

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
MUNICIPAL BUILDING, 1376 E. NINTH STREET
7:30 P.M., COMMISSION CHAMBERS
JULY 10, 2001**

MAYOR DON CARROLL COMMISSIONER DON COOPER

MAYOR PRO-TEM JOHN VAN DOREN COMMISSIONER ED COLE

COMMISSIONER INEZ MONCADA CITY MANAGER PAT McCOURT

COMMISSIONER RON GRIGGS CITY ATTORNEY REBECCA EHLER

COMMISSIONER STEPHEN EASLEY CITY CLERK ANGIE RAHN

Call Meeting to Order, Roll Call, Invocation, and Pledge of Allegiance.

The Meeting was called to order at 7:30 p.m. The Invocation was given by Rev. Raymond Ewing, and the Pledge of Allegiance was led by City Manager Pat McCourt.

Mayor Carroll took a moment to recognize with sadness the passing of long time resident, Mr. Bill Gaines. Mr. Gaines was a leader in the community and very active in civic and charitable work throughout the community. Mayor Carroll said he was a guide and mentor to many young GIs like himself, when he and his wife ran the local USO Club. Sympathy was extended to his family and friends. Our community and nation was poorer today for the loss of Bill Gaines.

PRESENTATIONS:

1. Presentation to Ms. Eve Jaenke for her service on the Public Library Board.

Mayor Carroll presented Ms. Jaenke with a certificate for her prior service on the Public Library Board.

Mayor Carroll said there was a special recognition for the Parade Marshall of this year's 4th of July Parade, and he would ask Commissioner Cooper who was instrumental in organizing the event, to make the presentation. Commissioner Cooper presented Mr. Stephen DuBois with a plaque for his service as this year's 4th of July Parade Marshall.

2. Presentation by the Alamogordo Tobacco Education Coalition Teens (ATEC-Teens) showing appreciation to the City of Alamogordo for promoting a smoke-free environment.

Ms. Nicole Bradley, President of ATEC-Teens, introduced Gilbert Garcia who was their Vice President, and Amber Riffle who was their Secretary. Ms. Bradley said they would like to take this opportunity to educate everyone about secondhand smoke. Secondhand smoke came from a combination of smoke breathed out by a smoker and the smoke from the end of a burning cigarette. Mr. Garcia said cigarette smoke was the leading preventable cause of death in this country. It was responsible for one in every five American deaths. Smoking claimed the lives of an estimated 11,000 people each day. Over 4 million smokers died from smoking-related diseases, and 3,000 nonsmokers died from lung cancer each year. In addition, nonsmokers exposed to environmental tobacco smoke had higher death rates from cardiovascular disease than nonsmokers who were not exposed to it. Ms. Riffle said secondhand smoke was classified as a non-human carcinogen. It was indisputable that smoking tobacco caused lung cancer in humans. Ms. Bradley said even though secondhand smoke appeared to be a diluted mixture, it still contained the cancer causing chemicals inhaled by smokers. Mr. Garcia said there was considerable evidence that large numbers of people who did not smoke were exposed to absorb and metabolize significant amounts of secondhand smoke. Ms. Riffle said there was supporting evidence from the laboratory studies of the validity of secondhand smoke both to cause cancer in animals and damage DNA, which was recognized by scientists as being an instrumental mechanism in cancer development. Ms. Bradley said studies from eight different countries found that there is association between secondhand smoke and lung cancer in women who never smoked themselves but were exposed to their husband's smoke. Mr. Garcia said the risks to children were widely acknowledged. EPA estimated that every year between 150,000 to 300,000 children under 1 1/2 years of age got bronchitis or pneumonia from secondhand tobacco smoke, resulting in thousands of hospitalizations. In children under 18 years of age, secondhand smoke exposure also resulted in more coughing and wheezing, a small but significant decrease in lung function and an increase in fluid in the middle ear. Children with asthma had more frequent and more severe asthma attacks because of exposure to secondhand smoke which was also a risk factor for the onset of asthma in children who did not previously have symptoms. Ms. Riffle said the tobacco industry was raising numerous issues which may distract the public from the fact that secondhand smoke posed a real and preventable health risk. The tobacco industry neither recognized nor disputed the EPA's conclusion of respiratory effect on children. It instead focused on the findings of lung cancer. Ms. Bradley said the tobacco industry argued that because most studies were based on residential exposure, secondhand smoke wasn't shown to be a hazard in the workplace. In fact, in 1994 a study found a higher risk for a workplace exposure than for residential exposures. Finally, they would like to thank the City Commission for making all City buildings smoke-free.

Mr. Garcia read from a plaque which was presented to Mayor Carroll showing appreciation to the City for its smoke-free buildings.

Mayor Carroll said on behalf of the City, he was honored to accept the award, and he thanked the teens for the recognition and also for the information they provided this evening.

Commissioner Cooper said he failed to recognize two very important facts about Mr. DuBois. First, he was a retired Marine, and second, he was a Pearl Harbor survivor. Mr. DuBois said he was a retired Navy Hospital Corpsman, and it was an honor to serve with the Marines.

3. Presentation by Otero County Economic Development Council (OCEDC) with an update on 1-800-FLOWERS.com.

Mr. Ed Carr, Executive Director of OCEDC, said the contract for Qwest for their telecommunications was in Westbury, New York, and they were about to sign it. Qwest had approved all of the details of it and they expected it to be signed shortly. The contract for the sale of the old IGA building to 1-800-FLOWERS was in New York also and they expected it to be signed anytime now. The City contract for the incentives was with the City Attorney and she was working on it diligently. The in-plant training contract for their in-plant training money was being worked out at the State level. They were trying to shift the date of execution of that down the road a little bit so that they were not hampered by their opening in September or October. 1-800-FLOWERS was talking to a building contractor, and they should be here within a week to bid on the interior and exterior of the building. 1-800-FLOWERS had coordinated with OCEDC to store their telecommunications gear which they were pulling out of another center and bringing here. They needed a humidity-controlled environment to be able to store the equipment. Also, there was a Taxation and Revenue issue with a ruling on e-commerce and how it was affected by taxation. Their accounting firm of Ernst & Young had sent a letter to the State Tax and Rev Department asking for a ruling. Tax and Revenue had since sent them a letter saying there was going to be a regulation forthcoming within the next 30 days that covered the issue they were talking about. If that didn't address their issue, then they would issue a ruling. But it seemed like everything was going well and things were progressing. There didn't appear to be any show-stoppers at this time.

Commissioner Easley clarified that the old IGA building they were purchasing was the one on N. Florida, north of Indian Wells, and not the old IGA building on Tenth Street. Mr. Carr said that was correct.

4. Presentation by Pastor Jack D. Brock and Mr. Robert G. Smith regarding a display at the Public Library.

A petition was presented to Mayor Carroll for incorporation into the record (see Attachment "A").

Pastor Jack Brock said at the last meeting the Mayor had asked if there was anything they could do or suggest in light of these difficult circumstances that might help out. He had given them a copy of an article taken from the magazine, "The Liberator", which was a publication of Liberty Counsel. The article was written in June. It was a counsel of lawyers who kind of played watchdog for when Constitutional law was being violated, people's rights and so forth. They were located in Orlando, Florida. His objective tonight was just simply to furnish the Commission with some information about how everyone in the community could definitely have a say as far as their Public Library was concerned. He wanted to take them through the article briefly. In the second paragraph, most libraries had common rooms which were open to the public on a first come, first served basis. Many of these policies restricted political or religious speech in their common meeting rooms. Last year a Federal Court in the "Pfeifer" case ruled that a policy prohibiting religious speech in the public library meeting room was unconstitutional, and this was the Pfeifer vs. City of West Alice case. Shortly after the Pfeifer case, they had demanded another neighboring library in the state of Wisconsin to repeal its unconstitutional religious restrictive policy. The Library conceded and repealed the policy. Several weeks ago they filed suit against the City of Portage, Wisconsin, and immediately the Library repealed its policy. A local newspaper writer interviewed the Madison County Public Library Director about its policy. The Library Director said that the Madison County Libraries had already repealed their unconstitutional policies after the Pfeifer decision. In Pensacola, Florida, Marsha May and Thailyn Reed wanted to have a Christian meeting at a public library. The Library rejected their request pointing to its 30-year old policy which restricted religious meetings in the community room. Liberty Counsel filed a Federal lawsuit in April and the Library immediately conceded and repealed the policy. In Charleston, South Carolina, all public libraries had policies prohibiting religion in their common rooms. After working with the Library for several months, Liberty Counsel filed a Federal lawsuit in May. When their lawsuit was literally at the Courthouse steps in the hand of a Federal Clerk's office, the Library informed them that it had just repealed its unconstitutional policy. As a result of this case, they received a call from a magazine writer for the "American Library Association Magazine". They were informed that the results of their cases had been posted on the American Library Association's web site. As a result of their success in the Library cases, an article would be published in the "American Library Association Magazine" informing libraries around the country to repeal their unconstitutional policies which discriminated against religion. That meant that every library in the country would receive the message. So it was good to know what was going on. They didn't get this in the national media for some reason or other. What happened in the month of June was history as they knew and they'd learned from the article that it was unconstitutional to restrict religious or political speech in the common rooms of public libraries. Of course, such activities could not be taking over the whole Library like it would a meeting room. So they could see by what had happened across the country and these court cases, that they did have Constitutional rights that they could stand upon even today. When it came to the homosexuals and the lesbians, they were

