

**CITY OF RUIDOSO DOWNS  
GOVERNING BODY, REGULAR MEETING  
123 DOWNS DRIVE, RUIDOSO DOWNS, NEW MEXICO 88346  
DECEMBER 12, 2022**

The City Council of the City of Ruidoso Downs met in a regular session on Monday, December 12, 2022. Mayor Holman called the regular meeting to order at 2:00 p.m. and lead in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilor Walker, Councilor Lundquist, Councilor Lacewell

**Present by Phone:** Councilor Miller

**Municipal Employees Present:**

John Underwood, City Attorney

Selena Chavez, Assistant City Clerk

Joe Commander, Police Chief

Robert Knight, Deputy Police Chief

Andrea Herrera, Planning Services Director

Joey Jarvis, Public Works Director

Bruce Baker, Assistant Fire Chief

**Guests Present: 3**

**Municipal Employees Present by Phone:**

Alejandra L. Giron, City Clerk/Treasurer

**APPROVAL OF AGENDA**

**Motion: Moved by Councilor Lundquist to approve the Agenda as presented; Seconded by Councilor Miller.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Aye= 4).

**Aye:** Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.

**APPROVAL OF CONSENT AGENDA**

(All matters listed under Item 5 will be enacted by one motion.)

**A. \*APPROVAL OF GOVERNING BODY MINUTES**

\*November 28, 2022, Regular Meeting Minutes

**Motion: Moved by Councilor Lacewell to approve the Consent Agenda as presented; Seconded by Councilor Lundquist.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Aye= 4).

**Aye:** Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.



**PUBLIC INPUT**

Bonnie Richardson made comments.

Pam Williams made comments.

**COUNCILORS COMMENTS**

Councilor Lacewell complimented the city’s safety awards banquet.

Councilor Walker complimented the city’s float in the parade.

Councilor Miller complimented the safety awards banquet and the float in the parade.

**MAYORS COMMENTS**

Mayor Holman complimented the safety awards banquet and Donna Miller for her efforts toward the safety award banquet.

**PUBLIC HEARING**

A. Ordinance 2022-09, an Ordinance Amending the City of Ruidoso Downs Code of Ordinance Title XV Land Usage, Chapter 151: Building Regulations; Construction.

The Planning Services Director stated this ordinance is to authorize the demolition procedures and process. It was taken brought to the Council before. She has brought it back to be updated according to current state codes.

Mayor Holman opened the Hearing to the public at 2:16 p.m.

There being no Public Input, Mayor Holman closed the Hearing to the public at 2:16 p.m.

Mayor Holman opened the Hearing to the Council at 2:16 p.m.

Councilor Lundquist asked are the new fees charged by square footage.

The Planning Services Director stated it isn’t by the square footage. The \$8.00 is for additional sq. ft. past 500 sq ft.

There being no more discussion Mayor Holman closed the Hearing to the Council at 2:19 p.m.

**Motion: Moved by Councilor Walker to adopt Ordinance 2022-09, an Ordinance Amending the City of Ruidoso Downs Code of Ordinance Title XV Land Usage, Chapter 151: Building Regulations; Construction as presented; Seconded by Councilor Lundquist.**



**Vote:** Motion carried by unanimous roll call vote (**summary:** Aye= 4).  
**Aye:** Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.

**B. Ordinance 2022-10, an Ordinance Amending the City of Ruidoso Downs Code of Ordinance Title V, Chapter 50: Water.**

The Public Works Director stated there are numerous changes to this ordinance which are mainly clean up, added definitions, delinquencies fees were increased as the rates weren't even covering the costs for a tap fee. The water rationing was also to encompass the water wells. The capital maintenance fee is going to be investigated and brought back to the Council.

Mayor Holman opened the Hearing to the Public at 2:22 p.m.

Bonnie Richardson asked if the cost of the Utilities is going up.

The Public Works Director stated the base cost is not going up. The tap fee and the fees for the delinquent accounts will increase.

