

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION SPECIAL MEETING MINUTES
6:00 P.M., SGT. WILLIE ESTRADA MEMORIAL CIVIC CENTER
August 2, 2022**

**SUSAN PAYNE, MAYOR
SHARON McDONALD, COMMISSIONER
JOSH RARDIN, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
NICHOLAS PAUL, COMMISSIONER**

**DUSTY WRIGHT, MAYOR PRO-TEM
KARL MELTON, COMMISSIONER
BRIAN CESAR, CITY MANAGER
PETRIA PENNINGTON, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER / ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Payne called the meeting to order at 6:05 p.m. Roll Call was taken by the City Clerk. City Clerk Hughs announced there was a quorum present. Invocation was given by Pastor Rick Mitchell and the Pledge of Allegiance was led by Mayor Payne.

APPROVAL OF AGENDA

Mayor Payne asked to amend the agenda to put Resolution 2022-38 before Resolution 2022-37.

Commissioner Rardin moved to approve the agenda as amended.

Commissioner Burnett seconded the motion.

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

PUBLIC COMMENT

City Attorney Pennington read the 88 public comments sent prior to the meeting that urged the commission to vote against the resolutions. Of that number, 30 were the same email where they wrote, "...urge you to vote NO on Resolution 2022-38". Some individuals sent the same email multiple times. The names of the people that wrote the same email are as follows: Richard Ballew, Marilyn Lohr, Shari Adkisson, Laurence Sager, Edwina Garcia, Molly Swank, Anne Nolan, Larry Gioannini, Ann Ellen Tuomey, Rebekkah Lyles, Lisa Alvarado, Cindy Christensen, Lisa Alvarado, Bo Bergstrom, Carol Gentry, Chuck & Judy Anthony, Al Webster, Deb H. Cookingham, Deborah Barnum, Robert Janusko, VC Corcoran, Chaia Ross, Leslee C. Petersen, Shana Pedroncelli, Clara Hardgrave, Connie Chapman, Beryl Birch, Rochelle Williams, A. Meincke, and Richard Ballew.

Finance Director Huff read the 63 public comments sent prior to the meeting that urged the commission to vote for the resolutions. Of that number, 61 were the same email where they wrote, "... urge you to pass Resolution 2022-38". Some individuals sent the same email multiple times. The names of the people that wrote the same email are as follows: Isaac Arreola, Curtis Hacker, Ben Luna, Jacob Luna, Tony Pistilli, George Vogen, Colette Ruggles, Sandra Kipp, Justin Butler, Ludivina Cardwell, Whitney Almager, Becky Mesilla, Mary Ingham, Naomi Mroczek, Alena Silva, Stephen Cockrum, Bob Heisinger, Diane Heisinger, William Caldes, V. Herrera, Connie Moffitt, Tiffany Burningham, Jeff Shock, Brenda Cockrum, Sonia Nordenson, Ben Mroczek, Betty Clayton, Stephanie McKenzie, Ethel Maharg, Debbie Alton, Richard Goodson, Becky Hill, Bob Graham, Michael Franco, JD Vasquez, Christine Siddens, Terri Chrisman, Neil Hise, Michael Franco, Lana Peterson, Cathy Harris, Greg Eckstein, Molly Crosby, Mary Ingham, Dwight Woods, Aleta Buteau, Judy Sanchez, Stephanie Brownfield, Cristina V. Beato, Sandra Kipp, Rayanne Northrop, Cecilia Gonzales, William Westerbur, Heather Bash, Steve Carson, Eloy Romero, Bryan Begay, Diane Mix, P. E. Socci, Mary Beardsell, and Janet Dibble.