neither religious nor political in their agenda appeal. Yes, they represented a lifestyle, but so did the Ku Klux Klan, so did the Aryan movement with their swastika and their racial hate. They certainly would not allow these people to use our Public Libraries. It had been mentioned by this Council and in a letter by Rebecca Ehler that our Library on occasions had allowed displays of Black History Month, Hispanic Pride Month, and Women's History Month. People from our black community here in the City had personally asked him to let them know that they did not want to be included with the homosexuals and the lesbians as far as being put in the same category. One man told him that he was insulted by that. Ms. Jean Jamison of the black community was here tonight, and she had called him wanting him to say something about this. He tried to get a couple of the Ministers to come and speak for the black community, but he could not make contact with them. They might be wondering what they could do as a City Council. He wanted them to understand that they looked to them as the "City Fathers". They looked to them with honor and they needed them. Just like a father protects his family, they needed our City Fathers to protect them with wise decisions and wise choices. They appealed to their nobility that they would stand against any evil influence that could bring harm physically, mentally, or emotionally to people here in our City, and especially to children. He didn't believe that espousing the homosexual agenda could help anyone except the homosexuals. They could not have children, so why were they so militant to infiltrate our schools, churches, and civic organizations such as the Boy Scouts? Why do they want access to our children? He kept reading about all the hate that was expressed in the last meeting. He was here and spoke at the last meeting, and he thought it was very orderly. He didn't think Sharon Anderson was present when she had mentioned in her article that she had heard about all the hate that was expressed in the last meeting. He wanted to go on record tonight as saying he was a Christian man and he did not hate the homosexuals or the lesbians. The Bible said if you hated anybody you were a murderer and you would not go to Heaven. Murderers would not enter the Kingdom of God. He loved the homosexuals and the lesbians, but he hated their sin just as God hated their sin. And that was what he said in His Word. He loved them because every one of them represented someone for whom Jesus Christ died for on the cross. He loved all men and he said, "Whosoever will, may come". He prayed for the homosexual community. He prayed that they could come to know Jesus Christ who could transform their lives and not only bring them out of the closet, but free them from the sin that ultimately was going to destroy their lives. After giving our Library over to their promotion last month, they had to realize that they had set a precedent that was going to be followed. He would personalize that by saying if he wanted to use the Library to honor the Bible and have a Bible honoring month, then he could not be refused by the Library. If Ms. Maude Rathgeber wanted to do a pro-life demonstration, she could not be refused because Constitutional law said you could not favor one party over another one--there had to be equal treatment. Dr. Knight was told by Joe Oster of Liberty Counsel on the telephone that he had to give permission for young people to hand out Christian literature even at the schools because the Boy Scouts did it, Big Brothers did it, and what

they gave permission for one group to do, they had to give permission for all groups to do. Even though some of our young people were forbidden to come on school property and hand out invitations to a movie for young people, that whole thing was reversed and in one day everything changed. Dr. Knight said at the graduation they were going to pray--they'd had rehearsal the night before. He said, but if they pray, we're going to be sued by the ACLU. Mr. Oster told Dr. Knight if he didn't let them pray, then Liberty Counsel was going to sue. So that was where a lot of people stood where these kinds of freedoms were concerned. The one thing they needed to understand was that they didn't have to lay down and play dead as far as any particular group was concerned that was demanding certain rights. As far as these movements were concerned that only brought harm to people emotionally, physically, spiritually, and in every way, he simply asked them as our City Fathers that they esteemed highly, that they be bold and brave and stand for righteousness and stand strong against unrighteousness. The wisest man who ever lived, and he was one of the greatest Kings of Israel, Solomon, said, "Righteousness exalts a nation, but sin is a reproach to any people".

Mr. Robert G. Smith said while he respected and loved his Pastor, Jack Brock, and they shared the same attitudes about these matters, they had not collaborated at all in what they said. The issue of homosexuality and lesbianism filled the "Opinion" page of our local newspaper this past Sunday. The lead editorial was by Publisher Richard Coltharp appealing for an open dialogue. He for one was glad they had an open forum where they could express diverse viewpoints, even if it was not always eloquent or rational. Another one of those articles was by a newspaper employee who decided to come out of the closet publicly identifying herself as a lesbian. The third editorial was in opposition, a grandmother's piece appealing for citizens to come and express themselves as it appeared many were doing tonight. He was also present as an individual citizen, a husband, a grandfather, and a Minister of the gospel and one who saw this issue not merely as a matter of legal rights, but a matter of community morality. He had three points to make. First, many of them had friends and family who were addicted to alcohol and to drugs, himself included. That led some of them at least to hate the misuse of drugs and alcohol, but that didn't mean that they hated their friends or family who were addicted. Similarly he could say that he personally hated the sin of homosexuality without any hatred at all in his heart for the homosexual person. As a trained professional and a Pastor, he'd had folks come to him confessing their homosexuality. They knew him well enough to know that he wouldn't hate them. In fact, if they'd had any thought that he might reject them, they would not have come to him exposing their deep and dark secrets. Instead, they came hoping to find an offer of forgiveness and a way out--not out of the closet, but out of their sin. Some of them they were able to help. There were some well established ministries offering help for those who wanted it, but hating didn't mean you had to hate anyone. Second, while some would seek help to be free from the behavior, others would not. The guest editorial from Sunday had evidently given up on hoping to change despite her fourteen years of

marriage and her two "great kids". It sounded at least like homosexuality was part of the reason for the breakup of her marriage and he was very sorry for the heartache in all this. He was sorry for her, her ex-husband, her children, and for those who would be affected in the future by this immoral behavior. While the writer said nothing about how her children actually felt about it, some of them had dealt with the pain of children who had discovered their parents were bisexual or homosexual. It was not always the happy story that was implied. The lady wrote that she finally shared her homosexual secret with a friend, and her friend responded, "That's no problem with me, but why do you feel like you need to tell people about it? Why don't you just keep it to yourself?" The friend's attitude in her question was precisely the point of this entire debate. Why was there any need for anyone to have to declare whether they were homosexual, lesbian, or straight? What was the value or the point? For centuries people had lived their lives artistically, creatively, and professionally, and even spiritually all without the need of a public label identifying their sexual tendencies. The writer in the article said she had lived her life denying what she felt, living a lie, or pretending she had been able to "be all that I am". He didn't know of any homosexual that felt a compulsion to put up plaques or have parades identifying themselves so much. Why couldn't they all be just who they were without waving a banner about their sexual preferences? What did having a gay and lesbian parade or pride recognition have to do with the freedom to "be all that I am", as the writer wrote? The last time he'd spoken here, he'd asked the Commissioners to please do what was right and what was good for our community and what was good for our children. He would say again, we don't want our children exposed to the City's public promotion of homosexuality and lesbianism on or in City properties, not now and not ever. Other speakers said that opposing view didn't represent their view. He didn't think for one second that those who opposed homosexuality-- certainly they didn't represent everyone, or they wouldn't even be here. The lady writer in her article on coming out of the closet, suggested that as much as one-third of the population were gay or bisexual. That personal estimate wasn't backed up by any reference to any statistical study of any kind. He wondered what percentage of our small town really wanted this kind of behavior publicly promoted with pride. He suspected, couldn't prove, that the vast majority of them were against such public promotion. The final point he wished to make was that the courts had the authority to rule as they chose. They may declare that such behavior in advertising was legal, but there were a lot of them who believed that it was the Bible which told them what was right or wrong. On this issue, the Bible was unmistakably and historically clear. For them, this was not simply a legal or political issue. It was a moral issue and their opinions were not going to be changed and they were not going to be silent. Richard Coltharp's Editorial cited a letter he received and printed, and in fact the author of that letter was present tonight. The letter described the death of common sense, and that letter exemplified the current legal system and its climate that required schools to get parental consent to administer aspirin, but need not inform parents when a female student was pregnant or wanted an abortion. That kind of paralysis of legalistic thinking was exactly what Aleksandr Solzhenitsyn was referring to when

he addressed Harvard University. He, an expatriate, jettisoned out of Communist Russia came to America and he saw the foolishness being dispensed by our legal system. This was what he told the brightest of our land. He reasoned exactly as himself, that they couldn't depend on the law to inform them what was right. If they did so, they created "an atmosphere of spiritual mediocrity that paralyzed men's noblest impulses". He later added, "After a certain level of the problem had been reached, legalistic thinking induced paralysis. It prevented one from seeing the scale and the meaning of events".

Mr. Smith concluded his presentation by referring to something which happened after the last meeting was over and he was standing in the foyer talking with one of the speakers who supported the gay/pride display. He asked the man to tell him how he would personally feel about a display promoting pedophilia? The man refused to answer the question saying pedophilia was illegal. When he challenged the man to disregard that issue and what he felt about what was right and not what was legal or illegal, he refused to answer that question. The man refused to answer that question, and he believed he did so because he already knew what Solzhenitsyn knew and what he was arguing that the logical results of legalistic thinking that argues that anything must be accepted in the name of free speech, must also mean that they must allow free speech for those who wished pedophilia or the use of all drugs, or how about bestiality or the Ku Klux Klan, or the neo-Nazi skinheads? They didn't need a law to tell them that some things were wrong. They hoped the City didn't either. As citizens and communities, they were still entitled to what they wished to promote in our local community upon local standards. As leaders in their City, they were being asked not to surrender in fear to the false idea that just because something might be legal somewhere, that it somehow must be promoted here. We, the citizenry, opposed the public promotion of the homosexual agenda in any of its forms, in any of our buildings, or on any of our properties.

Mayor Carroll asked that anyone who wished to speak please keep their comments brief, and in keeping of what they were trying to accomplish here, he hoped what they could have were some suggestions that may help us to develop a policy that was both acceptable and workable. If they could keep those parameters in mind, they may have an opportunity to accomplish something.

