

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
July 26, 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 6:30 p.m. Roll Call was taken by the Deputy City Clerk. Deputy City Clerk Aleshire announced there was a quorum present. Invocation was given by Reverend Warren Robinson and the Pledge of Allegiance was led by Commissioner Paul.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Code Enforcement Update. (*Stella Rael, City Planner*)

City Planner Rael said she wanted to through the process of what we do. Code Enforcement Officers are assigned to areas to patrol, and they also respond to any complaints received by our Department. Once that is done, they come back and we send out a Letter of Violation to the property owner, giving the property owner fifteen days to comply and correct the violation. Reinspection is scheduled for the sixteenth or seventeenth day after the fifteen-day period has come through. If the violation still exists, they let her know, and she begins completing the criminal complaint to be submitted to the Legal Department to start the court process.

City Planner Rael said that as you all know, she became Manager of Code Enforcement on April 1st of this year. She said that she wanted to share a little bit of what was done before they came to her Department. January 1, 2022, through March 31, 2022, Code Enforcement consisted of three Code Enforcement Officers, one Supervisor, one Abatement Officer, and one Admin Assistant. During this time frame, there were 541 total notices of violation. Total closed cases were 461. Total criminal complaints submitted to the Legal Department was 1. Total abatements completed by the Abatement Officer was 1. City Planner Rael said that April 1, 2022, through July 15, 2022, her staff consisted of two Code Enforcement Officers, one Manager, one Admin Assistant for two Departments, and they contracted abatement companies instead of hiring an abatement employee. She said that during this time frame, they sent out 1009 total notices. Total closed cases were 486. Total criminal complaints sent to the Legal Department was 68. 3 abatements were completed.

City Planner Rael presented specific examples of properties that Code Enforcement had worked on via slideshow.

Mayor Payne said what is going on with this Michigan property, she said she had gotten calls on this. City Planner Rael said that we are right at the tail-end of the fifteen days for that one. At that point,

she said she will just start the court process and start working on having it abated. Mayor Payne said so no chances, right. City Planner Rael said that no one has called her about it, nothing. Mayor Payne said she had a couple of neighbors that mentioned this property in the last week or so. City Planner Rael said yeah, it is bad. She said that as of today, she is fully staffed with four Code Enforcement Officers; two Code Enforcement Officers are here, Jeremy Otero and Irving Estrada. She said these guys go out there and they hustle. She is so proud of her staff. Shelbe is stepping up to the plate and doing a great job also. Mayor Payne said she sees them; she has lived here sixteen years and has never seen a Code Enforcement Officer down her street before, that is pretty impressive. City Planner Rael said they are getting some attention.

Commissioner Rardin said on your last slide, with the gentleman over on Catalina, where are we on that one? City Planner Rael said with that one, we are actually in the process of going to court with him. She said it is getting cleaned up, he has removed a couple of cars, so he is working on it; it is going to be hard to tell he is working on it because there is so much out there. She said we are definitely working on that with him. Mayor Payne asked if he was trying to run a business out of there. City Planner Rael said no. Commissioner Rardin said it is just a junkyard; cars in the backyard, cars parked down the street, cars in the front yard. He said that one is in his district has been a hassle for many years; we have taken him to court and he just pays the fines. City Planner Rael said she did not know what the past history on it is, but he is starting to move them out. Commissioner Rardin said he heard a rumor that he was going to be moving them across the street to a house he purchased. City Planner Rael said then he is going to have to move them from there. Commissioner Rardin said that is not the case, that is not what is happening, is it. City Planner Rael said not that she is aware of, but if that is what is happening, he has just created another problem. Commissioner Rardin said that one has been a problem and there are quite a few residents in that area who have voiced their concerns on that particular house. City Planner Rael said that if they approach you, let them know we are working on it, and he is cooperating, it is just a slow process. Commissioner Rardin said there is a lot of stuff to move. City Planner Rael said there is; we have so many properties like this throughout the City, we look in backyards and are surprised at the number of vehicles they can get back there.

Mayor Payne said she really appreciates what you are doing, she is getting so much positive feedback. City Planner Rael said thank you, we are working hard and we all want to be proud of our City.

2. Alamogordo Police Department Update on staffing and crime data. (Richard Denton, Chief of Police)

Chief Denton presented an update regarding staffing and crime data.

Chief Denton said here is an interesting one, in 2018, we had 739 drug arrests, in 2022 we have had 59 drug-related, so it could paraphernalia or any type of other drugs. The difference is, what we are getting now into is obviously, marijuana is legal, so now we are getting into the hard drug arrests. For that 739 number, if somebody had a marijuana pipe, that would be included, anything related to drugs. Mayor Payne said the in 2020 and in 2021 we were locked down, do you think that had something to do with it as well? Chief Denton said yes, you can tell. In 2018, we had around 8700 traffic stops, so we get a lot of drugs off traffic stops. When you have more officers, you can go be more proactive than just being responsive to everything. In 2022, our traffic stops are following about what they were in 2019. In 2020 and 2021 traffic stops were way down; then you have got the marijuana thing going on right now where we are not going to do anything with that even if they have marijuana or a marijuana pipe in their car.