Alena Silva, Aleta Buteau, Becky Hill, Ben Mroczek, Betty Clayton, Bob & Diane Heisinger, Brenda Cockrum, Bryan Begay, Cathy Harris, Cecilia Gonzales, Christine Siddens, Cristina Beato, Debbie Alton, Diane Mix, Dwight Woods, Earlene Groseclose, Eloy Romero, Ethel Maharg, Greg Eckstein, Heather Bash, JD Vasquez, Jeff Shock, Judy Sanchez, Lana Peterson, Mary Moffitt, Mary Ingham, Michael Franco, Michael Franco, Molly Crosby, Linda McGinnis, Benjamin Luna Sr., Jacob Lucas, Neil Hise, Rayanne Northrop, Sanda Kipp, Sonia Nordenson, Stephanie McKenzie, Stephanie Brownfield, Stephan Cockrum, Steve Carson, Terri Chrisman, Tiffany Burningham, V. Herrera, William Caldes, William Westerbur, Janet Ellis, Amy Dunlap, Michael Schartz, Belen Cordova, Alena Silva, Naomi Mroczek, Stewart Inham, Becky (no last name given), Whitney Almager, Ludivina Cardwell, Justin Butler, George Vogen, Colette Ruggles, Isaac Arreola, Curtis Hacker, Robert McGinnas.

City Attorney Pennington and Finance Director Huff read the remaining emails with unique content but kept the names confidential. 58 emails were against the resolution. Two emails were for the resolution. One email was unclear.

Mayor Payne said we are going to move on to in-person public comments.

The following people that signed up for Public Comments urged the commissioners to vote against the resolutions: Natalie Wilkins, Avery Herrera, and Shari Adkisson.

Mayor Payne said she did things out of order, so she asked Commissioner Melton to introduce his resolution and then we will move on with Public Comment.

NEW BUSINESS

2. Consider and act upon Resolution 2022-38, a Resolution Declaring the City of Alamogordo a Sanctuary for the Unborn. (Karl Melton, District 3 Commissioner) moved to approve.

Commissioner Melton said he has brought forward Resolution 2022-38 because his constituents are worried that Alamogordo has no resolution or ordinance on the book protecting unborn life. This measure not only affirms life from conception to natural death, but it declares Alamogordo a sanctuary city for the unborn. As it stands now, the City has not made it opposition to abortion known, making Alamogordo a prime target for future abortion businesses to open their doors. In this post-Roe world we live in, abortion facilities in Texas, Arizona, Mississippi, and other states are actively moving to New Mexico where abortion is legal up to the very moment of birth. There are no protections for babies, mothers, and medical professionals. Just in the last few months, a Mississippi-based abortion business has already moved to Las Cruces. A Texas abortion facility is in the process of moving to Hobbs right now, a city that is overwhelmingly pro-life. The local governments of both Hobbs and Las Cruces have not passed pro-life sanctuary resolutions and now it is unfortunately looking like it is too late for them to do anything. The wheels are already turning. Meanwhile, to offer some contrast, the city of Roswell passed their own pro-life resolution in 2019 that is very similar to what he is advocating here today. Despite being only 80 miles from the Texas border, no abortion facilities have announced a Roswell location. He said the reason is clear to him; Planned Parenthood and other abortion facilities, are hesitant to invest the time, money, manpower, and resources in expanding to a city that they know is hostile to their mission. The pro-abortion lobby is clear that they will not rest until access to abortion is expanded, and that goal will inevitably collide with Alamogordo. He said as far as he sees it, if we do nothing, it is not a question of if, but when, a facility opens up in Alamogordo. We as a commission will be forced to take action later if we do not take it tonight. We can decide to be proactive and announce our opposition to any abortion businesses moving into the City tonight, or we can procrastinate, decide to kick the can down the road, and only discuss options after Planned Parenthood has already made