Ms. Maude Rathgeber, citizen, said Mayor Carroll had asked her as a Commissioner for the past twelve years on the State Library Board, if the State Library would have any policy which would deal with the controversy that had been in this community the past month. She had checked with our State Librarian, Ben Wakashige, who had been there about three and a half years, and his comment to her was that he did not know of any nor had he found any such policy in any of the records at the New Mexico State Library. Very briefly, the New Mexico State Library was not one as they had here. It was a library that was a depository of all Federal documents and State documents, State legislative documents, and it was a library for all of the State agencies within the State of

New Mexico. It also was a library with a tremendous outreach of large print books for mailings, recorded books for mailings, bookmobiles they saw in our area periodically, and an outreach service for the other libraries in the State of New Mexico. It also was a library that offered training and certification for folks working in libraries throughout the State of New Mexico. That was the answer she wanted to bring to them. Another comment was that in developing their policy for the use of the Library, whether it be programs presented at the Library, exhibits, or displays, please consider terminology in there that it was to represent family and community standards. Let's include the family in the writing of that policy. When they added to the Library in 1985 and 1986 and they added the community room, the Library Board wrote a policy for the use of that room. Some of the Commissioners wanted them to charge for the use of the room, and the Board had made the decision that they would not charge because if they charged any Tom, Dick, or Harry who laid down his money to use the room, they had to take the money and let them use the room for the purpose they wanted. They did not put money in the policy. They did put the intent of the standards of the community there, and they urged the Commission as it wrote its policies to consider that very thing. This issue had sent tremendous sad tentacles about this community, in homes and particularly in churches. It was probably more serious than they thought because the folks were talking out there--folks that they probably had not heard. It was sad that this came on the heels of the prayer issue in our Alamogordo Public Schools which hurt a lot of families and had hurt a lot of students and it appeared was not going to be resolved anytime soon, perhaps even before the school bells rang in the Fall. It had hurt this community and from the reports she was hearing, most of which were from men who had called her...one man told her he had shredded his Library card, took it in and threw it on the counter, and told them he would never go in the Library again. He said not only that, he would walk his neighborhood when they had a bond issue and he would see that his neighbors and friends did not support the Library when they wanted to add to or rebuild the Library. Other comments she'd had from people who had gone into the Library and talked to staff--she felt rather sorry for some of the staff folks who'd had angry comments made to them. They were not responsible, but sometimes patrons thought that they were responsible. Do consider this, she believed that the opportunity for a bond now, next year, or even the following year had now been scuttled by this issue in this community.

Mr. Rudy Clark, President of the Alamogordo Unitarian Universalist Fellowship, said they were a fellowship as such which had this as their Mission Statement. Their Mission Statement was to encourage individual spiritual growth with a fellowship of caring and diverse individuals, and to provide a presence in our community that promotes tolerance and respect. A lot of people didn't know anything about his church, but it was the only church that had 20 percent of its ordained Ministers at the March in Selma. Two of their Ministers were killed. They had been abolitionists, they'd spoken out for human rights, and he felt the issue here again was "who are the people?". So let's look at who the people were. They could begin with the dictionary and the word "public" as in "Public

Library". The word "public" meant "a concern of people as a whole; done by or for, representing the people; open to or shared by all the people". They had public baths, lavatories, public libraries, public meeting rooms, and public roads. Now what did that mean? If it was the public, it meant that he had the right to use the Library and he had the right to have his information shared in the Library, just as he had the right to drive down the street. He was part of the public. Now let's go to "censorship", which meant "a person expressing opinions on another's moral in conduct". That was censorship. Was that what they wanted? Was that what they were looking for? Mr. Clark distributed some correspondence which he said was from the "School Library Journal" from Wichita Falls, Texas. It stated, "A Federal Judge in North Texas has struck down a City Ordinance that condoned library censorship and has praised a Librarian for her role in resisting it. U.S. District Judge Jerry Buchmeyer ruled that a February 1999 Ordinance restricting access to controversial books in Wichita Falls Public Library's children's section was unconstitutional. The ruling was in response to the American Civil Liberties Union of Texas lawsuit which was filed after 570 library cardholders signed a petition demanding that two books containing gay characters, "Daddy's Roommate" and "Heather Has Two Mommies" be removed from the children's area. In his statement, Judge Buchmeyer lauded Library Administrator Linda Hughes as the real heroine in an unfortunate story of the censorship of two children's books. Last year Hughes' attempts to keep the two books in the children's section earned her Intellectual Freedom Awards from both the Texas Library Association and the North Texas Regional Library Association."

Mr. Clark said he would submit that they'd had some heroes in this town. He would submit that the paper, for one, was willing to address issues and talk to the Commission about things that needed to be addressed in this community. He would submit that the lady who came out was a real hero because she put her life on the line, as well as her job, and surprisingly, the paper didn't fire her. He would submit that the City's Personnel Director was a real hero because he had the guts to voice his opinion. He would submit that these were major issues, and the Librarian had obviously caught a lot of flack over this issue. They were not talking about a display, they were talking about books. They were talking about a lifestyle that existed. The second reading he'd handed out tonight was from "FindLaw" which was on the internet, and it was a group of lawyers who gave legal information. One of the landmark cases was in the Supreme Court, "Memoirs vs. Massachusetts". They outlawed a book named "John Cleland's Memoirs of a Woman of Pleasure". Here was what the Justices had to say, "Under the test in Roth vs. the United States as elaborated in subsequent cases, each of three elements must independently be satisfied before a book can be held obscene: (a) the dominant theme of the material taken as a whole appeals to a prurient interest in sex; (b) the material is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters; and (c) the material is utterly without redeeming social value". He would submit that anything which told them about himself, a father of three boys with two of them in the military and having been married to

his wife for 33 years, one wife, one marriage, told them a lot about different lifestyles. So there was value in this. Justice Douglas concluded that "1. Since the First Amendment forbids censorship of expression of ideas not linked with illegal action, (it cannot be sustained)... 2. Even under the prevailing view of the Roth test, the book cannot be held to be obscene in view of the substantial evidence showing that it has literary, historical, and social importance." Teaching Alamogordo to accept diversity was definitely a part of social importance, wouldn't they say? "3. Since there is no power under the First Amendment to control mere expression, the manner in which a book that concededly has social worth is advertised and sold is irrelevant. 4. There is no basis in history for the view expressed in Roth that 'obscene' speech is 'outside' the protection of the First Amendment. 5. No interest of society justifies overriding the guarantees of free speech and press and establishing a regime of censorship." These web sites were sent to him by the ACLU for him to come here tonight and talk about this issue. If they wanted to end up in court, follow the dictates. If they wanted to address humanity...and he had been a Personnel Director for Census for Southern New Mexico...if they wanted to accept that diversity was a part of every business and a part of our society today, then they needed to look at putting this aside and letting the community grow a little bit to accept itself as a whole. They were not all Christian and they did not all believe in what had been said. He was not a pedophile, he had never been one, and he took umbrage at being compared to that. The cases they had were a public display; in other words, meetings. This was not what they were talking about here. They were talking about censorship, plain and simple; "Get the books out of the Library". He submitted that making that decision would be a major error on the City's part, because he was part of the people and it had redeeming social value for him. It was very meaningful social value, because if they could learn about him, then maybe they wouldn't be as scared to shake his hand; maybe they would be able to understand that he was a human being and he had the right to live his lifestyle as long as it didn't infringe upon another's. The fact that it made someone uncomfortable was beside the point. They said that about the blacks. As a matter of fact, court cases were established on this very principle; "We don't want them in our business because it makes us uncomfortable". That was academic. They needed to look beyond what he wore, and they needed to look at who he was. He just did a diversity training for the Attorney General's office in Santa Fe. This was exactly the principle issue they dealt with--understanding his lifestyle. Because if they could understand his lifestyle, then maybe they could begin to understand him and maybe inside of their heart it would awaken a little bit to understand that not all of us are the same and that he had a right to exist in our society just as much as everyone else did. Also, he gave them something to laugh at on a weekend.

Ms. Nancy Slowinsky said she was Vice President of PFFLAG-Alamogordo, which stood for Parents, Families, Friends of Lesbians and Gays. They were an open organization which accepted everyone to come to their meetings. She would like to educate a little bit first. Lesbians were homosexuals so they only

needed to use the one term. They were not pedophiles, Nazi's, Communists, or Ku Klux Klan members, especially in this town. They just wanted to live their lives and they wanted a safe place to raise their children. She had raised two children in this town and she was very proud of them and she was also proud that they moved out of town back to Wisconsin. A friend of hers wanted her to speak and read a poem from Pastor Martin Niemoller who was a victim of the Nazi's in Germany. "First they came for the Jews and I did not speak out because I was not a Jew. Then they came for the Communists and I did not speak out because I was not a Communist. Then they came for the trade unionists and I did not speak out because I was not a trade unionist. Then they came for me and there was no one left to speak for me."

Ms. Sharon Anderson said she was the infamous person who wrote the column in the "Alamogordo Daily News" on Sunday. Though she took exception to some of the things which were said about her column, things taken out of context and implied meanings given to them, the only one she was going to address was the one about her children because she wanted everyone here to know that her children had been the most supportive of anyone. They may not understand why she was the way she was, they may not be able to relate to it, but they looked back and they remembered all those years when she was there everyday of their lives bringing them up and they knew she was that same person. She hadn't changed. She wanted to stress that first before she said what she had come here to say, which was on a little different note than what others had said. First off, she personally had gotten a lot of feedback from that column, from both male and female, both gay and straight. All of it had been positive, supportive, and uplifting. The ultimate challenge of any writer was to touch his or her readers in a profound and unique way; to cast new light on a worn out subject. That was the goal. When she wrote Sunday's column, she thought if she could just touch one person--one of these people that were out there ranting and raving and throwing all this hatred around. If her words and the images they conveyed could make a difference in just one person's life, then any amount of scorn or ridicule she might have to endure afterward would be worth it. Well that one person walked into her office this afternoon. It was a man about 30 years old, close-cropped hair, and he looked about as straight as they come. His expression was so intense that he could have melted butter. She thought, "Oh, no, here it comes--my first blast of negative feedback. Brace yourself". He asked to talk to her in private, so she led him into the conference room and she closed the door. There the look on his face began to change. His chin started quivering, tears filled his eyes, and then in a soft, shaking voice about like the one she was talking in right now, he told her this: "Sunday I had reached the end of my rope. I had made up my mind to go out in my garage and to kill myself. But before I did it I happened to pick up Sunday's paper and turn to your column and you said everything that I wanted to say and it changed my mind. And I may never see you again, but I just wanted to tell you thank you. You saved my life, and I'll never forget you". After a long hug, they left the room both in full blown tears. He walked out the door and she returned to her desk. She just wanted to tell all those here who had been so

intolerant and ruthless in their judgment of other different people, human beings, "You think you know who we are. You think you can pick a faggot out of a crowd. Well, I ask you to take a good look around you. How many gay people do you think you see? How many gay people can you pick out of this crowd?" Now she would ask the gay people present for a favor; she asked them stand up and let themselves be known. Look at these people--how normal did they look? That normal looking man that came into her office today could have been anyone in this room. Except for his sexual orientation, they were just like everyone else. He could be anyone's son. For his sake, and for their sake, she hoped not. She asked everyone to please, please, stop and look at what they were doing. Hear what they were saying. Try to see the effect that their words and actions were having on other human beings--even those they loved. Imagine for a moment that they were saying these things about their own sons and daughters, because in more cases than they knew they were saying it to them. We are your sons and daughters and we love you and we need you.

