CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:00 P.M., COMMISSION CHAMBERS
FEBRUARY 11, 2014

ROBERT RENTSCHLER, MAYOR
NADIA SIKES, COMMISSIONER
JOSH RARDIN, COMMISSIONER
AL HERNANDEZ, COMMISSIONER
JIM TALBERT, COMMISSIONER
JASON BALDWIN, MAYOR PRO-TEM
SUSIE GALEA, COMMISSIONER
JIM STAHLE, CITY MANAGER
STEPHEN THIES, CITY ATTORNEY
RENEE CANTIN, CITY CLERK

CALL TO ORDER, ROLL CALL, INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Rentschler called the meeting to order at 7:00 p.m. Roll Call was taken by the City Clerk. Clerk Cantin announced there was a quorum present. Invocation was given by Rev. Dwight Harp and the Pledge of Allegiance was led by Commissioner Galea.

APPROVAL OF AGENDA

Mayor Rentschler noted Addendum item Limited Personnel Matters (City Manager Performance Evaluation) was to be added to the Executive Session of the agenda.

Commissioner Rardin moved to approve adding an Executive Session for Sale, Acquisition, or Disposal of Real Property (a tract of land in the NW ¼ of the SW ¼ of Section 5, T16S, R10E, N.M.P.M.) to the agenda. Commissioner Talbert seconded the motion. Motion carried with a vote of 7-0-0.

Commissioner Galea moved to approve adding the Addendum items to the Executive Session of the agenda. Mayor Pro-Tem Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

Mayor Pro-Tem Baldwin moved to approve the agenda as amended. Commissioner Rardin seconded the motion. Motion carried with a vote of 7-0-0.

PRESENTATIONS

1. **Presentation on the proposed Otero County Juvenile Justice Board.** *(District Judge Angie Schneider, Division IV)* *Withdrawn by presenter.*

PUBLIC COMMENT

A. **Eugene Downer commented on the following:**
   1) Mr. Downer talked about dead trees. He felt the water tower was a no-brainer and neededto be painted. He stated he was strongly in favor of maintaining City property and thought it was in the best interests to take care of it now before it destabilized and needed to be removed. If the City decides not to take care of it and it has to be taken down, he felt there would be a lot of angry voters.
   2) He mentioned he had talked about dead and dying trees at the last Commission meeting, and he noted which districts had them: Commissioner Sikes, Mayor Pro-Tem Baldwin, Commissioner Rardin and Commissioner Hernandez. No one had sent him any feedback or comments so he went back and checked on the trees he mentioned. Some in Commissioner Hernandez's district were removed. None were removed in the other districts and he mentioned five additional dead and dying trees in Commissioner Sikes district. They were in the 3100 block of N. Florida in the La Placita lot. Mr. Downer said he had done an inventory of all the dead trees on city-owned property in 1998; there were about 35. He had taken it to a Keep America Beautiful meeting and suggested they be cut and nothing happened. He then

took it to former commissioner Ed Cole and Mr. Cole took care of having them all removed within a few weeks. Mr. Downer would like the current commissioners, in the spirit of Ed Cole, to take this matter and create some action. There are 32 acres that contain the Zoo and Alameda Park and the trees will continue to die if not replaced by drought tolerant and effluent water tolerant species. He would not like to live in a city without trees.

CONSENT AGENDA (Roll Call Vote Required for items No. 4, 5, & 6)

2. **Approve Minutes of the January 28, 2014 Regular Meeting of the Alamogordo City Commission.** *(Renee Cantin, City Clerk)*

3. **Approve statement related to the Executive Session of January 28, 2014.** *(Renee Cantin, City Clerk)*

4. **Approve Resolution No. 2014-05 requesting written approval from the Local Government Division of the Department of Finance & Administration, State of New Mexico for the revised budget figures computed as of January 28, 2014. [Roll call vote required]** *(Kathy Gilsdorf, Budget Analyst)*

5. **Approve Resolution 2014-07 approving the DFA Quarterly Report for the period ending December 31, 2013. [Roll call vote required]** *(Matt McNeile, Assistant City Manager)*

7. **Approve the Investment Report for the quarter ending December 31, 2013.** *(Matt McNeile, Assistant City Manager)*

8. **Approve the purchase of a 4,406 square foot construction easement at 261 Panorama Boulevard.** *(Stephen Thies, City Attorney)*

9. **Approve the purchase of a 2.61 acre parcel (Parcel 01-15803) between Pecan Drive and Fairgrounds Road.** *(Stephen Thies, City Attorney)*

Item # 6 was removed from the consent calendar by City Clerk Cantin.

