

**CITY OF ALAMOGORDO, NEW MEXICO  
CITY COMMISSION REGULAR MEETING MINUTES  
6:30 P.M., COMMISSION CHAMBERS  
August 23, 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 6:31 p.m. Roll Call was taken by the City Clerk. Commissioner McDonald was present by phone. City Clerk Hughs announced there was a quorum present. Invocation was given by Commissioner McDonald and the Pledge of Allegiance was led by Pastor Vaden Gilloth.

**APPROVAL OF AGENDA**

Mayor Pro-Tem Wright moved to approve the agenda.  
Commissioner Burnett seconded the motion.  
Motion carried with a vote of 7-0-0.

**PRESENTATIONS**

**1. Swearing in of two new Alamogordo Police Officers, Jerry Parra and Eric Cisneros. (*Richard Denton, Chief of Police and Municipal Court Judge, David Overstreet*)**

Police Chief Denton introduced Alamogordo Police Officers Jerry Parra and Eric Cisneros. Judge Overstreet swore both police officers in.

**PUBLIC COMMENT**

Joe Lewandowsky said each year the Alamogordo High School does a historical film, this year it will be on the Dudley School.

**CITY MANAGER'S REPORT**

**City Manager Cesar made the following remarks:**

1. He gave his time to Mayor Payne. She presented City Attorney Pennington with a commendation for serving the citizens of Alamogordo. She thanked her for working on behalf of the city of Alamogordo. City Attorney Pennington thanked the commission to collaborate with them. She said over the past five years, they have done a lot of good for the city.

**REMARKS AND INQUIRIES BY THE CITY COMMISSION**

**Mayor Payne made the following comments:**  
She wished her granddaughter a happy birthday.

**CONSENT AGENDA**

**2. Approve the minutes for the August 9, 2022, Regular meeting. (*Rachel Hughs, City Clerk*)**

3. Consider, and act upon, adoption and final publication of Ordinance 1656 Case Z-2022-0002(A), a map amendment to change zoning of the property located at 575 W. Eighth Street from M-2 Industrial Zoning to MH-2 Manufactured Housing Park. *(Stella Rael, City Planner)* (Roll Call Vote Required)

4. Consider, and act upon, approving the award of RFQ 2022-06 Re-Bid Engineer & Design Repair 10th Street Bridge and Replace Hubbard Drive Bridge to Bohannon Huston. *(Nancy Beshaler, Public Works Director)*

5. Consider, and act upon, support of acceptance of the New Mexico Department of Tourism's "Clean and Beautiful" Grant award in the amount of \$30,081.40 for Keep Alamogordo Beautiful for the fiscal year 2023. *(Josh Sides, Special Events Manager)*

6. Consider, and act upon, Resolution 2022-40 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of August 23, 2022. *(Evelyn Huff, Finance Director)* (Roll Call Vote Required)

7. Consider, and act upon, the Investment Report for the quarter ending June 30, 2022, in accordance with the City of Alamogordo Investment Ordinance. *(Sue Ashe, Accounting Manager)*

Commissioner Melton moved to approve the Consent Agenda.

Commissioner Rardin seconded the motion.

Roll Call Vote was taken.

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

## **NEW BUSINESS**

8. Consider, and act upon, the Custody and Disbursement Agreement between the City of Alamogordo and the Tularosa Basin Historical Society for Atari Games. *(Brian Cesar, City Manager and Joe Lewandowski, Operational Consultant)*

Joe Lewandowski said last time they did the dig, they sold 88 and it brought in \$107,000; the City received \$65,000 with that agreement. This time the agreement is fifty-fifty. There are approximately 290 games left. We are going to keep one or two of every game for historical games. About 150-170 will be for sale. Last time they went from \$1000 to \$1500 a piece.

Commissioner Rardin asked how many games are there down there. Mr. Lewandowsky said about 790 to 1000.

Commissioner Rardin moved to approve.

Mayor Pro-Tem Wright seconded the motion.

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

9. Consider, and act, upon Resolution 2022-39 declaring 1401 S. White Sands Blvd. to be so ruined, damaged, and dilapidated that it is a menace to the public comfort, health, peace or safety and ordering its abatement. *(Stella Rael, City Planner)* (Roll Call Vote Required)

City Planner Rael presented on why the property needs to be abated, and City's procedures leading up to that point.

Mayor Payne said what happened with the letter, you said it was returned. City Planner Rael said it was returned unclaimed. Mayor Payne said okay, not that it was the wrong address. City Planner Rael said no. City Planner Rael said she also tried reaching out to him via telephone calls and emails, but he is not responding.

Mayor Payne said if we approve this tonight, how long before they start. City Planner Rael said if we approve this tonight, we have to send the resolution to the property owner, and they will have 10 days to start the process themselves. If he does not comply with that, then they will begin.

City Attorney Pennington said the property owner could also file a written objection with the City Clerk within 10 days. If the property owner does that, then it will come before the Commission for a hearing as to whether the Commission wishes to enforce the resolution or rescind it. To do that, you are looking at quite a while, because then if the Commission chooses to enforce the resolution, then the property owner could take this to District Court where we would have to have a full basic trial on the merits of this. She said herself, Code Enforcement, and the City Planner have all tried to contact the property owner many times.

City Manager Cesar said the owner was anxious to get the report. Mayor Payne asked if that had been resolved yet. City Attorney Pennington said it was pending, Lt. Skaggs has been trying to get in contact with the owner to get some more information, so the DA can charge, is her understanding.

**Commissioner Rardin moved to approve.**

**Commissioner Burnett seconded the motion.**

**Roll Call Vote was taken.**

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

**10. Consider, and act upon, first publication of Ordinance 1658 Case Z-2022-0003(A), a map amendment to change the zoning of two parcels located south of Airport Rd. and west of Business Center Blvd. better known as Parcel Numbers 01N4052098330195 and 01N4052098462198 from R-1 Single Family Dwelling to M-2 Industrial Dwelling. (Stella Rael, City Planner) (Roll Call Vote Required)**

City Planner Rael said property own Thomas Anderson from Southwest Property LLC has requested a map amendment to two parcels he owns, which are south of Airport Road and west of Business Center Blvd. He wishes to change the zoning of the parcels from R-1 Single Family Dwelling to M-2 Industrial Zoning. The reason that Mr. Anderson is requesting this map change is Pivot Engineering has been wanting to put some solar farms within his two parcels and they cannot be R-1 zoning. City Planner Rael continued to discuss procedures followed for this map amendment.

**Commissioner Paul moved to approve.**

**Mayor Pro-Tem Wright seconded the motion.**

**Roll Call Vote was taken.**

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

**11. Appointments to Boards and Committees. (Susan Payne, Mayor)**

Mayor Payne read the openings and appointed Nolan Adams to the Parks and Recreation Board. No one was opposed.

Commissioner Rardin moved to adjourn at 7:10 p.m.  
Commissioner Wright seconded the motion.  
Motion carried with a vote of 7-0-0.

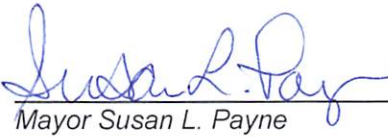
**ADJOURNMENT**

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ATTEST

  
City Clerk Rachel Hughes

  
Mayor Susan L. Payne

(Prepared by Dylan Aleshire, Deputy City Clerk)  
Approved at the Regular Meeting held on September 13, 2022.