Mr. Gilbert Garcia, citizen, said he was not homosexual but he did support the homosexual community because he saw these people as people, regardless of what type of sex they were attracted to. It was their lifestyle and the way they lived it. He thought they all needed to learn to accept that. He thought they had every right to promote a homosexual event as others did to promote one of their events.

Mayor Carroll again encouraged all remarks to be kept brief, and again, whatever helpful suggestions could be made as to what kind of a policy the City might consider adopting would also be helpful.

Mr. Matthew Stitz, service member and homeowner in the community, said years ago when he was in college he'd done a number of research papers on the topic of AIDS, and they couldn't study that without studying homosexual contact. He'd interviewed one Doctor, Dr. Leonard Bradford, who was the Assistant Professor of Dermatology at the University of South Carolina, and a man with thirteen years of medical school. The government had spent millions in trying to educate people of the dangers of using tobacco products, because using them, by the law of averages, will likely reduce their lives by an approximate seven to eight years. Practicing homosexuality in men will likely reduce your life by 30 years. The average gay man died about the age of 42, by the law of averages. There were always exceptions so some of these numbers could be skewed, but this was by the law of averages. One psychology class he'd taken about seven years ago pointed out that most Psychologists didn't hold homosexuality as perverted. Interesting enough in the same book, they pointed out that most male homosexuals lost count of how many sex partners they'd had. If a family member came up to you and said, "I've had hundreds of sex partners in my lifetime", how would that affect their thinking of them? Think about that for a second. From his research, the average lesbian had about ten partners in a lifetime. The average heterosexual had about 2.5. The average male homosexual had hundreds. Most

people had an idea of what some homosexual men practiced, but few realized some of the more disease spreading behavior. Ninety percent of gay men practiced something referred to in the medical field as "fellatio". It was oral manipulation of a certain area of the body that allowed you to get feces in your mouth--90 percent. There had been desperate attempts to proving people didn't choose to be homosexual, but were born that way. No one had been able to prove that yet. There had been several hormone studies and neurological studies on the "interial hypothomis", all of which gave little or no results. He would like to refer to a lot more things, but he wouldn't. He hadn't talked to this Doctor for over ten years, but had called him yesterday just to brush up on a few points. This was what he taught at USC. He would be glad to give the Doctor's phone number so anyone could call him and validate what he was referring to tonight. He encouraged everyone to think about the results of this behavior--what did that say?

Mr. James Bird, lifelong resident of Alamogordo, thanked the City Commission and the Library. He felt a lot of people took for granted the free society they had where they could all be in a forum and exchange ideas. He would like for everybody to remember to stick to the issues here. What they were dealing with was freedom of speech and censorship. It may start with a Gay Pride display, but past that it went into book banning, and further, book burning. He felt they were so much further ahead than 1930 Nazi Germany. On the issue of gay pride, it was necessary. The suicide rate among gay teens was 400 percent of that over heterosexual teenagers. Drug abuse, suicide, and promiscuity were all direct results--he'd experienced this himself because he'd had friends kill themselves, have drug addictions and catch horrible diseases because they were not comfortable with themselves due to the way that society had treated them and the way they felt about their acceptance in society in general. There was a poem quoted earlier which stated "First they came for the Jews", and he agreed with that.

Pastor Lee Hubert, Otero Unitarian Universalist Association, said he originally came to Alamogordo in 1968 as a Minister of the Presbyterian Church, and then he retired in 1974 to do some other things. He considered it very dangerous to try to impose censorship. He didn't see the display, but he did not necessarily consider it an attempt to sell alternate lifestyles to the public. Pastor Hubert asked Librarian Jim Preston if there were Bibles on the shelves at the Library? Mr. Preston said yes. Pastor Hubert said in the first chapters of the Bible was a story of a brother killing his brother. In the Bible they had the story of Abraham who was called the friend of God in several places. Abraham was called the friend of God and he was a liar. When he went to Egypt and saw Pharaoh casting eyes at Sarah, it occurred to him that if he admitted she was his wife, Pharaoh might kill him and take Sarah to his harem. One of the great kings of Israel wrote in one of the Psalms, "The Lord delivered me when he was depressed; the Lord delivered me because he delighted in me". The Lord delighted in a man who was an adulterer and a murderer. Sheba, the neighbor,

took a bath on top of the house, and David wanted her for himself, so he arranged to have her husband put to death. That was in the Bible. Suppose a youngster checks out a Bible and brought it home and looks up the Ten Commandments, and says, "Dad, what's adultery?" These things were in the Bible. When they started drawing lines about what could be in the Library, then somebody could challenge the Bible. They might say, "By the way, there's a character in the New Testament, a pretty prominent character who had a prostitute or two in his family tree". If they were thinking it was Jesus of Nazareth, they were right. One was Rahab the Harlot who lived on the walls of Jericho, who saved the lives of Israelite spies who came to spy out Jericho before Joshua fit the battle. She asked in return that she and her household be spared. Here's the leadership of Israel having covered for the prostitute. So all he was saying was to be pretty cautious about where they drew the line of censorship because it may not be up to them to decide some of these things. Jesus never mentioned homosexuality or lesbianism as far as they knew, but He talked a lot about forgiveness and love and things of that sort.

Ms. Elise Haley, citizen, said the question which was asked of her last week was what legislative body designated June as "Gay Pride Month"? The recommendation she would have was for a policy where there was a set place, set time limits, size limits for all organizations, and all organizations be restricted to that area; i.e., the current bulletin board/table and all the organizations be put in a place of prominence, but be within that one area. They would all follow the same equal guidelines.

Pastor David Rorabaugh said he would like to finish the story which was presented earlier. They had been told in the Bible--there were all kinds of stories about all kinds of immorality. The message of the Bible was that we all had immorality and moral issues which we all had to deal with, and we all faced a God who would give them the final payment for what they chose. In the stories mentioned, they were not told about the final ending of any of them, and all of them were not good; they were bad. He would like to remind this body that our forefathers fought for freedom of religion. A quote from one of James Madison's statements was, "We have staked the future of all of our political institutions upon the capacity of mankind for self-government, upon the capacity of each and all of us to govern ourselves, to control ourselves, to sustain ourselves according to the Ten Commandments. Our forefathers based our nation's freedoms upon a responsible application, and accepting responsibility for our actions. The majority of them based this country's freedoms on our ability to govern ourselves based upon what the Bible says. Yes, the Bible had a lot of bad stories in it, but it also had a lot of good stories about people who changed their choice to choose what was better. David paid a horrible price; his own son tried to kill him because of the incident referred to, and the list went on. The Bible did not condone certain practices, and one of those practices was homosexuality. It was very clear about that. The Bible had a record about civilizations which were destroyed by God because of their choice to follow that lifestyle. He personally didn't want our

children to see that our community was promoting such a lifestyle. If they wanted to have a place in the Library to display their meetings, then he knew of probably 70 to 100 churches that would also love to display all of their meetings in the public facilities. So if they made a policy, they would have to be considerate of all organizations in the community. This matter over this poster dealt specifically with a moral issue and a choice of lifestyle. He represented a large group of people in his congregation, and they did not want this type of lifestyle to be promoted in the public places. If they chose to do that, then they wanted equal access to promote all of their meetings, which was their choice of lifestyle.

Ms. Christy Overton, President of PFFLAG, showed everyone the actual display which was on an 8 1/2" by 11" sheet of paper. The reason they celebrated Gay Pride in June was because that was when the Stonewall Riots were in 1969. The gays and lesbians finally got tired of the police coming in and raiding the places and beating them up, so they went into the streets and they rioted. It was June, so that was when they celebrated their freedom. There had been a lot of new things out on TV, movies, PFFLAG had tried to get "From Our House to the School House" into the schools, they'd sent copies of "Sexual Orientation and Youth; a Primer for Principals, Education, and School Personnel" to the Superintendents. They'd gotten no response. In the Library they had 23 fiction books, 3 non-fiction books, and 6 videos. That was the whole context of their gay library. PFFLAG's mission was to educate the community--which they hoped they did, to support the gays and lesbians in the community that found no support anywhere else, and to advocate for equal civil rights. She grew up here, and when she went to the Library the only thing she could find about gays and lesbians was that they were sick individuals. But that all changed in 1973 when the AMA and the APA took it off their "disease list", and so had many of the other countries of the world. As of 1995 it was estimated that there were about 15 million gay people in the United States. If each one of those theoretically had a sibling, then that meant that there were 15 million more siblings of a gay, 30 million parents, 60 million grandparents, and so on through other relations. Half of all Americans had a direct stake in understanding homosexuality. Many didn't think they knew anyone gay because they were hiding in the closet, denied it or suppressed it, living in misery, and fearing ostracism from society. They needed books that told them who they were and what they could become through the history of their gay and lesbian heroes, today more than ever because there had been such a high incidence of suicide. She left this town because she really thought she would have problems here. She went to Dallas and they had their own community and she felt free. She went to California and she thought it was great, but then she saw all the teenagers that were there on the streets because their families had kicked them out. They would come all the way across the country to sell themselves on the street because they thought it was a better lifestyle. They needed to have books available here so that the children could see that they didn't need to hide. It was not about sex. Heterosexuals didn't think about sex all the time. Homosexuals didn't think about sex all the time. They were just normal people.