There being no more Public Input, Mayor Holman closed the Hearing to the public at 2:24 p.m.

Mayor Holman opened the Hearing to the Council at 2:24 p.m.

Councilor Lundquist stated she doesn't agree that the public can't turn off the valves themselves.

The Public Works Director stated that's a Homeland security law and if the residents break the valve the city will have to pay for it.

Councilor Walker stated he agrees with the valves being off-limits to the residents because they break easily.

The City Attorney asked if the capital maintenance fee is included in this ordinance.

The Public Works Director stated the capital maintenance fee is included.

The City Attorney asked what the purpose of the fee was.



The Public Works Director stated the capital maintenance fee is to take care of or replace the old water lines under the roads that need maintenance.

The City Attorney suggested omitting the column entitled capital maintenance fee, in Appendix A, under B (1).

Mayor Holman closed the Hearing to the Council at 2:33 p.m.

**Motion: Moved by Councilor Lacewell to adopt Ordinance 2022-10, an Ordinance Amending the City of Ruidoso Downs Code of Ordinance Title V, Chapter 50: Water with the amendment to Omit the column entitled capital maintenance fee under B1 of Appendix A; Seconded by Councilor Walker.**

**Vote: Motion carried by unanimous roll call vote (summary: Aye= 4).**

**Aye: Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.**

C. Ordinance 2022-11, an Ordinance Amending the City of Ruidoso Downs Code of Ordinance Title III Administration, Chapter 30: Mayor, §30.04 Mayor Pro-Tem.

Mayor Holman opened the Hearing to the public at 2:35 p.m.

Bonnie Richardson asked what are the changes in this ordinance.

The City Attorney stated the only change is to omit the word “March” to reflect the general elections that are also held in other months.

There being no more Public Input, Mayor Holman closed the Hearing to the public at 2:37 p.m.

Mayor Holman opened the Hearing to the Council at 2:37 p.m.

There being no discussion, he closed the Hearing to the Council at 2:37 p.m.

**Motion: Moved by Councilor Lundquist to adopt Ordinance 2022-11, an Ordinance Amending the City of Ruidoso Downs Code of Ordinance Title III Administration, Chapter 30: Mayor, §30.04 Mayor Pro-Tem as presented; Seconded by Councilor Walker.**

**Vote: Motion carried by unanimous roll call vote (summary: Aye= 4).**

**Aye: Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.**



**D. Ordinance 2022-12, an Ordinance Amending the City of Ruidoso Downs Code of Ordinance Title III Administration, Chapter 32: City Officials, §32.002 Appointment; Terms.**

Mayor Holman opened the Hearing to the public at 2:38 p.m.

Bonnie Richardson asked what the changes are in this ordinance.

The City Attorney stated the only change is to omit the word “March” to reflect the general elections that are also held in other months following the election of the Council.

Mayor Holman closed the Hearing to the public at 2:41 p.m.

Mayor Homan opened the Hearing to the Council at 2:41 p.m.

There being no discussion he closed the Hearing to the Council at 2:42 p.m.

**Motion: Moved by Councilor Walker to adopt Ordinance 2022-12, an Ordinance Amending the City of Ruidoso Downs Code of Ordinance Title III Administration, Chapter 32: City Officials, §32.002 Appointment; Terms as presented; Seconded by Councilor Lundquist.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Aye= 4).

**Aye:** Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.

### **NEW BUSINESS**

**A. Discussion and Possible Action on Adoption of Resolution 2022-27, a Resolution approving the Official Holiday Calendar for the City of Ruidoso Downs.**

Councilor Lacewell stated this is excessive and four should be taken off.

Mayor Holman asked which holidays would she like to strike out.

Councilor Lacewell stated for starters some of them are specific to some races we are not representing in our town for example, Martin Luther King Jr. Day and Juneteenth. Those holidays would be easy to strike off.

Councilor Walker stated Martin Luther King Jr. Day and Juneteenth are Federal holidays.