Mayor Payne said you said if you pull them over now, and then have marijuana, then obviously you can't do anything about it. What if they are under, or you think they are under, the influence? Chief

Denton said sure. Mayor Payne said do they have to suspect it, what if they find marijuana in their car, is it automatically, and Chief Denton said it is just going to depend on what the signs of the driver are, the impairment of the driver, what they stopped them for, the evaluation of that driver.

Commissioner McDonald asked how do you report the people that are missing, and some of the unsolved murders in town. Chief Denton said those numbers go into an information system that we submit to the State. That is how those get reported. Our unsolved murders that we have, he said we only have a few he knew of, and we are continually working through those. If you remember the year, he said he believed it was on July 4th that we had a double homicide on Mountlake Terrace; the final trial on that was he said he thought last month some time, and that happened back in 2010 or before then. So those kinds of cases, we constantly look at. Sometimes they sit cold for a bit and then we get back to them. With missing persons, that goes into the State database where we try to get all the information in there, so if someone in another City comes across this missing person or comes across someone that is deceased, that will go in that system.

Commissioner Rardin said he noticed a steady uptick since Covid happened, it seems our crime has gone up. He said in our domestics, reading the day-to-day logs that we get; have gone up, especially during '20 and '21. What are some other things that we can try to implement that is going to help you guys? We know you are understaffed and we know that you guys are doing your part of it. He said he knew it was a bigger problem, a little higher up the food chain; you catch them and they release them. Chief Denton said that was part of it, just having enough staff to go out and do what we need to do. Just to put it in perspective, if every single day, you see an officer on White Sands, every thirty minutes to forty-five minutes with their red and blue lights flashing with a car pulled over, that is going to deter you from wanting to speed on White Sands, right. If you take that same scenario and put it in the neighborhoods, it is going to deter people from doing the crimes that they are doing. Without having staffing levels, the only thing we can do is ask the community to keep reporting these things; we know that sometimes it doesn't seem like we are doing anything about it, it gets put on the backburner and at times it might. Well, we go, we've got this report, we've got that report, let's look into this. There is a lot of investigations where we need to go back to past information to help us solve them.

Commissioner Rardin said as far as the staff levels, we all know it is a nationwide problem, but he said he didn't think throwing more money at it is going to help it, honestly. Chief Denton said he thinks it is going to help it for a while. You are in a competition. You have a pool of people that want to be an officer. So throw \$30 at them an hour and you are going to get some. Then where is this next person going to go, they are going to go \$32, so where are they going to go. They are going to head over here. If we don't get in the competition and get a part of the pool, we are just going to be continually where we are at. Chief Denton said he has been told, but hasn't researched it, that Santa Fe for instance starts their guys out at \$35 an hour. So, what does Santa Fe County have to do, they have to bump up their guys and give them an 11% increase. Commissioner Rardin asked if he happened to have their staffing levels at that rate. Chief Denton said he didn't. Commissioner Rardin said he was wondering, because it is a trend even in his business, and everyone is more money, more money, but he said he didn't think that was the answer anymore. He said he thought it was just a downward spiral that we are in right now. Chief Denton said you have to do something; he said he is not saying that money is going to fix the problem forever, but short-term; but you don't know if we don't get there.

Mayor Payne said she thought he was right, but she also thinks who wants to be a police officer anymore. The only way you are going to attract them, it has got to be money, what else is there. Mayor Payne said you and I have had that conversation where we did give pay increases, including our officers, but we are not competitive, we are maybe on an even playing field now with the Sheriff's Department or maybe some other cities of our size. She said she thought that is where the difference is. She said she sees a trend, if you look here at violent crimes, in 2018 it was 10%, in 2019 it was

14%, in 2020 it jumps up to 16%, in 2021 it jumps up to 40%. Commissioner Rardin said we were in the middle of lockdowns, people were getting desperate. Mayor Payne said that is exactly her point. Okay, so you didn't get Covid, but you had a violent crime committed against you. Obviously we couldn't do anything about it, but if you look at the trend right now, in 2022, we are halfway through the year at 20%, we are on track to meet or exceed 2021, and we are not locked down now. She said her concern is, because of these lockdowns, even though we are not technically locked down now, we are still going to continue to see those behaviors because people are unemployed and they have learned that over the last couple of years. She said we need to be competitive; she said she knows what Commissioner Rardin is saying, but she doesn't know what the answer is other than money. You can't make somebody be a police officer.