Ms. Linda Bird said she was proud of her son. She taught critical issues at Chaparral for about 20 minutes per day in the mornings. She was sorry, but they had a conflict here and the first step in conflict resolution was to stick to the issue. They had gotten about as far from the issue as they could. The purpose of "Gay Pride" as she understood it was to secure rights for all people, gay or not. It didn't matter whether they were homosexual, it didn't matter whether you were black, white, purple, or blue. It didn't matter; you had rights. What Gay Pride did was to fight for the rights for things such as insurance benefits--all of those things which we as heterosexuals took for granted and homosexuals had to fight for. They did need a platform; they did need an opportunity to be heard; they did need the opportunity to have their rights. That was what this display was about. They also needed the opportunities to come to terms with who they were so that they didn't go out and kill themselves. These were rights which were open to all of us. When they took the rights to have these displays away from them, they also took away their opportunity to get together and to fight for the rights they had as taxpaying citizens. Her son paid taxes and he had the right to insurance just as anybody else, and also to free speech just as anybody else. Religiously she was not going to argue that point. She was a Christian and she prayed every morning that every word that came out of her mouth didn't come from her, but came from the Lord. So with that thought in mind, she would like for the religious community to understand that she understood their argument; she had it once. But in order to keep her son alive and drug-free, she backed up and said what is important here? The important issue was life and liberty and the pursuit of happiness. So please allow everybody their opportunity to fight for their rights, whether they agreed with what they did in the bedroom or not--because that was not the issue.

Ms. Faye Lee said she supposed that she was the reason they even had a display down there. Someone had asked if she was that woman that was always speaking up? That was her! In 1994 after she retired from the English Department at Alamogordo High School where she had taught since 1958, she decided that she wanted to be a pamphleteer, like her forefathers. So she put out a little publication called "A Hoot and a Holler". The first issue she put out covered what happened at the parliament of royal religions. At that particular parliament, the participants represented more than 125 faiths. They came from 56 countries, with the largest group from India and the United States. There were many differences, as there always were in things that they placed on faith, but the one that brought a protest through the parliament were the Buddhists. They said they could not help but feel that the parliament of the world's religions was being held for the worshippers of almighty and creator God and efforts were being made toward achieving oneness under God. The Christians thought they couldn't get through God until they went through Jesus of Nazareth. The Catholics thought they couldn't get through God unless they went through the Virgin Mary. The Hindi's had Mohammed and so forth. She had been raised a Baptist and evolved through the Methodists. She had evolved into a "Faye Lee-ite". What was that? It was what she had discovered to be truth up to this point,

and she may have an experience tonight that changed her mind tomorrow. She didn't feel that she had anybody to go through to get to her God, and her God was not necessarily spelled "G-O-D". She was an educator and it behooved her to think it took 1,700 years after Christ for them to discover the secrets of reproduction and the circulatory system. Well it had taken them 2001 years to find out that there was a development in the fetus when the mother kicked in some hormones that started determining the sex of the child. Up until then, they were all female. There was another point in the development of a child where there was another kick-in of hormones that directed whether they were male or female. If that got a little bit jiggled, then somebody could come out with a female body and the temperament of a male. They were born with a temperament; it was genetic. Or, it might be the other way around, It might be evolution changing them to offset this big population explosion. Who knew? Anyway, she felt it was high time that they quit persecuting people for their sexual orientation which was determined before they were ever born. The younger people were polled at one time and asked who were the biggest liars. They used to say it was the lawyers. Now the answer they gave was that the biggest liars were the preachers. The most honest answer they could give to all of the major questions about people was "I don't know". That was what she was trying to find out, and that was why she wanted all of the sources of information available more current so she could investigate it all and make a wiser decision concerning how she directed her life. She also believed that her life was her prayer. They didn't need to ask her what she prayed for; look to see what she worked for, and she got that from Jesus of Nazareth.

Mr. Will Ashe said he was actually amazed at the support he'd seen for both sides here. He had learned that the best way to get a point across was persuasion. Mr. Smith and the Pastor had made a couple of analogies that were extremely incorrect. First of all, comparing the homosexuals to the KKK was totally two different things. The KKK was an organization, not a lifestyle. Homosexuality was a lifestyle. You were born with it; you didn't just choose it. Second, regarding the partners figures that was brought up, throughout high school he knew of several guys who said they'd been with this many girls, and they were all straight. Or the girls would say, I've only been with one guy. It varied with who you asked. Regarding the religion part of it, there were so many different religions in both the heterosexual and homosexual communities, including the Buddhists, the Christians, and 180 other religions, and out of all of those, the only large one that was not accepting of the homosexual community was the Christians. According to the Constitution they had separation of Church and State, which applied even down to the State government levels such as the City Council. For the Commission to make a decision based on the religious right would be unethical.

Ms. Stephanie DuBois, former Democratic Chair in Otero County, said this issue had nothing to do with religion, it had nothing to do with being gay. It did with control. The religious right in this County controlled the School Board, and they

controlled the Democratic Party. This lady here (Faye Lee) made reference that they could put their material on the table, but when they put their material on the table it was thrown in the trash can, so that was a bunch of bologna that had nothing to do with being gay, but had to do with being Democrat. She did support the gay community because they were a diverse and inclusive party, and they included everybody--Black, Hispanic, Indian, Sikhs, whatever religions. That was what it was about. This was about control. If Reverend Brock was so concerned with injuring children in our County, why was there an outcry when their teachers were molesting their children and their principals were molesting their children? Was that about religion and morality? It was a proven fact that homosexual men were not pedophiles. Three out of four men that molested children were straight. She didn't like the religious right saying they spoke for her. Although he said he didn't, at the last minute she heard him say he did. She was from Tularosa and she was sure that somewhere along the line her taxes paid for that Library as did everybody else's that lived in this County. A prominent person in our community told her he'd known her for a long time and he'd found out that she wasn't a believer. She told him that was none of his business what she believed in or didn't believe in. She believed in treating people equally and the way that they treated her. As far as a solution, she thought it would behoove the Board to either allow everyone to put their displays in the Library, or to allow no one to put displays in the Library. Because if it wasn't the gay issue, it was going to be the chollos can't ride down Tenth Street, or she can't part her hair in the middle, or she can't dye her hair, etc.

Ms. Cindy Bagwell said she was a mother of six boys and they frequented the Library quite often. Her question was, why did there have to be any kind of display to begin with? If there was a question about the homosexual lifestyle, why couldn't they look it up like the others had to do as Christians? She hadn't seen any displays in the Library portraying God, like "In God We Trust". If she were to come to the committee or whoever was in charge of authorizing it and say she would like to put up a display, she wouldn't be allowed to. If one person could give her an example of when they were allowed to display anything according to their beliefs. Like the one lady just said, it was nobody's business; well, it was nobody's business what kind of sexual orientation you had. She didn't go around telling people what her sexual behavior was and she didn't think she wanted her kids seeing that this was somebody's sexual lifestyle. They didn't need to know that. If they were going to let a "Gay Pride Month" poster be put up, then the others ought to be able to allow the posters they wanted to be put up.

Ms. Ann Bagby-Villareal said she'd like to respond to the last meeting. She appreciated the newspaper taking a stand on something, and she appreciated them taking a stand for tolerance and diversity. She also appreciated Brian McGuire standing up at the last meeting and expressing an opinion based on tolerance and diversity. She was very disappointed by what she would term the unChristian-like or inhumanitarian views expressed by others in that meeting. When she moved to Alamogordo, she noticed diversity everywhere. She sensed

that most Alamogordoans took pride in that diversity, so she naturally assumed that acceptance and tolerance followed. She had often heard Alamogordo referred to as a Christian community. She took that to mean that there were many people who believed as Christ taught them that they must love one another and love thy neighbor as thyself. Judging by this article, it seemed that many didn't practice what they preached. She too was a Christian. She followed the teachings of Jesus Christ as well as she could, but she believed that diversity made for a richer community. She, like Mr. McGuire, grew up with the idea that tolerance and understanding were a part of Christian teaching. Wasn't reaching out to others with love what God wanted them to do? Loving someone and understanding their viewpoint didn't necessarily mean others had to agree with them, but it did mean that they understood that others had the same rights as they did. The Library was not being used as a social and political agenda; the Library was a repository of information and offered an opportunity for learning of all kinds of social and political change. History was full of social and political agendas. Look at the founding of our own country. Wasn't the point of a good education to learn all one could to see both sides of an issue in order to form the most intelligent opinion that one could? The Alamogordo Public Library was for everyone's use. Did that mean that only some of the public may use it? It reminded her of Orwell's idea that all pigs were equal, but some pigs were more equal. Regarding Ms. Rathgeber's quote that, "Our money comes from our citizens who support this Library with their taxes and their contributions and their interests", some of those citizens were undoubtedly gay and their support and use of the Library was just as valuable as anyone else's. So was their children's. Just what did that word "public" mean anyway? The libraries had always been safe havens for free-thinking persons. A wealth of information existed there and it pained her deeply to think that anybody should be denied this opportunity for learning. In our country today we were fighting big issues like illiteracy. Libraries were at the forefront of this battle. How could anyone villainize the Library? As for children, everyday they were bombarded with all kinds of influences in media. Libraries were still one safe place where children could find the truth and begin to form their own opinions. Nearly half of that article in the newspaper focused on government funding. She felt it was kind of like passing the buck and that the real issue here was tolerance and discrimination, and as people raised tonight-- censorship. They often feared what they didn't understand. Perhaps those who found the Library exhibit objectionable, needed to learn more about the other side and maybe they should even do that by doing some research in the Library. Perhaps with learning would come understanding. She called their attention to the Mission Statement of the City of Alamogordo. It read, "...a municipal corporation that exists solely for the purpose of improving the best possible services to our customers, the citizens of Alamogordo. We are committed to providing these services with honesty, integrity, compassion, fairness, and a commitment to excellence." She hoped people would take a stand for tolerance, understanding, and diversity. She would support the Library Board, but she also believed the Library's Director and staff were the professionals and the Board was there to help them. Those two bodies, the Board and the staff, were the

ones that should be deciding the policies of the Library. Let the Commission do the Commission's work with other issues, such as water and other things. Let the Library govern itself and make those decisions professionally.

