

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 PM, DONALD E. CARROLL COMMISSION CHAMBERS
February 25, 2025**

**SUSAN PAYNE, MAYOR
SHARON MCDONALD, MAYOR PRO-TEM
CRYSTAL GUTHRIE, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
WARREN ROBINSON, COMMISSIONER**

**JOSHUA RARDIN, COMMISSIONER
MARK TAPLEY, COMMISSIONER
STEPHANIE HERNANDEZ, ACTING CITY
MANAGER
ASHLEY SMITH, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER & ROLL CALL

Mayor Payne called the meeting to order at 6:30 PM. Roll Call was taken by the City Clerk. City Clerk Hughes announced there was a quorum present.

INVOCATION & PLEDGE OF ALLEGIANCE

Invocation was given by Commissioner Robinson and the Pledge of Allegiance was led by Mayor Pro-Tem McDonald.

APPROVAL OF AGENDA

Mayor Pro-Tem McDonald moved to approve.
Commissioner Robinson seconded the motion.
Motion Passed with a vote of 6 - 0 - 0.

COMMISSIONER DISTRICT 1 VACANCY

1. Commissioner District 1 Vacancy interviews and possible appointment. (*City Commission*)

Mayor Payne said that Luis Montes withdrew his application. We will proceed with the other applications in the order they were received.

Brian Schroeder said he moved to Alamogordo three years ago. When he saw the vacancy for District 1, he thought it was worth a try. My cover letter speaks for itself. Commissioner Burnett asked what brought Mr. Schroeder to Alamogordo. Mr. Schroeder said he lost his cabin in Ruidoso due to a recent fire, but he used to stay in Alamogordo and come and go to Ruidoso in the summer. Mayor Pro-Tem McDonald said your application says you would like to address the ending in your work history due to a recent relocation and subsequent retirement in June 2022. Mr. Schroeder said he turned sixty-two and had enough savings to retire, so he did that. I have lived and worked in Virginia or Maryland for thirty-four years. Mayor Payne asked him what he knew about Alamogordo and the city government. Mr. Schroeder said he followed it in the newspapers, knew of the current water problems, and thought he could help. Mayor Payne asked him what the role of a commissioner was. Mr. Schroeder said to represent the district, listen to their constituents, and serve them along with the city as a whole. Mayor Payne asked if he was familiar with the city's budget. Mr. Schroeder said he was at the last two meetings and listened to the many issues in the works. There is quite a job ahead.

Ivan Maxwell said that safety brought him to Alamogordo in 2016. He had been concerned about crime in Arkansas, and a friend recommended Alamogordo as a safe community. I researched Alamogordo and saw that it had low crime. A week after that, I moved here. Every decision I make is because of my family and their safety. I love Alamogordo. Commissioner Rardin asked if he had any experience as an elected official. Mr. Maxwell said he did not but knew some of the duties of a commissioner, which included making sound decisions as a team regarding the city budget, infrastructure, plans, and safety, such as with the police or clean water to drink. The Commission has the citizens of Alamogordo at the forefront of every decision instead of their own wants and needs. Mayor Pro-Tem McDonald asked if he was a military veteran. Mr. Maxwell said yes, he served in the Navy for nine years and the Army National Guard for three years. Mayor Pro-Tem McDonald asked what positions he held. Mr. Maxwell said Intelligence in the Navy, initially a Transport Specialist in the Army, and then later a Nine-One-Bravo Light Vehicle Mechanic. Mayor Payne asked if he was familiar with the city budget. Mr. Maxwell said he was unfamiliar with the budget but knew there was a twenty-year plan to redevelop and fix our infrastructure. We also have a housing plan within the twenty-year plan to keep housing affordable. There is also an economic plan. Mayor Payne said yes, there was a comprehensive plan. She stated that you work at Casa, so would you be able to handle representation issues?

Mr. Maxwell asked if she meant as in being able to leave? Mayor Payne said yes. Mr. Maxwell said when he was hired, he told them he needed flexible hours because he referees for the New Mexico Athletic Association, Little League, basketball, and football. They do not give me a hard time when I need to leave, and I was recently promoted to Sales Manager. Everyone at Casa knew I was going for this appointment, and my General Manager supported me. It would not be an issue. Mayor Payne asked what his vision for the future of Alamogordo was. Mr. Maxwell said his vision was for Alamogordo to grow financially, in size, and infrastructure. I want it to be a place where tourists come along with their families.