their plans to move. Similar to Hobbs, by that time, it will probably be too late. These realities are why this resolution is so important today. Our community, Alamogordo, is fervently pro-life. As of this morning, he had received 81 emails total. 70 of them were in favor of the resolution, and 11 emails were opposed; that is nearly 9 out of 10 in favor of this resolution. Sometime around 12:30 pm today, a pro-abortion national organization sent an email blast to their entire state-wide list. Yet even with that involvement from an out of town, out of state advocacy organization, by 5 pm, the latest count he had, the emails in support were still more than double the emails we received in opposition. He said he was in favor of both of these resolutions on the agenda today and he said he thinks we should pass both. They will do great wonders for our City, and they will also show our constituents that we are listening to them and representing them as elected officials are supposed to do. Now, he said he will say that we should not compromise and pass one of the two resolutions, because one resolution on the agenda is more vague and weaker than the other one. There is only one resolution on the book today, on the agenda, that makes Alamogordo a sanctuary city for the unborn. He said he is advising that we listen to our constituents in the City of Alamogordo and pass both of these resolutions. We must do everything possible to stand up for those who cannot stand up for themselves, the unborn. They are the only demographic that cannot speak up in this room right now, they cannot state their opinion like everyone else. This commission has previously passed resolutions in support of the 2nd Amendment, Parental Rights, and other controversial topics that our citizens care about, but that didn't stop us back then. We continued, and we made Alamogordo a sanctuary city for the 2nd Amendment, because that is what our constituents wanted us to do, and that is our job, and that is where it ends. The right to life is just as important, and we as a governing body need to take a stand tonight. This measure of protection for those innocent babies is critical to representing our constituents and representing a culture of life in our beautiful city.

Mayor Payne said she had a question for our City Attorney; do you know how many of them were actually from Alamogordo or Otero County. City Attorney Pennington said it was hard to tell because some of them were just signed, "your name" so she had to read the name off the email address. Some of them are from Santa Fe, we had a lot of them from Santa Fe, we had out-of-town on both of those copy and paste. She said she thinks probably half of those letters were from outside of Alamogordo. Mayor Payne asked how many were there. City Attorney Pennington said very preliminarily, it looks like there were 63 of the letters that were for, and 30 against. She said at the request of Commissioner Rardin, she is tallying how many were for and against. Mayor Payne said so you don't have a total count. City Attorney Pennington said not yet, but she will have it by the end of the meeting.

Mayor Payne consulted with Commissioner Rardin. Mayor Payne said that Commissioner Rardin unofficially counted 86 against, and 69 for.

Mayor Payne resumed with the Public Comment.

The following people that signed up for Public Comments urged the commissioners to vote against the resolutions: Stan Hernandez, Erin Gatten, Debbie Osborne, Danica Newton, Denise Lang-Browne, Cathryn Chevalier, Matt Creclies, Heather Flodin, Carol Hernandez, Kristina Marzano, Arthur Alterson, Claudia Powell, Donna Swanson, and Nadia Sikes.

The following people that signed up for Public Comments urged the commissioners to vote for the resolutions: Cecil Lunceford, John Morris, Marcia Stirman, Benjamin Luna, John Block, Sara Weihausen, Ashley Caraway, Ricky Caraway, Janice Armstrong, Antonio Bustamantes, John Baake, Janie Blanton, Couy Griffin, Diane Wilson, and Tracy DeLaRosa.

Mayor Payne said if we count the emails, she had 82 for and 105 against; that is 187 people out of 31,000 people in our city, who may or may not be from Alamogordo or Otero County, who took the