Ms. June Harwell said she was Director of the Alamogordo Public Library from 1968 to 1991. Since 1991 she may have expressed some opinions privately about the Library, but she had been silent publicly. In this case she felt an obligation to speak up. The Public Library was a public facility supported by taxes. People of all points of view paid taxes, and by extension all points of view should be represented in the Library. A wise colleague pointed out many years ago that the Library needed people of opposing viewpoints because they pulled against each other and kept the collection and the presentations balanced so that the Library Administration was not coerced by its clientele to adhere to any point of view to the exclusion of the opposite point of view. She really felt they would do better to judge people on whether they were good, contributing members of society than on whether or not they were gay. In the Library or in the newspaper they didn't have to agree with every issue represented to recognize the value of the freedom to present it.

Ms. Amber Tooter said as far as religion went, she felt it was a bigger sin to judge people who were gay than to be gay. She was straight, but that didn't give her the right to judge people who were gay, nor did it anyone else. She saw a lot of hatred in this community and she couldn't stand it.

Mr. Broadfoot Taylor said he lived west of town, and he was a frequent patron of the Library. To him, this whole issue had less to do with homosexuality. What the Commission was being asked to do was to censor material out of the Library because it was offensive to some people of the community. There were all sorts of books in that Library that were offensive to him. There were political treatises in there that were offensive to him, as well as novels and all sorts of things he was sure he didn't like there. But he didn't have a problem with that. It wouldn't be much of a Library if they tried to take out all the offensive material that all of them had some problem with. The whole purpose of a Library was to provide all citizens with a repository of information that they could draw on. In the beginning he heard people saying that they wouldn't want to have material from the Ku Klux Klan or other obnoxious groups, but that was just not true. He would have a problem if the Library was censoring materials from the Ku Klux Klan or the Aryan Nations or whatever. "Mein Kampf" should be in the Library. It should be offensive to just about all of us, but it should be in the Library available for us to read. Please, if they were thinking about a recommendation, the recommendation was that they should leave the Library alone. It did its job of providing the community with as diverse a collection of information as it could. He could assure them that there was plenty of Christian material in the Library, and he would have a problem if they were censoring all of the Christian material. He wanted the Library to have as much information as it could. To him this was almost a non-issue. He was surprised they were even having to have this

discussion. The first Amendment of the Constitution should have laid this whole issue to rest, and they shouldn't have gotten to this point.

Ms. Linda Murphy said she had taught biology and chemistry at the High School for four years. Every time she used the prefix "homo", i.e., it could be homozygous, she would look at the response of her students and it scared her to death because they laughed and they were ready to make fun of people they didn't understand. Just by hearing the prefix "homo". So they did need a repository or a place where kids could look up the word "homo" and what it pertained to for human beings.

Mayor Carroll said it had been indicated that staff was attempting to come up with a policy and there had been some staff discussions on trying to come up with a basic policy. Perhaps Library Director Jim Preston could explain where they were in the process. Mr. Preston said they were in the process of considering a policy relevant to display and exhibit space in the Library used for the promotion of Library services. The advisory Library Board would be in the process of reviewing that policy tomorrow afternoon, Wednesday, at 4:30 p.m. in the meeting room at the Library. At this time as a part of the review, there would also be an opportunity on the agenda for public input as well. Mayor Carroll said there had been several suggestions made here this evening on a potential policy, and he hoped those suggestions would be taken into consideration by the Library Board in trying to come up with a recommendation for a policy.

Commissioner Cole inquired once the policy was developed, where did it go for approval? Mayor Carroll said it would ultimately come to the City Commission.

Commissioner Cooper said a young man tonight had mentioned the Constitution and the separation of Church and State, but no where in the Constitution did it mention the separation of Church and State. In the Constitution it forbid the Federal government to initiate a "one" church within this country. That was why they had the freedom of religion in this country. They could worship anywhere, anytime they wished to, but no where in the Constitution did it say separation of Church and State. What it boiled down to was that the Constitution forbid the Federal government to initiate a one religion of this country. He also wanted to say that he was happy they had such a turn-out this evening. He thought they sort of got derailed on this. In this country they did have the right to worship, to walk the streets and compare safety. Regarding this debate and in regard to displays within the Public Library, he himself was blind-sighted on this thing. He wasn't aware that it was in place until almost the middle of June, and then all of a sudden... He'd received a bunch of letters in regard to it. He thought they would have to be awful prudent to come up with a policy governing the Library. Everybody had rights in this country. However, the one thing that had bothered him was that everyone wanted to be equal about the gay rights movement they wanted to institute. It was all well and good to be equal, but all of a sudden everybody wanted to have special rights for everything. If they were going to live

in this community, then they should live under all the rules. No one should dictate to one another. They all had the rights given to them under the Constitution and if they all abided by that, then he felt they would be a better community.

Commissioner Easley said last week it was very late, so he had deferred his comments. Therefore, this week he wanted to take a couple minutes and speak his peace. He wanted to actually tell what he thought ought to be a beautiful story. He wanted to talk right now to the original protagonists of our story tonight, who were Pastor Smith and Pastor Brock. As coincidence would have it, on Easter Sunday he had attended Pastor Brock's church services. Pastor Brock had spoken briefly and Pastor Smith gave a really good sermon. He was a very good speaker as they knew. He had a lovely wife who was here tonight and he'd had the privilege of serving on a panel with her at the Blind School one day. He was able to listen to them speak in their church and he was glad and pleased because that was a right guaranteed to them in the Constitution in the First Amendment, in something called the "establishment clause". Their right not only guaranteed them the ability to speak in their church, but it guaranteed the government would establish no laws regarding religion to prevent the free expression thereof. That was a beautiful thing. In the same Amendment to the Constitution, and this is no accident or coincidence, they were also guaranteed freedom of speech. This was where the beautiful story came in, for him at least and he hoped for everyone else. Pastor Brock had spoken well twice, Pastor Smith had spoken very well twice, and he cherished their right to have an opinion. He valued greatly their right to stand up in a public forum and express their opinion. He did not agree with their opinion. And that was the beautiful part of the story. Because just as Pastor Brock and Pastor Smith had the right to express themselves in a public forum and their views, so did he, so did Commissioner Cooper, all the Commissioners, and all of those present. That included their Public Library and every citizen in the room, whatever their opinion may be. No one was asking any of them to go to the Library and look at an exhibit and agree with the opinions expressed there. They were not required to do so. They may well not. Any exhibit that got put up--if he saw it, he may disagree with the opinions that were expressed, and he was not required to agree with them at any point. But he did cherish and value the fact that people in our society had the opportunity to express those opinions. There was a lot of case law in the First Amendment. The City Attorney had given them a fat, thick document of case law in the First Amendment, rulings and the way it went. It was not ambiguous--at all. The Public Library was a public forum, speech was protected in the Public Library. That would include an exhibit about Gay Pride. He believed that would include an exhibit of the Ten Commandments. If they wanted to have "Ten Commandments Week", for his money that would work. If they wanted to have "Talk to Buddha Week", that would work as well. He believed it was a public forum and they should encourage public speech--public speech that covered all areas of our life and our society, and not just limited to a few. He didn't hate Pastor Brock for bringing this up; he didn't hate Pastor Smith for bringing this up. He loved Pastor Brock and Pastor Smith, they loved

homosexuals, and he loved them. What he did was disagree with them, and damn it, that was his right as an American to disagree with them. And that was a beautiful story. Why was it beautiful? Because not only did the First Amendment protect him from views with which he may disagree, and there may be many views in this room with which he disagreed, but most fundamentally important was that the First Amendment protected everyone from his views and the views of everybody on this panel and the views of everybody in the Legislature in Santa Fe, and the views of everybody in government everywhere. The First Amendment protected their right to have religion. It protected their right to express their views. It kept him from saying, "Chief, take that man away. Clap him in irons because I disagree with what he says!". He couldn't do that, and that was a good thing and not a bad thing. Whether they loved homosexuals or not, whether they loved Christians or not, whether they loved anybody or not, was frankly and fundamentally not the issue tonight. The issue was a Constitutional issue. It was a First Amendment issue, and it was the issue he planned to work with. They could all be Christians, or Buddhists, or Jews, or Catholics, or homosexuals, or heterosexuals. He believed they had a place in our society. He believed in public fora. They had the right to express their opinions and their views. There was another right under the First Amendment which no one had broached or discussed tonight that had been held to be equally important with the right to express your own views. He was expressing his views and they had all expressed their views, but there was another right which was held to be equally important, and that was the right to receive information. It turned out the right to receive information had been held, if anything, more paramount than the right to distribute information. If he wanted to go to a public place and receive information, he was entitled to do that as a citizen. If he wished to go there and receive information about gay people, he could do that. If he wished to go to the Public Library and read the Bible, he could do that, or the "Talmud" and the "Torah" or the "Bhagavat Gita", or Darwin's "On the Origin of Species". If he wished to receive that information, he was entitled under the First Amendment under many Supreme Court rulings to do that. The best part of all was that they shared fully, completely, and freely in that right with him. That was the important thing not to lose sight of tonight--that there was a right to disseminate information and there was a right to receive information. He didn't doubt even slightly the depth of feeling of people who had opposed this exhibit in the Library. He had no doubt of their sincerity. He believed they were sincere. He had no doubt of their interpretation of morality; he believed they believed they were interpreting morality correctly. He also believed that it was clear tonight in this room that they did have a diversity of opinion in this town, and that diversity of opinion required all of them to be tolerant. So therefore, Pastor Brock and Pastor Smith, he would not vote on a policy that eliminated exhibits from the Library based on his views of what should be in a Library. Just as he didn't want them to eliminate books from the Library or exhibits based on their view, he was equally certain they didn't want him to be the judge of what was in their Library. In fact, if they issued that power to their local government, State government, or Federal government they should be afraid--very, very afraid--because they had worked too long and too

hard to achieve the freedoms we had to relinquish those freedoms lightly, carelessly, and perhaps forever. He was going to make a motion in a few minutes once everybody had a chance to speak, and he was going to ask that the Commission direct the Library Board to begin to develop a policy for the Library. He believed they needed to have a policy for the Library on exhibits. He encouraged everyone who was interested and who wished to participate to go to the meeting tomorrow and all the subsequent meetings about the Library policy. He hoped they could develop one that he would be happy to vote for and that everyone could support--that they would come here and everyone could still be friends and they would all shake hands and support that policy. He did know that if it was a policy which he couldn't support based on the principles he'd laid down tonight, he would vote against it. If it was 6 to 1, he would vote against it. Last time Pastor Brock had talked about standing up for principle and that good people stood for principle. He was standing up for principle, and that principle was liberty and freedom. He didn't believe Pastor Brock rejected liberty and freedom; he believed Pastor Brock supported them. So in a few minutes when he got done making this long-winded, stem-winding speech, he would make that motion. He hoped the other Commissioners would go with it and he hoped they could develop as a community a good and serious policy that provided opportunity and tolerance and not narrowness and intolerance in our community.

