zoning Commission continues to hold their committee meetings once

a month and there were no changes since the last report. They invite anybody interested to come to the meeting on the first Tuesday of the month at 5:30 here.

UNFINISHED BUSINESS

Mayor Armstrong stated next item on the agenda was to Unfinished Business.

There was no Unfinished Business to be discussed.

OTHER BUSINESS (items are for discussion only-no action will be taken)

Mayor Armstrong stated next item on the agenda was Other Business and no action would be taken.

Cleatus Richards, Public Works Director said they met with Thomas Roybal of NCRS. He is starting the process for the river cleanup within our corporate limits. He said he is looking for contractors and he's meeting with the property owners. He said he has granted him access to use our Riverside Park area to access that side of the river. He pretty much has the access issues worked out and he definitely needs contractors to work with him and Cleatus said he has a contact number for him and his number was 575-354-2220. He said he also has a fax and email for him. He said hopefully this will get done soon because he has a fairly tight time frame.

NEW BUSINESS

Mayor Armstrong stated next item on the agenda was Consider Approving Revisions to Resolution No. 2009-04 Fire Restrictions.

Chief Ortiz, DPS Director said the resolution that was passed on March 9th had a couple of grammatical errors in it and Councilor Williams asked that a couple of changes be made to the wording. The resolution stands as it was passed on March 9th. The changes would be in the very first paragraph where they added the word "fire" danger. On the second paragraph they added Section V the "Dee Johnson Clean Indoor Air Act" so that anyone reading it would be able to refer to that section readily and get the jest out of the wording out of that. Third in paragraph three they added the word "shall" and on the first resolution the word was "must." Those were the only changes to the resolution that was approved on March 9th.

Mayor Armstrong entertained a motion to approve revisions to Resolution No. 2009-04 Fire Restrictions.

Councilor Hood moved to approve revisions to Resolution No. 2009-04 Fire Restrictions. Seconded by Councilor Williams.

Roll call votes: Councilor Hood, Aye; Councilor Williams, Aye; Councilor Holman, Aye, Councilor Olivo, Aye. Motion carried.

Mayor Armstrong stated next item on the agenda was Consider Approving the Leroy Neiman Exhibition Agreement Between the City of Ruidoso Downs and the Hubbard Museum of the American West Foundation.

Jay Smith, Museum Director said this is a Memorandum of Agreement between the City of Ruidoso Downs and the Hubbard Museum of the American West Foundation that specifies the responsibilities between the two to present the Leroy Neiman Exhibition scheduled for May 22nd and the conversations they've had in the past about how this responsibility should be handled. He said he has reviewed this draft and had Carol and of course Tom Martin review it. There were a couple of minor editing changes that were made that were reflected in the handout that they received just prior to the meeting, not of which changes the substance of this agreement in any way.

Mayor Armstrong entertained a motion to approve the Leroy Neiman Exhibition Agreement between the City of Ruidoso Downs and the Hubbard Museum of the American West Foundation.

Councilor Williams moved to approve the Leroy Neiman Exhibition Agreement between the City of Ruidoso Downs and the Hubbard Museum of the American West Foundation. Seconded by Councilor Hood.

Roll call votes: Councilor Hood, Aye; Councilor Williams, Aye; Councilor Holman, Aye, Councilor Olivo, Aye. Motion carried.

Mayor Armstrong stated next item on the agenda was Consider Approving Expenditure for Previous Fiscal Year-Invoiced in 2008-2009 Smithsonian Annual Fees \$2,500.00.

Jay Smith, Museum Director said just before he went in for knee surgery he received this statement from the Smithsonian and as they could see from the statement they did have some information from the past still in place and that would lead him to believe that there was an administrative error that may have been made in the past. Basically what this was is that they failed to bill us because this was something that he and Terri had discussed in the past as an annual fee for being an affiliate of the Smithsonian Institution. He said it is the annual dues basically for that status. They will be receiving another bill in May and was just made aware of this one on March 4th and passed it immediately along to Terri. He said that is how it got here and the reason it is on the agenda is that it is for a prior year and has to come to council for approval otherwise it would have been just a standard billing situation that would have appeared on their docket.

Councilor Holman asked Jay Smith what the annual bill is for a year? Jay Smith said \$2,500.00 and anything else that occurs as a result of programming or anything else, that would go under another line item in the budget but there are no other fees for being an affiliate of the program.

Mayor Armstrong entertained a motion to approve the expenditure for previous fiscal year invoiced in 2008-2009 for Smithsonian annual fees of \$2,500.00.

Councilor Hood moved to approve the expenditure for previous fiscal year invoiced in 2008-2009 for Smithsonian annual fees of \$2,500.00. Seconded by Councilor Williams.

Roll call votes: Councilor Hood, Aye; Councilor Williams, Aye; Councilor Holman, Aye, Councilor Olivo, Aye. Motion carried.

PUBLIC INPUT (All concerns to be addressed only to the Governing Body as a whole with a 3-minute time limit)

Jim Burrow said in the agenda was the Economic Development Workshop and that was for March 25th and has been changed now to April 2nd. Carol Virden, City Clerk/Treasurer said that was correct. Jim Burrow said he would like to see all of the council people there, including the mayor. He said it's a real good development and a real good workshop. He said he wished he could be there but has other obligations on that day.

ADJOURNMENT

There being no further business to attend to Mayor Armstrong entertained a motion to adjourn.

Councilor Hood moved to adjourn at 5:58 p.m. Seconded by Councilor Williams.

All were in favor and motion passed.

Tom E. Armstrong, Mayor

ATTEST:

Carol Virden, City Clerk/Treasurer