Commissioner Talbert moved to approve items # 2, 3, 4, 5, 7, 8, & 9 of the consent calendar. Commissioner Rardin seconded the motion. Roll call was taken for items #4 & 5. Motion carried with a vote of 7-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

6. **Approve Resolution No. 2014-08 designating the City Clerk as the Custodian of Records and including the method of destruction as incineration. [Roll call vote required]** *(Renee Cantin, City Clerk)*

City Clerk Cantin reported she had removed this item because she had a couple of inquiries from Commissioners, so she wanted to explain this correctly. She said she had already been designated as the Custodian of Records for the City of Alamogordo as is done by most municipalities. For 16.5 years we have been destroying records by incineration because we have one of two state approved incinerators used by our Police Department and PD's from all over the state for evidence and such. We had scheduled six burns this year – one per week with ashes to be cleaned out on the following Monday; we have almost 300 cubic feet of records from 2013 to still destroy. Our list of archives to be destroyed was approved by our attorney and sent to the State Records Center & Archives (SRCA) for approval. They have told us we have one of the most organized lists in the state. SRCA approved our list and gave us permission to destroy, but the form they sent for certification had a list of varying methods of destruction set forth in the state statute and incineration was not listed. SRCA asked if we had a resolution on file and we found our resolution did not designate incineration. SRCA does not

question that incineration the way we do it is sufficient to destroy records. City Clerk Cantin felt they initially thought we take the records out into the county in a big pile and burn them, but after they found out we use the incinerator they did not have a problem with it. Basically, this resolution is officially naming the City Clerk as the Custodian of Records and including our method of destruction as incineration. She had not compiled cost estimates of each type of destruction but remarked the costs to use other methods would be quite a bit more than incineration. Currently, we call the Water Shop and Parks Employees to come help us move boxes; all in-house, so the only cost is the fuel to start the incinerator. City Clerk Cantin asked the Commission to approve this resolution so she could officially turn it in to the State.

Commissioner Galea moved to approve Resolution No. 2014-08 designating the City Clerk as the Custodian of Records and including the method of destruction as incineration. Mayor Pro-Tem Baldwin seconded the motion. Roll call vote required. Motion carried with a vote of 7-0-0.

PUBLIC COMMENT

None

PUBLIC HEARINGS

10. Public Hearing concerning improvements to the Tenth St. Water Tower.

Josette Herrell introduced herself as President of the Tularosa Basin Historical Society and said the 10th Street Water Tower has been there forever and was an icon of Alamogordo. She recommended we keep it black or even the rusty color it is now; not paint colors or paint designs. The railroad owns the property and the City leases it. The Tower needs to stand for our community and she would appreciate it remaining as is, painted with a dark color.

Sharon Hodges spoke saying she hoped the Commission would consider the improvements on the Water Tower. She and her family considered the Tower as the heart of the City because it stands for everything Alamogordo was built on, a railroad town. She concurred with Ms. Herrell and thought it should be painted black and maybe have our name on it. She hoped it would be kept as close to the original structure as possible. Years ago, this community was asleep when the City Commission let our train station go, and that's a regret many of us have. We don't want to see the Water Tower deteriorate and fall down, because it is the essence of what this community was built on. If we forget that, how will we go forth in our community. You can't let go of the past, you must embrace it because it stands for everything Alamogordo was founded on and is why we all came here and is what we believe. It is the heart of our city and we want it to remain something we are proud of.