Mayor Pro-Tem Van Doren said for the sake of not throwing fuel on the fire, he would pass.

Commissioner Moncada thanked everyone that showed up tonight. She'd received a lot of phone calls pro and con, and this was the best thing that could have happened to Alamogordo--people coming up and voicing their opinion. She too was like Commissioner Easley. She also believed that the problem here was the policy they had to have in the Library. That policy could not discriminate. It had nothing to do with religion. They were talking about one little poster and it went completely out of proportion. What they needed to do was to make a policy on what the Library could have and where it could have it, as long as they didn't discriminate against anyone. She did agree with Commissioner Easley, and she appreciated every single one of them that had come forward and voiced their opinion. Whether they were for it or against it, they needed to hear it.

Commissioner Griggs said it was always good to see turnout. They liked to have people here because without that they didn't get to hear the voices of the community. He'd received more letters and calls on this issue than even on the prison issue which occurred a couple years ago. This was important to a lot of them and they could tell that because they'd all taken the time to be here. There were people that had called him that couldn't be here for whatever reason. It had become apparent that there needed to be a policy at the Library. There was none before. Sometimes it took issues such as this to cause the generation of policies and procedures so they could be sure that everyone's rights were protected. He personally had difficulties with the homosexual lifestyle, but that was not going to

allow him to dictate to those who had chosen that lifestyle that it was not the way they should live their life. He wished it was different, but it was not. He wanted all of them to understand that this was a nation of laws. The law protected him just as it protected everyone else. This was a hard one for them to decide what was right, because what was right was not always the same for each of them. He knew that the Library would do the best job it could possibly do to put together a policy that would work and be in the best interest of everyone here. Hopefully those who wanted to participate would do so, and that participation in itself would help that policy be even better.

Mr. McCourt felt everything had pretty much been said. He would like to mention that this was a public forum. They had well demonstrated tonight the availability of the public forum and the opportunity for people to come forth and express their diverse opinion.

Mayor Carroll thanked everyone who had taken the time to come this evening. He felt if they were listening to what everyone had to say, they could see that there were some strongly held opinions on either side of the issue. That was not unusual. He had no doubt that Commissioner Easley's motion would be seconded and unanimously approved, and the Library Board would be charged with trying to develop and recommend to the City Commission a policy for the Library that was as fair to all as they could make it, and one that would stand up to any legal challenges that might be made to it. It was a difficult task but he was sure the Commission would do their best, the Library Board would do their best, and they would try and come up with something that was in the best interest of the community of Alamogordo. This was not an issue that needed to, nor should it, divide or continue to divide this community. They were a better community than to let any single issue divide us. Hopefully they would be able to establish a policy that will allow us all to go forward in a united way in the future.

Commissioner Easley moved that although no action is required tonight, that in the interest of good policy we direct the Library Board to continue with their efforts to develop a Library exhibit policy, and that at such time as they have a working draft they bring it to the City Commission for review and approval. Seconded by Commissioner Cooper.

Commissioner Cooper said he thought right about now Benjamin Franklin was probably rolling over in his grave. When old Ben set up the Public Library, it was out there for everybody to use because of the simple fact that a lot of people could not get an education without going to the Library. He thought about that because a lot of poor people just could not afford an education and a lot of people had to work before they could get an education. His own comment was that over the years they seemed to make so many laws that they were legislating themselves right into a corner and they were not going to be able to escape it. He never thought it would ever come to the fact that the Public Library would have to come up with a policy.

Mayor Carroll called for the vote on the motion. All voted "aye". The motion carried by a vote of 7-0-0.

Mayor Carroll thanked everyone for their input.

The Meeting recessed at 9:40 p.m., and reconvened at 10:00 p.m.

Call of the Consent Calendar:

Items on the Consent Calendar are considered routine and should not require further discussion. A single motion will approve all items marked "CC" unless removed at the request of a Commissioner, City staff, or a member of the public. Items removed from the Consent Calendar will be heard in the numbered sequence.

5. Minutes of Regular Meeting of June 26, 2001.

Recommendation: Approve the minutes.

7. Agreement with Alamogordo Public Schools to provide surplus material.

Recommendation: Approve the Agreement.

9. Statement regarding the Executive Session of June 26, 2001.

Recommendation: Approve the following statement and authorize it to be included in the minutes of June 26, 2001: "The Governing Body of the City of Alamogordo, New Mexico, hereby states that its regularly scheduled meeting of June 26, 2001 was adjourned into executive session and the matters discussed in the closed meeting were limited only to those specified in the motion for closure."

10. Award of RFP No. 2001-05, Geotechnical Engineering Services for Various Public Works Projects for Fiscal Year 2002.

Recommendation: Award to Terracon.

Item Nos. 6 and 8 were removed from the Consent Calendar.

Mayor Pro-Tem Van Doren moved that we approve Consent Calendar items 5, 7, 9, and 10. Seconded by Commissioner Griggs. All voted "aye". The motion carried by a vote of 7-0-0.

CONTRACTS AND AGREEMENTS:

6. Agreement with Alamogordo Public Schools for Services of three School Resource Officers.

Recommendation: Approve the Agreement.

Commissioner Cooper said this was something that had bothered him for a long time--the fact that they had able-bodied patrolmen working in the schools. They were sent to the Academy and trained to work as Police Officers out on the street, to protect and serve, and yet here they were holding four of our Officers to work within the school system. They called them Resource Officers. With the things that were going on in the schools, he knew that these individuals could not be all over the school at one time. He honestly and truly thought if they wanted to look at some of these things, that a private security firm could probably do the same job. He was understanding that they could now carry side arms and everything else. Under our laws they could arrest under a citizen's arrest.

Mr. McCourt said while the School Resource Officers may in fact provide some security for the school, that was not really their primary purpose there. This was part of our community outreach program to become more involved with the young people in our community to present the Police in a favorable light. He understood it also did result in a lot of information they received through the system on crimes that had been committed and so on. The School Resource Officers did also go out on the streets, especially this time of year when school was out. They had them out on the streets working patrol on other tasks.

Police Chief Sam Trujillo said security guards did have the authority to handle the rules on the school property, but they didn't have arrest powers--that had to come from a Police Officer. He was here when they didn't have the Officers in the school system and they spent an enormous amount of time going to the schools, with the Officers responding from the street, going to the schools, and handling the calls. That was just like they were now, except that the school was helping to fund these Officers. Commissioner Cooper asked in his opinion if he would say this was a definite positive? Chief Trujillo said yes, he would. He thought it was a big influence in the community. They had Police Officers right in the school system. They were involved in other things as well, and not just in the law enforcement area. They had a lot of information that came from the schools and they were able to handle incidents immediately. The Officers were at the High School, the Middle Schools, and also at the School for the Visually Handicapped. The school system funded about 50 percent of the cost to have these Officers and he felt it was well worth the effort. Commissioner Cooper said he knew that during the off season they were out on bicycle patrol and things of that nature. They were into an austerity program here within the City and they had to watch every penny. He was looking at different avenues as far as saving money, and he felt a privatization of security guards in each of the schools just might work. If they were holding classes and things of that nature--was that what they were doing now? Chief Trujillo said they did hold some classes in the DARE program.

Commissioner Easley said from his personal experience--his wife worked in the School District and his children went through it also--all three of them were greatly reassured by having our Officers in the school buildings with them all day long. They felt much safer by having the Officers there. He knew the faculty

members all appreciated it, and the students appreciated it. They knew there was someone they could go to. He knew our Officers did pick up a lot of information at the school, and it also gave a good side to policing that they wanted to inculcate in our children. Police were not distant and not far away, and they were a good part of our community. The interaction between the kids in the schools and the Police Officers, to his understanding from the many School District employees he knew personally and was friends with, was that it was uniformly positive. He supposed there were a few kids that got in trouble a lot and didn't think so, but almost all the kids liked having the Police Officers there. The faculty and staff liked having the Police Officers there, and he liked having them there. He thought if a serious situation arose, they could withdraw an Officer from the school to attend to a serious situation in town if they had to. Was that correct? Chief Trujillo said yes. Commissioner Easley said it turned out, then, that although the School Board was paying the money for that portion of the Officer's time, if they were really short handed under a serious situation that developed, they in fact could call on an Officer to come out of Chaparral or the High School and participate in our needs. So we got a little bonus that way--we would have an Officer we were not actually paying for who was available for really critical needs.

Chief Trujillo said these Officers were available to fight structure fires or anything like that. Anytime they had a major event, they could be called from the school system immediately. It seemed like as Police Officers they dealt with the bad two percent, and those were the kids they were always dealing with. Ninety-eight percent of the kids were good kids. Then of course the only comments they heard amongst their friends were that a Police Office did this to me, or stopped me on a traffic stop, or things like that. They also heard that part of it. These Officers in our school system were in our Public Relations Division. The kids got to see the Police Officers in a different role, and the Officers got to see the students in a different role. He thought that partnership had worked really well.