Commissioner Rardin said from the past when we have had these issues in office before, we looked at this and split Police and Fire because that was the argument. They said well, okay, we don't want to be cops, we don't want to be firefighters, so we did that and it worked for a little bit. Then it kind of dwindled back down. More money is great, but it is a nationwide problem, he said he didn't think it was going to solve the problem. Commissioner Rardin asked if there would be a way for you guys, and he said he knew it was a bit of work, to research and see what these other department staffing levels are, and what they are being paid per hour, and maybe look at sign-on bonuses rather than increasing that hourly wage. As Commissioners, we have to be fiscally responsible. With this increase that we just did for the entire blue-collar portion of it and some of the higher-ups, it increased our payroll by \$1,500,000. That is a reoccurring expense every year. We do we give, \$20-\$22 an hour for cops right now. Chief Denton said starting uncertified, \$19-\$21, and then they go to higher after they are certified. Commissioner Rardin said if we bump them up say to \$30 an hour, yeah it is going to fix it in the short-term, but, maybe a sign-on bonus with a hey, you can't leave us for two years type of deal or something. We need to start as a governing body and as staff, researching what we can do to fix this or help it.

Chief Denton said the sign-on bonuses idea is great, don't want to ever say no to that, but you are going to have to make it worth their while. If you are going to tell them you have to be here three years, and then they can go somewhere and make \$30 an hour, versus coming here and making \$20 an hour, you are talking \$10 an hour or \$20,000 a year. Well you better give them \$60,000 if you want to keep them three years. Some of the things he said he knew that HR Director Kim Torres advised you guys about, like how much it costs in turnover for one of us. When you are talking \$80,000, if we keep an officer for a year and we send them to the Academy, and they graduate and then decide they don't want to be a cop, or they can say they are going somewhere else. It costs roughly \$80,000, a little more probably. If you figure that over the forty-seven officers we have lost, it costs out to over \$3,000,000. If you bumped everybody up \$7 an hour at sixty officers, by the year, that comes out to that \$3,000,000 that we lost. He said he is not saying we wouldn't lose any, but it is just kind of where it gets you to. Mayor Payne said she got what you were saying, we do need to be fiscally responsible, but we also have a responsibility to protect our citizens, and she said she just doesn't see how we can do that with three officers on the street. If you have one serious incident, and you have three officers on the street, all three officers are busy. Now what, now what do we do? We need to keep that in mind. That is worse than when she was elected in 2016 and she said she thought it was bad back then, but it is worse now. Commissioner Rardin said it is way worse now. Chief Denton said today we had a homicide, so we are busy no doubt, but the Lieutenant, Sergeants, and Deputy Chiefs are out taking calls today because of our call load just today; it happens that way.

Commissioner Rardin asked have you guys looked at communities our size, or have you already done that Brian? If we could look at other communities our size, and even throw others in there like Santa Fe and Albuquerque to see what they are paying. City Manager Cesar said through the Salary and Benefits Study that was done City-wide, all the positions in the City through that report, a lot of that

information we already have for every position, including all the positions at the Police Department. We are now twenty-six days into the new salaries but not the benefit portion because that has not been brought to Commission. We are competitive within the market in our area according to the Study. Can more be done in the Police Department, yes, can more be done throughout the entire City; we can't obviously just keep throwing money towards any position in the City. He said he tries to catch Human Resources Director Kim Torres in the morning before she gets swamped in the morning, because it is something we are looking at, talking about, and not just for the Police Department but for all the City employees. Human Resources is pulling information from back to roughly 2018 for every officer, everyone that has left the City; as we lose employees whether they quit to go to another job or retire or etcetera, there is an exit interview that we ask each of the employees to fill out. Some of the questions, there is around twenty, revolve around why you are leaving the City, how do you feel about pay and benefits, and there is a number of other questions. They are compiling that information also. He said he sees, in the Police Department, and in other areas, not every exit interview that comes across, but he sees a lot of them; most of the time, he said what he is not seeing, and he is not saying just for the Police Department, it is not the pay. A lot of people are leaving for benefits, their spouse, another job, etcetera. Something he has asked both Human Resources and Finance to look at is what other incentives can we do; in the past six months ago, in the Employee Manual, were we changed the amount that an employee can cash with their PTO. There are other benefits that we are on the books that we have already paid for, and we are having Human Resources and Finance look at what else can we do. It may not be another \$1 or \$5 or \$10 an hour, but what else can we provide for the Police Department, the Fire Department, and the other areas. This is a very important area, but this isn't the only area where we are experiencing difficulties in recruiting and retaining employees.

Mayor Payne said your exit interviews, are you saying that police officers are saying, not other employees but specifically police officers; can you give us some examples of why police officers say they are leaving. It is for those reasons you mentioned. City Manager Cesar said there have been some that have left or retired, and/or pay and/or benefits. They left to go to the Sheriff's Department, they left to go Las Cruces. Other employees have left because their spouse left; Human Resources Director Kim Torres may be able to answer better, because they are actually going through these things right now. Mayor Payne said that is all she was curious about, she said she understands employees in general, but she said was specifically curious about police officers. City Manager Cesar said is one of the other tasks he gave Human Resources, knowing that this was going to be a topic of discussion and further discussion; to pull those exit interviews strictly from the Police Department and compile that information. That will be provided to Commission. It is not going to have names and whatnot, but if any one of you are curious when you get that, you are more than welcome to contact Human Resources and they can pull the actual exit interviews as it is part of the employee's permanent file. Mayor Payne said she was just curious specifically about officers and why they are leaving because that could give us a little insight. City Manager Cesar said part of the reason why we do the exit interviews for all the employees was so that we can see if there are trends, and why the employees are leaving.