Commissioner Galea said we had discussed this as recoating the reservoir if the community wanted it done this year. If it could wait, we would do it in FY2016 when the other reservoirs are recoated. She was in favor of waiting to paint it black along with the other reservoirs until FY2016 because of budgetary reasons.

Mayor Rentschler agreed and said that would be the direction to Staff to include it in the budget for next year, 2016. He asked the Public Works director if this was when the other reservoirs were scheduled to be painted. Public Works Director Cesar told him they would do the assessment of the active reservoirs in the upcoming fiscal year, so it would be for the following budget cycle that they would bring their recommendations of which reservoirs should be recoated; two fiscal years.

Mayor Rentschler said that was good and remarked that Public Works Director Cesar had his marching orders.

NEW BUSINESS

11. Consider, and act upon, a request to fill the Lifeguard position, to be assigned to the Recreation Center/Community Services Department. *(Matt McNeile, Assistant City Manager)*

Mayor Rentschler asked if this was something we enacted at the last Commission meeting. Assistant City Manager McNeile told him yes, this was a part-time position. This individual left the position and so he was asking to have it refilled; it is budgeted at about 16 hours per week.

Mayor Rentschler said they would discuss Item #12 before voting.

Assistant City Manager McNeile said Item 12 is another part-time position of about four hours per day and entails food preparation, completion of lunch serving and the cleaning and sanitizing of the kitchen for the next morning. The individual that has been in this position left for other employment.

Mayor Pro-Tem Baldwin moved to approve Item 11 - Consider, and act upon, a request to fill the Lifeguard position, to be assigned to the Recreation Center/Community Services Department, and Item 12 - Consider, and act upon a request to fill the Senior Center Kitchen Custodian position, to be assigned to the Alamo Senior Center/Community Services Department. Commissioner Galea seconded the motion.

Commissioner Galea discussed the lifeguard position. She said they had approved a lifeguard position at the last Commission meeting, and thought there seemed to be about a 10% turn-around in the positions brought to the Commission for approval. She wondered if we could look at a cost benefit analysis of providing a higher wage possibly built into the next fiscal years budget. She thought it might off-set the employee turn-around rate.

Assistant City Manager McNeile agreed and said Staff was working on that. They would be bringing all the part-time seasonal positions to the next Commission meeting and would also bring a proposal to implement that this year. City Manager Stahle agreed.

Motion carried with a vote of 7-0-0.

12. Consider, and act upon a request to fill the Senior Center Kitchen Custodian position, to be assigned to the Alamo Senior Center/Community Services Department. *(Matt McNeile, Assistant City Manager)*

Voted on above.

13. Consider, and act upon, a request to fill the Airport Manager position, to be assigned to the Community Services Department. *(Matt McNeile, Assistant City Manager)*

Assistant City Manager McNeile said Airport Manager Prewitt had resigned his position so we would like your authorization to fill this very important position. He wanted to begin advertising, recruiting and interviewing as soon as possible.

Commissioner Rardin moved to approve a request to fill the Airport Manager position, to be assigned to the Community Services Department. Commissioner Galea seconded the motion.

Commissioner Rardin asked if we could go back to the previous candidates from last time since we filled this position only three months ago. Assistant City Manager McNeile responded the interviews were longer than six months ago, and in our Personnel Manual which is adopted by ordinance, we can go back six months and sooner. Because the interviews were over six months ago, we are unable to do that.
Commissioner Rardin asked if we can call those candidates up and ask them to apply, and Assistant City Manager McNeile said absolutely. Mayor Rentschler said there were some who were suitable for the job, and Assistant City Manager McNeile said yes.

Commissioner Talbert asked to be excused from the vote.

Mayor Rentschler asked how long it would take to fill this position since we have a lot going on at our Airport now. Assistant City Manager McNeile said his intention was to advertise it in several national aviation publications and he hoped to begin working on this tomorrow, if approved tonight. Mayor Rentschler asked him again how long it would take.