Councilor Lacewell stated just because they are federal holidays doesn't mean we have to recognize them. She checked out of the 3,000 residents in the City only 1.2% are representing the African-American culture and up until last year the Federal recognized.



Councilor Walker stated Martin Luther King Jr. Day and Juneteenth are in the Personnel Policy manual.

Councilor Lacewell stated it is up to the Council gets to say how many holidays are going to be passed.

Councilor Miller stated not many people know what Juneteenth is and we don't have people in the community who observe it and agreed with Councilor Lacewell that the holidays off too many.

The Public Works Director stated the extra holidays are for the employees who have low wages as a perk to staying with the city. So, the employees do not leave for other employment that pays more.

Councilor Lundquist stated it benefits the city because the banks, the schools, and the daycares are all closed on the federal holidays as well.

The City Attorney suggested changing Columbus Day to Indigenous Peoples' Day which is what it is formally known as today. He suggested to allow him to check if we would be subjective to the particular issue, omitting two holidays based upon racial issues, because he doesn't want to open us up to a lawsuit with the NAACP. He stated it would be beneficial to postpone this item to the next regular meeting.

**Motion: Moved by Councilor Lacewell to postpone Resolution 2022-27, a Resolution approving the Official Holiday Calendar for the City of Ruidoso Downs to the January 9, 2023, Regular Council Meeting; Seconded by Councilor Miller.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Aye= 4).

**Aye:** Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.

The City Attorney stated Council should approve the holiday on January 2, 2023 in observance of New Year's Day due to the date of the holiday falling before the next Council meeting on January 9, 2022.

**Motion to approve the New Year's Day holiday for the city to observe on January 2, 2023:**

**Moved by Councilor Lundquist to approve the holiday on Monday, January 2, 2023 in observance of New Year's Day; Seconded by Councilor Walker.**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Aye= 4).

**Aye:** Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.



**B. Discussion and Possible Action on Adoption of Resolution 2022-28, a Resolution establishing the City of Ruidoso Downs Governing Body Meetings, Committee, and Board Meetings and Public Notice Requirements.**

**Motion: Moved by** Councilor Lacewell to adopt Resolution 2022-28, a Resolution Establishing the City of Ruidoso Downs Governing Body Meetings, Committee, and Board Meetings and Public Notice Requirements as presented; **Seconded by** Councilor Lundquist.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Aye= 4).

**Aye:** Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.

**C. Discussion and Possible Action on Approval of Task Order 22-02 to Dennis Engineering for Engineering Services during Design and Construction of the Park Lane Road Improvement Project in the amount of \$52,000.00 exclusive of NM GRT.**

The Public Works Director stated this is for the engineering and designing improvements for the Park Lane Road Improvement project and it will be paid out of the grant.

Councilor Lundquist asked if the traffic bump will be taken out.

The Public Works Director stated the traffic bump will be left out.

**Motion: Moved by** Councilor Miller to approve Task Order 22-02 to Dennis Engineering for Engineering Services during Design and Construction of the Park Lane Road Improvement Project in the amount of \$52,000.00 exclusive of NM GRT as presented; **Seconded by** Councilor Lundquist.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Aye= 4).

**Aye:** Councilor Miller, Councilor Walker, Councilor Lundquist, Councilor Lacewell.

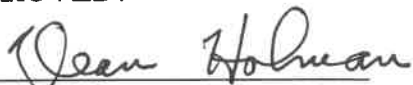
**ADJOURNMENT**

There being no further business to come before the Governing Body, Mayor Holman adjourned the regular meeting at 3:05 p.m.

**MINUTES ARE DRAFT UNTIL APPROVED ON:**

Passed and Approved on this 9<sup>th</sup> day of January 2023.

**APPROVED:**

  
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Dean Holman, Mayor





**ATTEST:**

*Alejandra L. Giron*

Alejandra L. Giron, MMC  
City Clerk/Treasurer