Commissioner McDonald said that Chief Denton was talking about the violent crimes here in Alamogordo on the rise, if we, because of legalizing marijuana, and you said that has gone down as far as roughly the issues. Chief Denton said the drug-related arrests have gone down because he believed that marijuana was legalized. He said he did not think that violent crime is going down. He said he believed that our violent crime is up because of drug-related issues. Commissioner McDonald said she was just saying that if we took marijuana off violent crimes, and then we also took domestic violence out, what is the driver for the violent crimes at this particular time? Chief Denton said that most of it is going to probably be behind drugs, that is his guess right now. Commissioner McDonald asked what type of drugs, what is the more specific issue? Chief Denton said that things he sees all the time right now that people have are fentanyl, meth, cocaine, and heroin.

Commissioner Rardin said with the marijuana shops that are popping up all over, could our software track to see if we are having more motor vehicle accidents in the areas that these pot shops are popping up, or within so many feet of them? Chief Denton said he did not think we have had those shops up long enough to determine that. Commissioner Rardin asked if there was a way to track that. Chief Denton said yeah, we can pull up if we want to know how many crashes we have had in this area, and then we would have to go back and research to see if that crash was by that. Commissioner Rardin said he heard there is a new one going in at 1st and White Sands, and there is already two or three or four right there in that area; there is a new one going in down here, there is one over here on Pecan and Indian Wells. Chief Denton said if you look at Ultra Health and how long Ultra Health has been there, and we've probably had a handful of crashes. Commissioner Rardin asked if that was the old bus station. Chief Denton said yeah. Commissioner Rardin said he almost got in one the other day, a guy pulling out of the pot shop. Chief Denton said it was almost as if we had bars in town, or the breweries; normally the crashes aren't right there, normally they are off somewhere; he said why don't we look at that in six months and maybe we can have some data to show something there, he said he didn't have a problem with looking at that. Commissioner Rardin said we all know they purchase their stuff, they smoke it the minute they get in the car, and then they drive away. Chief Denton said some of them do. Commissioner Rardin said we all know it now and it happens.

Commissioner Rardin asked do we want to bring some of this stuff back in the next meeting or a later meeting just to figure out what we can do? He said we are all aware that we need to proactive with it, we are aware that we have a problem; part of the violent crime going on now is just a trend in society, inflation is so bad, people are out of money and people are frustrated. That is probably a lot of that, from '20 to present, that is what a lot of that is. He said he had mentioned to Brian before when we talked, about maybe neighborhood watch programs, instituting those, and he laughed at me when I said citizens on patrol.

Mayor Payne said she had someone come to her today and ask if her we thought it was a possibility to have a community meeting where we could talk about this. She said she didn't think it was a half-bad idea. She said that her biggest concern is that she wants to make sure that everybody understands that we live in this bubble because we live in Alamogordo. She said her mom lives here, is older, and doesn't get out much, but her mom lived in Las Vegas and California for years, and her mom says that "Your City is safe and you have nothing to worry about.", and she is just is just shaking her head. She said she is wondering how many people believe that; she is not saying that it is not safe, but what she is saying is that when we start seeing numbers like this in our City, we need to do something now. If we don't do something now, we are not going to live in a safe City anymore. She said she thinks we do have an obligation, as Commissioners, to protect our citizens. She said she is not willing to just kick the can down the road and hope it goes away, because she said she doesn't think it is going away. She said she thinks, just looking at these numbers, she believes it is going to get worse. She said Chief Denton mentioned violent crimes being drug related, you know, whether it is marijuana or fentanyl or whatever it is, she said she thinks the bigger point is drugs are driving violent crime in our City. She said that everybody knows she runs a non-profit and domestic violence shelter because they are still under a public health order. They used to be able to double-up residents and they can't do that anymore, so every resident has a room. What is happening is, because they can't house as many residents, we are getting; and she just got one before she came there, we had to pay for transportation for somebody up to Ruidoso. She said her point to telling you that is that she is seeing more and more calls because they don't have other options to place domestic violence victims. We need to be mindful of that because we as City may not see it, but at some point, we are not even going to have the money, other agencies are not going to have the money to continue doing this, but she said she will tell you that domestic violence crimes, she said didn't know if they have always been that crazy, because we didn't used to get that money calls because COPE was able to house more people, but domestic

violence or domestic calls, they are insane right now. To say that it is stressful is an understatement. She said he just thinks that we need to be mindful of that, we need to be thinking about that.