City Manager Stahle said it does take a while. He said we first have to prep the ad, then there is the time before those publications are out, time for distribution and then consideration of applicants. He felt it would be 30-45 days of advertising and then we could begin the interviews. It would be dependent on when the publications are actually available for us. Mayor Rentschler asked if we were required to advertise in these publications and whether we couldn't advertise in the Las Cruces, Alamogordo, El Paso and various newspapers. He wanted to cut the time down as much as possible. He didn't know how long the current airport manager intended on staying and Assistant City Manager McNeile told him he would stay until February 28, 2014. City Manager Stahle noted Airport Manager Prewitt was asked to stay an extra week; he had some family health issues. He said the position would be filled as quickly as possible, but he wasn't sure when the publications would occur. Assistant City Manager McNeile pointed out the publications are also electronic so as soon as we place the ad it will be on their websites.

Commissioner Galea thought it was important and prudent to do both local and on-line publications because the qualifications of a bachelor's degree and three years of airport management and supervisory experience were hard to find in the local area. She thought it was good to do the on-line publications in order to spread a wide net.

City Manager Stahle believed the job description said we preferred those, but if they have a reasonable amount of experience that would justify performing this job, we might hire them. He felt the audience and community needed to know we have a Master Plan in the process of being wrapped up, we have the extension on runway, we have the 136 Program to bring in air service, we have contracts to be adjusted, and we have a lot going on at the Airport. It is a jewel of ours and we need to get someone in there to operate it effectively. Mayor Rentschler agreed.

Motion carried with a vote of 6-0-1. Commissioner Talbert abstained.

14. Consider, and act upon, a request to authorize filling the Finance Director Position and allow an Interim Director be appointed until a full time permanent Finance Director can be recruited. *(Jim Stahle, City Manager)*

City Manager Stahle said this is prime time for us to have a Finance Director, and an Interim is important because we are starting into the budget session; it is imperative we get this position filled. He asked for the Commission to do this on an Interim basis through the end of the fiscal year. That should be ample time to fill it on a permanent basis.

Commissioner Talbert asked who he had in mind and City Manager Stahle told him Leeann Nichols. She is willing to do this through the end of the fiscal year only. Commissioner Talbert asked if she would be willing to step down if we found a permanent replacement within that time period. City Manager Stahle said yes.

Commissioner Galea moved to approve a request to authorize filling the Finance Director Position and allow an Interim Director be appointed until a full time permanent Finance Director can be recruited. Commissioner Talbert seconded the motion. Motion carried with a vote of 7-0-0.

15. Appointments to Boards & Committees. *(Robert Rentschler, Mayor)*

Mayor Rentschler announced the Boards and Committees with current vacancies and appointed

Diana M. Flores to the Housing Authority Advisory Board and William C. Arnold Jr. to the Planning & Zoning Commission. He asked the City Clerk to notify these individuals.

PUBLIC COMMENT

Mr. Eugene Downer commented on the bond issue.
He felt the description of the Family Fun Center bond was too general and it didn't really connect the Family Fun Center directly to that description. He was uncertain whether the money would all go to the Family Fun Center or if part of it could be used for something else. He wondered about the expense of maintenance over time. He figured $200,000 a year, at least, for building maintenance. Can some of that bond money be used for maintenance? For example, it has been forty years since the Water Tower has been coated and if we put in a $6 million dollar Family Fun Center and don't have the money to maintain it, we will end up with egg on our face.

City Manager Stahle said the bond money is not to be used for maintenance, but it is our intention to contract the operation out and that would include maintenance by the operator.

Commissioner Rardin mentioned our Golf Course was built the same way this Fun Center is. It failed a couple of times and then it passed. The City built the facility and it is very nice, and we contract with a company that runs, manages and maintains it. He envisioned the Fun Center would be done in the same way. Whoever operates the facility will make sure it is run correctly, makes money and is maintained.