Chief Trujillo said the schools were paying approximately 50 percent of the Officer's total package; that was their pay, benefits, and all the other expenses. They were at the schools for about nine months out of the year. They were paid for the entire year, and that was how the cost was based to the schools--what it would cost the City to have this Officer on board for an entire year, and they were paying approximately half of that salary. Mr. McCourt said they were there for nine months, and the City supplemented the Officers for the other three months. There were three Officers under the Public Schools Agreement, and only one under the School for the Visually Handicapped. Chief Trujillo said the School for the Visually Handicapped paid about 65 percent of that Officer's salary. Commissioner Easley said as the Chief had pointed out, the City was obligated to provide these services to the schools. Whether the School Board paid anything or not, if there was trouble at school, the City sent Officers over. So it was probably not an unreasonable trade-off to go 50/50 on the Resource Officers. Commissioner Cole said he had no problem with this program.

Chief Trujillo said the school system paid \$78,000 for the three School Resource Officers. The City's total cost was approximately \$169,000. The school system had increased their contribution by about \$7,000 this year.

Commissioner Cole asked what the difference was between the Contract with the Public Schools and the Contract with the NMSVH? Mr. McCourt said different lawyers had prepared them, and the State had drawn up a more elaborate Contract. Commissioner Cole said there was no fund listed in item No. 6. Mr. McCourt said it was also the General Fund--Fund 11.

Commissioner Cooper asked if anyone had looked into private Security Officers for the schools under private contract? Chief Trujillo said the High School had Security Officers at their school. Commissioner Cooper thought they would actually complement the Resource Officers.

Commissioner Cole asked what different types of service were offered at the NMSVH as opposed to the public schools? Chief Trujillo said at the NMSVH they handled many of the same things they did at the public schools. However, they had some unique problems dealing with the individuals there. They received specialized training for that Officer, which the school paid for, to be able to handle unique problems that came up with the students. The students at NMSVH were bussed in from all over New Mexico and they were in dorms, which was not something the public schools had. Our Officer working there was set up with certain times that he would be able to help out students in the dorms in those types of problems. Our Agreements were to provide Officers over to the schools, but they were basically assignments from Public Safety. At DPS they would advertise these positions were available, and then they would obtain a letter from anyone interested. From that list they would choose a person and assign them over to a school. This year they had developed a three-year time frame for the NMSVH. Normally the special training came in the first year, and then they would stay there for three years. However, if that particular Officer got promoted to Sergeant or whatever, then they would be removed from there and someone else would replace them. Right now Officer Scott Murray was over there, and he would be there until next August.

Commissioner Easley said he'd talked to a couple of the Principals and they were very concerned with continuity in the program because there was a certain amount of adjustment in breaking the new guy in. They hoped DPS wouldn't get too precipitous with rotation. Chief Trujillo said they were currently looking at a rotation system for all the schools so that they didn't get someone in and leave them at a school for seven or eight years.

Commissioner Cooper moved to approve the Agreement with the Alamogordo Public Schools. Seconded by Commissioner Easley. **All voted "aye". The motion carried by a vote of 7-0-0.**

8. Professional Services Contract with New Mexico School for the Visually Handicapped for Security & Safety Services for NMSVH Main Campus.

Recommendation: Approve the Professional Services Contract.

Commissioner Cooper moved to accept the Professional Services Contract with New Mexico School for the Visually Handicapped. Seconded by Mayor Pro-Tem Van Doren. All voted "aye". The motion carried by a vote of 7-0-0.

OTHER BUSINESS:

11. Appointments to Boards and Committees.

Community Development Advisory Committee: Two vacancies.

Senior Volunteer Programs Advisory Council: Four vacancies (4 At-Large positions available). Mayor Carroll appointed Ms. Annette Claycomb to fill one of the vacancies.

Airport Zoning Board. One vacancy.

Alamogordo Disability Council. Five vacancies.

All remaining vacancies were rescheduled.

UNSCHEDULED COMMUNICATIONS:

A. Comments by Commissioner Ed Cole regarding Otero Village.

Commissioner Cole said regarding the holding ponds at Otero Village, had there been any progress? Mr. McCourt said it had been followed up on, and Code Administrator Pat Vandergriff had provided some answers to the various questions which he'd distributed out to the Commissioners. Regarding the bare ground, he recalled that belonged to a different individual than Otero Village. If there were dust or weed problems on that, then it would have to be addressed with the individual who owned it. Mr. Vandergriff said they'd had some more gravel put in the alley, and the phone company was getting ready to do some more work in it. Regarding the ponding areas, in his memo to the Commission he had indicated that Otero Village had advised him that there was a Change Order in the works to basically cobble the larger ponding area. He understood that as of yesterday that Change Order was signed and they would be coming back into do that. Regarding the other requests, he'd been advised that Otero Village just simply did not have the money to do anymore of those issues.

Mr. McCourt said there was not a City requirement that they pave or develop the alleys. Every piece of property was accessed to alleyways throughout the City.

Mr. Vandergriff said the alleys had been restored considerably. Commissioner Cole asked if anyone from the Albuquerque office had ever made it down on this? Mr. Vandergriff said no, they had never come back down again other than the fact that he'd talked to Mr. Callahan, the builder. He told Mr. Callahan that the owner had said they would come down and talk with us again, but Mr. Callahan basically informed him that they didn't see a need to talk again because they weren't going to do anymore. Regarding the alleys, he'd watched them very closely and the only vehicles he'd seen in the alley since the basic completion of the project had been either City vehicles, telephone or gas trucks, and the garbage collection trucks. Those were the ones using those alleys to start with.

B. Thank you to everyone for successful Fourth of July Parade.

Commissioner Cooper said he wanted to publicly thank Susan Flores, Raul Ruiz, Doug Quam, and everyone else that pitched in for the Fourth of July Parade and the park activities. They did an outstanding job. Also, DPS was great in responding to different things throughout the parade route, and he also wanted to thank the Sheriff's Department for being involved, as well as the State Police Officers. As far as he was concerned, everything went quite well other than a minor accident. Without those people, this would not have come about. He appreciated their efforts.

Commissioner Easley said the Parade was a lot of fun and the fireworks at the Space Hall were great. He thanked Commissioner Griggs for riding with him, and he also wanted to thank all those people named by Commissioner Cooper. He especially and most of all wanted to thank Commissioner Cooper for taking his time to organize and plan and be there and take care of all the aspects of the parade. He felt it was the best Fourth of July Parade they'd had since he didn't know when.

C. Comments by Commissioner Griggs regarding the R.O. project; and billing contractors for use of Convenience Center.

Commissioner Griggs said regarding the recent discussions on the shortages of water, one of the things the City had been actively involved in was the R.O. project. It had been a while since they'd received any updates on that, and he felt it would be good to get another update.

Commissioner Griggs said he'd received a request from a contractor in town to see if there was any way they could bill contractors who used the Convenience Center. Often times they had to go out there once or twice a day, and if they did they had to remember to bring checks. Perhaps if there was a way the City could bill them, and then if they didn't pay maybe they could turn off their water or something.

D. Comments by City Manager regarding his leave of absence; and water meeting in Fresno/La Luz Canyons.

Mr. McCourt thanked Mr. McNeile and the rest of the staff for covering for him while he was gone at the last Commission Meeting. The surgery had been scheduled for July 30th, and he needed to be in Missouri on the morning of the 25th. Therefore, he would be absent from town from the 20th of July until the 20th of August. He would make arrangements for coverage during that time he would be gone.

Mr. McCourt said he had a meeting set up for 10:00 a.m. this Friday with Mr. Warnock to discuss the situation up in the Fresno and La Luz Canyons. If the Commissioners would like to participate, they were certainly welcome to attend. He thought many of them had seen the brochure which had been sent out to the High Rolls and the La Luz folks--he'd get them copies in their mailboxes.

E. Comments by Mayor Carroll regarding Fourth of July Parade; fireworks display; and Resolution of Support for the four-laning of US 70.

Mayor Carroll said he would let go the sentiments of Commissioner Easley and Commissioner Griggs on everyone who participated in the 4th of July parade, and on Commissioner Cooper's outstanding effort to make it happen. Also, he would echo the comments on the fireworks display at the Space Hall. He also wanted to thank the citizens of Alamogordo who used legal fireworks in a safe manner, and to again caution the people who felt it necessary to use illegal fireworks that this year they were lucky and had a very minimum of problems with fires. It was the illegal fireworks that posed the biggest damage potential to the City. Hopefully next year they would find a way to celebrate the Fourth of July in a legal manner.

Mayor Carroll said there was an item he would ask to have on the agenda for the next meeting. It was a Resolution of support for the Highway Commission's four-laning project through the Hondo Valley. Mr. McCourt had been contacted by the City Manager of Ruidoso, and he had been contacted by the Highway Department. They were asking for a Resolution of support for the project, which was a 38-mile stretch of road that was in the Highway Department plan to be four-laned. It offered a whole lot of potential to increase the safety on that stretch of highway, and it was also an economic development and tourism tool. He hoped they would go ahead and consider approving it at the next meeting. One of the safety issues was that there had been 14 fatal accidents on that stretch of highway in the last two years. Unfortunately, some of the fatalities involved people from our community. He thought they needed to be supportive of the four-laning effort for that. Commissioner Easley asked if it had been forwarded to the Transportation Committee as well? Mayor Carroll said yes. Mr. McCourt said the Chamber Board would consider a letter of support at their meeting next week, and the OCEDC Board would also be looking at a letter of support on that

particular project. The Chamber Transportation Committee would be informed since they attended a lot of the Highway Commission meetings. Commissioner Griggs said there was a meeting held in Ruidoso to get public input on that highway, and he had attended that along with other Transportation Committee members. The Committee was certainly well aware of some of the issues up there.

Mayor Carroll said everyone's prayers and thoughts would be with the City Manager's wife and granddaughter throughout this period, and he hoped it was a successful outcome.

Mayor Pro-Tem Van Doren moved to adjourn. Seconded by Commissioner Cooper. **All voted "aye". The motion carried by a vote of 7-0-0. The Meeting was adjourned at 10:30 p.m.**

Mayor Donald E. Carroll

ATTEST:

City Clerk Angie J. Rahn

(SEAL)

(Prepared by Chief Deputy Clerk Teresa Y. Gutierrez)

Approved at the City Commission Regular Meeting of July 24, 2001.



[City Of Alamogordo Home Page](#)

[Table Of Contents](#)

[Minutes Page](#)

[Return to City Clerk Home Page](#)