Commissioner Paul said that he had a question for Chief Denton and probably a request as well, what do you guys see as the solution being for staffing levels. He said he thinks that obviously directly correlates to the number of crimes and things we see in the community, maybe you guys could give us some suggestions, because you are the ones out there, doing that on a daily basis, so we can potentially bring those things to discuss at a later date and time. Chief Denton said that one of the things, before he gets into staffing and what he thinks about that, is still call us, continue to tell your folks to call the police, and they are probably going to tell you that they are not doing anything. He said we might not do anything that day, but that stuff adds up, and we eventually get somewhere, we pass information on. There were a couple of raids that went on Monday morning first thing that we didn't have anything to do with, and some of that could have been information that we relayed to another department. So, continue to call. As far as staffing goes to help us out, all we can do is advertise; we have got these large billboards up, we have it all over our police cars about recruiting. He said he sent their training officer to El Paso, to Las Cruces, to these job fairs, trying to recruit people from over there, and we get some, he said we have a couple of guys that work for us out of Las Cruces. But it is not, like he said, we are competitive with our area. He said he would give his opinion; we are not trying to draw in a 50-year-old police officer. If you are 50 and want to come work for us, we would gladly take you by all means, but you know, when you are in the younger crowd, and you look at the quality of life that is here for the younger crowd versus what it is in Las Cruces, Ruidoso, or Carlsbad, we have got to be at that level that they are willing to drive to that quality of life. He said that is where he goes back to pay, he said is not going to sit here and tell you that he did not think that pay is going to fix it all right away, and it is not going to in the long-haul. He said we sit at the Department, and we talk about, "Man, you know what Carlsbad pays, you know what Santa Fe pays?" and he said he felt like we need to be the people that they are going, "Hey, you know what Alamogordo pays?". But when we do that, he said he understands where the City Manager and Commissioner Rardin comes from. It is a competition out of a pool of people, and he said he wished he had the crystal ball answer for your question, but he would shake it and tell you.

Commissioner Rardin said he did not know if we wanted to bring this back at the next meeting to discuss it, or how much time we want to give staff. City Manager Cesar said to have real data, real information, answers, suggestions, having it by the next meeting is not realistic. If we want to just sit and chat about it, sure, but he said the last meeting August or first meeting in September. Commissioner Rardin said kick that can man, kick that can down the road. City Manager Cesar said he is giving a date, Chief Denton is giving you honest information, he is not saying hey, split Police and Fire and we will have a full staff. We want to bring you real information, real suggestions. Commissioner Rardin said this isn't just an Alamogordo problem, this nation-wide, and part of it is State legislature type stuff where you all retire or your officers retire, they can't come back. He said he thinks they fixed part of that, but what was the one they passed last year where you guys could be personally held liable for, qualified immunity. Chief Denton said they still protect us, qualified immunity. Commissioner Rardin said does it, he said he thinks back in the old days, a lot of neighbors were nosy, and you had watch groups. They would call you guys when they saw something suspicious, maybe start educating the public, hey guys, start watching out for this stuff and start calling us instead of just closing the blinds and going back to what you were doing. Chief Denton said we have neighborhood watch groups, and honestly, he said he has responded to calls in neighborhoods that had their watch groups, but we had seven cops working the street. So that means you have three or four officers out usually out pulling cars over and being proactive to respond to that type of call, where right now, we got this, well, it is going to be a few minutes because everybody is tied up. Thank goodness for the Sheriff's Office, that we work very well together, because they help us out a lot in town. Commissioner Rardin asked if we had an MOU with state police as well, to try to ease it? Chief Denton said not

necessarily an MOU, they know, that is why you see a lot of State Police in town helping us out. He said he has actually asked them hey, when you guys hang out in town, come hang out in town and help us out all you can. Same way with the Sheriff's Office, he said he has put that out to them too. Commissioner Rardin said he agrees with you, as far as the hourly wage goes it is going to attract them for the short-term, but it is not the answer. You have got to look at it from our point of view where we only have so much money in the coffer. The way it looks like the economy is heading, that coffer may shrink a little bit and we have already grown our day-to-day expenditures quite a bit with this last pay study. We need to come up with some ideas that us as a governing body can try to do to help this. Chief Denton said you guys have the power to implement a law enforcement tax. Mayor Payne said she didn't think about that, but that doesn't sound like a great idea, however, she would say that most citizens would probably be more willing to consider something like that; obviously we can't talk about that right now because we need more time. She said they would probably be more willing to support something like that as opposed to a tax on other things. Commissioner Rardin said that is in the short term as well, because you pass the tax, the economy goes down, that tax revenue is going to drop accordingly, so we are back at it again. Mayor Payne said she hears what Commissioner Rardin is saying but doesn't know that she agrees. She said we were very concerned about that during Covid, and if nothing else, our numbers have actually gone up. Commissioner Rardin said we are heading for a recession. Mayor Payne said we are absolutely heading for a recession and she said she will leave it at that, but she said she still thinks that you have to have law enforcement. We have to have it. It is not optional. We need more time to talk about it, but law enforcement is not optional unless we are going to go out there and be vigilantes; that is not a good idea by the way, nobody does that. Commissioner Rardin said that guy in Illinois, fifteen seconds, that was pretty cool. Mayor Payne said that was pretty cool she had to say, but it is not optional, we have to have law enforcement. She said is going to tell you again, she is really terrified to know that we have three officers on the street, that is not a comfortable position, and we should never be comfortable with that. She said she understands what you are saying, but all she is saying is that we need to take a critical look at that. City Manager Cesar said give us a couple of meetings to bring it back. Mayor Payne said end of August, can we set that date to take a look at that, is that something we can do. Commissioner Rardin said second week in August or first of September. City Manager Cesar said yes, last meeting in August or first meeting in September, we will bring this back, as this now is a presentation.