CITY MANAGER'S REPORT

1) City Manager Stahle reported on the spirited conversation at yesterdays Fireside Chat. Conversation was about the election, roads that need to be done and overall esthetics of the City. One thing that struck him and that he wanted everyone's help with was dealing with the issues on the ballot. The Staff is not in any position, and should not be, to advocate one way or the other, but we do need to be sure the public understands what is being voted on. There seems to be a little bit of a void in that respect when it comes to the Family Fun Center. He wanted everyone here to acknowledge what we are talking about when we refer to the Family Fun Center; it is a bowling facility, it may include a food service, it may include some kind of bar, it will include some space for parties and for other recreational activities. All of these will be determined. The bowling alley part is significant and people are asking what is included. He encouraged everyone to get the word out that this is really a bowling center. He said access was another issue noting it would be on the northeast [correction: northwest] side of town. He had heard the comment that if you are driving to the movie theatre you should be able to get to the bowling alley, and he thought that was right. He also observed that when we discussed this and the Commission gave direction on where to put it, the fact was most who go there will drive. If you put it in the middle of a neighborhood it would serve that neighborhood and everyone else would drive to get there. He felt it didn't matter much that it will be out by the movie theatre. He encouraged everyone to get out and vote no matter what your position on any of this.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Talbert commented on the following:
1) Commissioner Talbert said he and Mayor Rentschler attended many meetings in Santa Fe to talk with our Legislators this past weekend to discuss the Hold Harmless, the cell phone ban and many other things. They talked to our local senators and voiced concerns in order to try and accomplish a lot of things with them. We let them know we are alive and well down here and have a lot of interest in what happens in Santa Fe.

Commissioner Galea commented on the following:
1) Commissioner Galea wanted to pay tribute to Terry Benson who passed away recently. There was a memorial held on February 4th. Terry Benson was one who advocated strongly at the VFW and he

will be sorely missed in our community.
2) She noted that on February 13th there will be a Quarterly Military/Civilian Luncheon and she has reserved an extra seat. She invited any commissioner who would like to attend to join her.
3) There will be a Valentine's Day event at Civic Center on the 14th.
4) On February 19th, for Black History month, the Buffalo Soldiers will have a display at the White Sands Missile Range (WSMR) at 11:00 a.m.
5) Commissioner Galea noted the Business After Hours Event at Golf Course will be on the 20th.

Commissioner Rardin commented on the following:
1) Commissioner Rardin asked City Manager Stahle to look into the trees Mr. Downer mentioned. City Manager Stahle said he would and noted we have been looking at them and planning replacements for them. We don't want to take them all down at once and need to program when and where to do this.

Mayor Rentschler commented on the following:
1) Mayor Rentschler reported on the Legislative Session attended last week. He felt there would not be a lot come out of the 30 day session. He was hopeful to see something on Hold Harmless but was afraid the chances weren't very good. The House is working slowly with a limited majority and we saw the initial budget fail as a result of a 34-34 tie. We go up there to be informed about the laws coming out of the legislature that will either hurt or help us.

EXECUTIVE SESSION (Roll Call Vote Required)
Adjourn into Closed Session in compliance with Section 10-15-1.H, NMSA 1978 (2001 Cumulative Supplement), to discuss:

- **Sale, Acquisition, or Disposal of Real Property (A 1.3 acre tract located in the NE 1/4 of the NW 1/4, Section 29, T16S, R 10 E)**
- **Limited Personnel Matters (City Manager Performance Evaluation)**
- **Sale, Acquisition, or Disposal of Real Property (A tract of land in the NW ¼ of the SW ¼ of Section 5, T16S, R10E, N.M.P.M.)**

Mayor Pro-Tem Baldwin moved to adjourn into Executive Session to discuss Sale, Acquisition, or Disposal of Real Property (A 1.3 acre tract located in the NE 1/4 of the NW 1/4, Section 29, T16S, R 10 E) and (A tract of land in the NW ¼ of the SW ¼ of Section 5, T16S, R10E, N.M.P.M.) and Limited Personnel Matters (City Manager Performance Evaluation) at 7:41 p.m. Commissioner Talbert seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

ADJOURNMENT

Mayor Robert Rentschler

ATTEST:

City Clerk Reneé L. Cantin

(Prepared by Nancy Jacobs, Deputy Clerk)
Approved at the Regular Meeting held on February 25, 2014.