time to voice their opinion about this. She said she read these emails and listened to the people tonight and she was a little disappointed because assumptions were made. She said that is why she asked the one lady if she even knew her, because she has never met her before. She said she made assumptions about me personally, and she had never talked to her; assumptions were made about other commissioners tonight and that was disappointing to her. She said she was only speaking for herself as the Mayor, but she understood the difference between her personal beliefs and her professional responsibilities. She said it has gotten her in trouble more than once on both sides of the aisle; people who know her know she has very thick skin and she has to do this every single day. She said that when those kinds of things happen, it creates a perception. It makes it difficult for us, and when you are being attacked like that your first inclination, on either side of the aisle, is to double down. She said she saw that tonight, she saw people making comments and faces, and she was disappointed because we need to respect each other. She said she brought forward the second resolution as an alternative to the first resolution and we don't have to pass either one. She said this is a very controversial subject and one that she did not believe was a function of city government. She said she is not going to pander to anybody and she runs a nonprofit where they help the homeless and they help people. We do the best we can, maybe the City as a whole does not, but we are trying. She said she has agonized and she lost sleep over this because she is in a spiritual quandary with her personal faith as a Christian, but she understands she was elected to represent everybody. She said she has heard comments tonight, such as when Janice Armstrong gave us statistics if an abortion clinic comes here, that there is going to be bombings and murders. She said what makes that any better, that to her is fear, and unfortunately it is a very real fear. So is it okay to kill the people performing abortions, but is it not okay to perform an abortion. She said she spent four years working at the Pregnancy Health Center where she counselled thousands of women that were contemplating abortion. She said she has heard all the stories and understood why they do it. She said she is personally pro-life and has no problem admitting it; yet more than pro-life, she is pro supporting women. She said she hears over and over that we need to protect the voiceless and she understands that and personally she agrees with that, but we are forgetting something. She said there is a woman that is carrying that baby, and while she did not want any one of them to have an abortion, we need to start talking about how we can support these women that are having babies or finding themselves in these situations. She said she was a teenage mother and knows exactly what it is like, she had her daughter at 17 years old and had no family support. However, it has nothing to do with this situation even if she can sympathize and have compassion for it. She said she did not believe this was a function of city government and agrees with the notion we have so many other things to worry about in this City. She said she was sorry but that is how she feels, and she respects other people's right to feel different. She said quite frankly, this is not an issue right now, and this is not something that is binding. It is not kicking the can down the road, it is creating awareness of a problem that wasn't there, and now we could have a problem. She said the great thing about people in general is that we can agree to disagree.

Commissioner Melton said he also has his faith, but when he introduced his resolution, his reasoning for bringing it forward had nothing to do with his faith; he did not invoke religion. Quite simply, he brought it forward because he heard from constituents that this is what they want, and he is in this role to represent them. He said that someone brought up our mission statement earlier, and that is to provide the best service to our constituents. He said he felt like in our responsibilities, we have to represent them even if it is controversial. A lot of the controversial issues are the ones worth fighting for. You are going to have to side with someone, because at the end of the day, there is no function that we as a governing body perform where almost everyone is in approval. Even when we find derelict buildings and tear them down, there are people against that. Every function we have, there are for and against, and it is a prudent move to speak to and represent the majority because those are the ones that voted us in.

Mayor Payne said she hears that, but she had 82 for and 105 against, so what is the majority. Commissioner Melton said that an out-of-state interest group sent an email to an entire list, and he has that email. Those emails that came in were not from Alamogordo.

Commissioner Rardin said that he would like to call to call the question.

Commissioner Melton moved to approve.

Commissioner Rardin seconded the motion.

Roll Call Vote was taken.

Motion carried with a vote of 5-2-0. Commissioner McDonald and Mayor Payne voted nay.

2. Consider and act upon Resolution 2022-37, a Resolution Declaring Support for Otero County Resolution 07-122/111-09. (Susan L Payne, Mayor of Alamogordo)

Commissioner Melton moved to approve.

Commissioner Wright seconded the motion.

Roll Call Vote was taken.

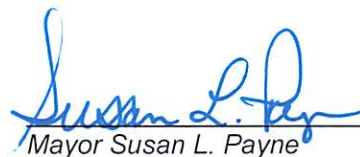
Motion carried with a vote of 6-1-0. Commissioner McDonald voted nay.

Commissioner Rardin moved to adjourn at 9:59 p.m.

Commissioner Burnett seconded the motion.

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

ADJOURNMENT



Mayor Susan L. Payne



ATTEST:



City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on August 9, 2022.