Chief Denton asked if there was any data that you guys want to see at some point in time on another presentation. He said maybe crashes, missing persons, what we have here in our City. Commissioner McDonald said she would like to see the data on the violent crimes. Commissioner Rardin said maybe a little more of a breakdown on the violent crimes. Chief Denton said he could do that. Commissioner Rardin said he thinks most of this uptick in crime is all related to Covid, the lockdowns, the inflation, and the climate America is in right now. People are getting desperate. Mayor Payne said regardless of the reason, it is still happening, and we still need to make sure our citizens are protected. Commissioner Rardin said over time it will get better as things get better, but he said he thinks we have a few more years before things get better. Mayor Payne said in the meantime, we still need to make sure our citizens are protected, and she said she is really concerned about it. She said that you have a daughter, you have kids, she has kids, we have kids. Commissioner Rardin said it is his job to protect his daughter though, you know what I mean, so. Mayor Payne said no, she actually thinks that some people are capable of that, and some people are not capable of that, so we can't take that attitude either. Commissioner Rardin said having the Police Department and the Sheriffs' and them is cool, but us as citizens maybe need to protect ourselves also, we need to be vigilant and be aware, and if we do need these guys, to call them. It is not just these guys that do it, is a group, all of us as whole. Mayor Payne said then we probably need to include in what we are doing some kind of a community meeting or something and start educating people, because there are people that are very dependent on the Police Department. Commissioner Rardin said like he mentioned earlier, the cops are doing what they are supposed to do. They arrest the guys and they throw them in jail. Our district

attorneys and our judges are releasing these guys right back out on the street. Mayor Payne said she knows that. Commissioner Rardin said that is a big part of the problem, so in our public meeting, he said he thinks our district attorney and a couple of our judges should be invited. Mayor Payne said she completely agrees but their hands are tied too. Commissioner Rardin said even our legislature, let's get our senators, they all need to be there so we can fix the problem. Mayor Payne said it is a heated topic for sure, but it is a discussion that is critically important that we continue to have.

PUBLIC COMMENT

Marguerite Hernandez said that she is kind of new to the area, and she is a little embarrassed to come before you tonight when money is short to ask for your help. Mayor Payne said don't be embarrassed, it is okay. Ms. Hernandez said thank you; we live south of town off Hamilton Road, as do a great many other people, and many of us take a little short patch of road called Martin Luther King Drive, which goes from Hamilton Road to 54 across the railroad tracks. We always take it unless there is a train on the tracks. Martin Luther King Drive is in bad shape, somebody patched it the other day as well as they could, but it is not enough. She said she heard recently that there are plans to extend Martin Luther King Drive across 54 to the West. She said she wanted to put in a plea that when you make the plans to do that expansion, that you take the East side of Martin Luther King Drive into account and pave that as well, because so many people use it like we do almost every day to come into town and spend our money and come back again. We need that road.

CITY MANAGER'S REPORT

None.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner McDonald made the following comments:

She said that on this past Saturday the 23rd, we had our official cleanup, Keep Alamogordo Clean in District 5. She said she wanted to give special thanks to the City of Alamogordo for the dumpsters they put on the site, along the corner of 5th and Florida, because they served a really good purpose. A lot of the properties we had signed up for the cleanup was a result of Code Enforcement, and she just wanted to tell them that they are getting out, doing a good job, and people are trying to make sure they are not on the fifteen extra days where they are being taken to court. She said she would also like to thank Mainstreet because they had people out from the Center of Commerce. She said that we had three churches that donated their time and people, Corinth Baptist Church, Latter-Day Saints, and Owen Chapel. We had a property in District 6 that needed work, and that was a possible Code Enforcement issue. Joe and John Lewandowsky are Masons in town. Holloman Air Force Base; we had a gentleman out there that worked like he was three people, and so we were really happy about that. Our community; we had twenty properties, nineteen of them were done on the 22nd and 23rd. We had over twenty-six volunteers, we filled forty-ton and thirty-ton dumpster, and we had eleven containers of paper that was done by Total Destruction. She said she always wanted to thank Sunny from Total Destruction, because she has been there every year, well, the last two years. She said she wanted to give a special shout-out to Pizza Hut because she was calling around and trying to find someplace that would help in the donations, because we wanted to feed the volunteers, and she said she found that they were timely, affordable, and they also made it worth our while. She said they had people that couldn't stay through the whole day, and so they were able to save pizzas at their store and actually deliver or have them pick it up. She said that one of the things she wanted to say was that it was almost like a supernatural day, because we were to start at 7:00, and each year you want to get better at how you contact people and how the people turn out to work, we started at 7:15 with

the assignments and at 9:34 we were done. We were waiting for the Total Destruction to come and actually shred the paper, so a lot of the people left their paper there, or their documents there to be shredded, and we were able to get those done. She said she is just overjoyed, happy, and humbled by the fact that we have people in the City that are reaching out. She just wanted to confirm a lot of people thought that were going to be doing homes or properties of people who were just trying to get by; they would just call us out and we would do it. She said that this time, she saw people on walkers, in wheelchairs, and there is really a need for us to get out and help some of the people that are not able to do their lawns. It is not because they are lazy. She said she wanted to speak for her District, she had eleven properties in District 5. The other properties were outside our District and we took care of them, and the people were grateful. She said they even had people come and say that they were really just happy that the City has this opportunity for them to come and drop off things. When she was talking to Stella, she was saying that the City does have things inline for people to come, or at least go out, and pick up furniture and other things. For some reason, she said she thinks that it has to be talked about or communicated to the people out in the City, because she thinks sometimes they forget. She just wanted to say, she was just humbled by the number of people that came out. We had over thirty volunteers. It was an awesome day and we got everything done. She said she just wanted to also say that when you have people that know what they are doing, they can help you. She said that is what she got, she had people who actually set up things, who had the tools; you didn't have to wait for a lawnmower or weed eater. She said she just wanted to say thank you to everybody that made that day successful.

Mayor Payne made the following comments:

She said she wanted to welcome our Probate Judge; LaTanya Boyce is here tonight, welcome to the City Commission Meeting.

She said she had the opportunity the other day to tour the Dudley School, and if you haven't seen her Facebook page, the pictures are on there. It is going to be very cool, and she encourages everyone if they get the chance to get a hold of Joe Lewandowsky and take a tour. It was in better shape than she thought it was. It was really nice to be able to tour that and it is going to be a phenomenal facility when it is done. For those of you who might not know where the Dudley School is, it is over on Maryland; it is that big building that everybody swears is falling down and once you get up on it, you will see it is absolutely not falling down.

A PSA is going out tomorrow. A week from today, we are going to have a Special Meeting to discuss a resolution that Commissioner Melton has asked to be brought forth for our City. We will have community input on that, and everybody will get an opportunity to speak. It is similar to the one that the County just brought forth. That will be at the Civic Center, next Tuesday night at 6 o'clock. There will be public comment, so look for that PSA as it should be out tomorrow morning.

CONSENT AGENDA

3. Approve the minutes for the July 12, 2022, Regular meeting. (Rachel Hughs, City Clerk)

4. Consider, and act upon, the award of RFQ 2022-03 Architect Design Services Alamogordo Family Rec Center Natatorium to ASA Architects. (Veronica Ortega, Community Services Director)

5. Consider, and act upon, the award of IFB 2022-07 Re-Bid Bromaine Tablets to TAZA Supplies. (Barbara Pyeatt, Purchasing Manager)

6. Consider, and act upon, approval of the fiscal year 2023 contract between the City of Alamogordo and Zia Therapy Center, Inc., for public transportation services. *(Debbie Osborne, Grant Coordinator)*
7. Consider, and act upon, Resolution 2022-35 approving the DFA Quarterly Report for the period ending June 30, 2022. *(Evelyn Huff, Finance Director)* (Roll Call Vote Required)
8. Consider, and act upon, the approval of Resolution No. 2022-33 amending the Preliminary FY 2022-2023 Budget with carry-over fund balances, and adopting the Final Budget for 2022-2023. *(Evelyn Huff, Finance Director)* (Roll Call Vote required)
9. Consider, and act upon, agreement with Otero County for receipt of the \$50,000 reimbursable grant award for Alamogordo Public Library Services to County residents. *(Kim Underwood, Library Manager)*
10. Consider, and act upon, an agreement with Otero County for Alamo Senior Center services to County residents, the total amount budgeted is \$44,668.75 (\$26,293.75 for home-delivered meals and \$18,375.00 for transportation). *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*

Mayor Payne pulled item 10 from the Consent Agenda.

Commissioner McDonald moved to approve the Consent Agenda as amended.

Commissioner Burnett seconded the motion.

Roll Call Vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

10. Consider, and act upon, an agreement with Otero County for Alamo Senior Center services to County residents, the total amount budgeted is \$44,668.75 (\$26,293.75 for home-delivered meals and \$18,375.00 for transportation). *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*

Mayor Payne said Item 10 was removed completely by staff.

NEW BUSINESS

11. Consider, and act upon, first 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)

City Planner Rael said the property owners of 575 RV Park LLC are the applicants for this request. She said the property was purchased by 575 RV Park LLC with a portion of it being in the City limits, which is a very small portion per plat. If you aren't familiar with the area, this is right across the street from the 575 Brewery. She said she assigned an address of 575 West 8th Street, so they were pretty happy about that one. The property owners are requesting for a map amendment to change the zoning of the property at 575 West 8th Street from M-2 Industrial Zoning District to MH-2 Manufactured Housing Zoning District. The reason they are requesting this is because their intent is to create an RV park within that area, not to put manufactured homes, which per our current ordinances is it required

to be within an MH-2 zoning district. The application was filed, and all fees were paid. A legal ad was placed in the Alamogordo Daily News. Seven letters were mailed by certified return receipt mail to all property owners of record within two hundred feet from the property excluding public right-of-way of the property in question. As of today, there have been no letters returned undeliverable, and she has not received any letters or phone calls of opposition. She said at this point, she has reviewed this case entirely, and with that being said, staff recommends approval. She said she does have the property owners here this evening if you have any questions for them that she may not be able to answer.

Commissioner Burnett asked how many RV spots? Owner Isaac Muncey said phase 1 will consist of twenty-four RV spots. The lot will be split between the County and City, so it is 1.6 acres split evenly. Based on the success of that, we will move forward with phase 2 and 3, moving towards the West towards the bypass.

Commissioner Rardin asked City Planner Stella Rael what the area around it was currently zoned; you have got 575 Brewery. City Planner Rael showed a zoning map from the presentation. City Planner Rael said all the dark purple is industrial, the lighter pink along Railroad Avenue is light industrial, the darker shade of brown is commercial, and then the other is R-4. To the left of the screen there, that is all county, that has no color. They are pretty much surrounded by industrial. Mayor Payne said she thought there was a couple of houses, wasn't there. City Planner Rael said there is homes there, and they have been there a very long time, probably early '50's. Commissioner Rardin said it was a little more North of that, and City Planner said yes, more like towards Cotton, but with current zoning ordinances, you are not even supposed to have residential area within an industrial zoning district, so that is one of the reasons we need to change it to the correct zoning designation.

Mayor Pro-Tem Wright moved to approve.

Commissioner Melton seconded the motion.

Roll Call Vote was taken.

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

12. Consider, and act upon, Resolution No. 2022-34, adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying the top five (5) recommended projects for Fiscal Years 2024-2028. (Debbie Osborne, Grant Coordinator) (Roll Call Vote Required)

Grant Coordinator Osborne said we are required to submit a list to the Department of Finance Administration each year; this year we will be doing that in August. We began the ICIP process in June. Department Directors were asked to meet with their managers and departments to determine the projects that they would like to include on our ICIP list. On July 7th, all the Directors met with the City Manager and Assistant City Manager to select the top five that they would like to recommend moving forward with for Capital Outlay applications; those are usually submitted around December. Five projects that were selected at that meeting. Alameda Park Zoo Duck Pond renovations, to plan and design and construct a new aviary net Duck Pond entrance and pond renovations. Purchase of Police Department vehicles and equipment, which has been on our list for a while and is usually one of our top five because they have to continue purchasing new vehicles, plus emergency and communication equipment; it is a long-term project, so far, they have received \$13,000 in funding that they have about another four years after this. The next one is to purchase and install an Alameda Park Zoo perimeter and exhibit fencing; that is to plan and design new perimeter exhibit fencing which would include footing, gates, roofing, concrete, rock, wood, and the removal of debris. Then we have, purchase and installation of City Park amenities; those would include Parks throughout the City and it would be for shade structures, picnic tables, trash receptacles, and sheltered benches. The last one is for APD to purchase and install an ADA-compliant elevator for their building; they have no handicap

access to the 2nd floor of the building. If anyone would like to recommend a different project, replacing one of those, or if you would like to improve that, we just need that tonight.

Commissioner Rardin asked on the perimeter fencing at the Zoo, what are we replacing? Didn't we just replace that not too long-ago up front? City Manager Cesar said that that was the front fencing. Grant Coordinator Osborne said that was right, it didn't include what they are looking for now. Commissioner Rardin said what is this going to replace, that is why he is asking. City Manager Cesar said the remainder of the fencing. He said when that happened four years ago or so, that was just that portion roughly from the Chamber to Airborne Park. This would be the remainder of the fencing. Commissioner Rardin said this would be the stuff around the back, by the railroad back there, okay.

Commissioner McDonald moved to approve.
Commissioner Burnett seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

Commissioner Paul moved to adjourn at 7:47 p.m.
Commissioner Melton seconded the motion.
Motion carried with a vote of 7-0-0.

ADJOURNMENT



ATTEST:


City Clerk Rachel Hughes


Mayor Susan L. Payne

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