Crystal Guthrie said she had been a resident of Alamogordo since she was about three months old. She had traveled the world in the military and college but returned to Alamogordo. My family is here. My vision for Alamogordo is safety and continued positive growth. We want our kids to love Alamogordo as much as we have. I have a bachelor's in business administration and management. I am a local real estate broker and a qualified broker in my office. I used to run a few small businesses here. We closed down one once my mom retired, and I sold the other one to my partner. I understand the small business community in Alamogordo and the problems we have. We used to say there was nothing to do here in Alamogordo back when I was in high school, and there has been a lot of growth since, but my kids say the same thing. Alamogordo is a great town and community. It is calm. Crime is low, schools are good, and the people are good. I'd like to see things change positively for our kids and community, and we are making good progress. I would love to be part of that growth and continued progress. Mayor Pro-Tem McDonald said as a resident who has seen the growth here and as a person in real estate, what do you think is necessary for the next steps? Mrs. Guthrie said that big steps must be taken in the housing development process. We have investors and builders coming in and making progress towards new development, but we are not seeing restoration in areas that need it. Many houses are city-owned or bank-owned, and our investors would like to get a hold of those houses to turn them around and make them affordable. We see a lot of military members coming off the base with nowhere to rent or live because either prices are too high or nothing is available. That is a problem that needs to be addressed. The development and construction of new housing and the growth seen on the north side of town is incredible. We need to up what is already here. Mayor Payne said she was not sure how many city-owned houses there were. Commissioner Rardin said we used to have some. City Attorney Smith said we have a few and are planning a Master Sale sometime this year. We have properties that were awarded to us through the foreclosure process. There is a list. Mayor Payne asked Mrs. Guthrie if she understood the condemnation process. Mrs. Guthrie said yes. Mayor Payne asked how familiar she was with the budget. Mrs. Guthrie said not much more other than sitting in on multiple meetings, what I have heard from listening to meetings, and looking at the budget. Mayor Payne asked if she was familiar with the City Charter or our form of government. Mrs. Guthrie said yes; she had volunteered with the Association of Realtors and sat on the board for four years. So, what you do regarding policies, procedures, development, and meetings is similar. I do not remember what form of government we are. Mayor Payne asked what her vision for Alamogordo was other than housing. Mrs. Guthrie said she wanted Alamogordo to continue growing; some issues have been addressed but not solved. I want to continue taking steps forward and answering questions that residents have. The homeless problem may not be as bad in some places, but it is worse than in others. There is no defined solution to that, but I would love to see one come to fruition sooner than later. I want Alamogordo to be a safe place for my kids to grow up, and I do not want them to leave and never come back. Mayor Pro-Tem McDonald asked what she thought were challenges when her kids would say there was no place to go. Mrs. Guthrie said kids get bored easily here. You can suggest things like bikes and hikes, but they just do not do that much anymore. They need something they can do that is active without having a cell phone attached to their face. When I was growing up, there were places you could dance, and the parks had music. There were more social activities, and we were more involved. I feel that has been stepped back. My kids love going to the movies, but that is the only thing to do. I hated seeing the community center close. We do not have much beyond the Rec Center. I know there are things in the works, like the outdoor pool and archery range, but kids need more things they can do with family. Things that do not have to be scheduled or paid for. Kids need a safe place to go and be safe. We have done a great job with the Parks, but I feel we can do more. Mayor Payne said regarding the Family Fun Center, we went through RFP, and we went for a walkthrough the other day.

Commissioner Rardin moved to appoint Crystal Guthrie to fill the vacancy.

Commissioner Tapley seconded the motion.

Motion Passed with a vote of 6 - 0 - 0.

City Clerk Hughs administered the Oath of Office and swore in the newly appointed District 1 Commissioner, Crystal Guthrie.

PRESENTATIONS

2. Annual State of the City. (Susan L. Payne, Mayor)

Mayor Payne said she would give the Annual State of the City.

Alamogordo Police Department (APD)

Staffing is at forty-six officers with ten vacancies. There are two Police Service Aids with two vacancies. APD responded to almost thirty-five thousand calls in 2024. They also launched the Ferguson Academy to inspire future public safety leaders while honoring Officer Anthony Ferguson, who was killed in the line of duty on July 16, 2023. There were fifteen graduates of the Academy. APD entered into a contract for innovative technology for LBT Trailers and Block Safety Systems. There are three Code Enforcement Officers with one vacancy. Code Enforcement added one thousand nine hundred and sixty-eight new cases to the open ones. The Mobile Crisis Team has five people with one vacancy. The Mobile Crisis team had three hundred and seventy-two referrals last year, plus an additional twenty-eight from the County due to our agreement with them. Animal Control had a fifteen percent increase in pet adoptions.

Alamogordo Fire Department (AFD)

Staffing is at twenty-seven firefighters with six budgeted openings. AFD responded to over two thousand calls in 2024, half of which were Rescue and Emergency Medical Services. They completed a comprehensive Hazard Mitigation Plan to better protect citizens in the event of a natural disaster. That Plan also initiated discussions for our first-ever Continuity of Operations and Emergency Operations Plans. AFD extended support to neighboring communities in challenging times, like the Village of Ruidoso for their wildfires and Roswell with their severe flooding. There was a presentation of a Junior Fire Marshall award. Two youths are enrolled in a youth Fire Setter Program, a six-week program working with the New Mexico Children, Youth, and Families Department, or NMCYFD, to help kids learn about the dangers of fire.

Public Works

There are currently fifty-two projects in various stages, from design to implementation. Together, these projects total in excess of \$300,000,000, and thanks to Grant Coordinator Osborne, grants will be the primary funding source for many projects. In collaboration with the Utilities Department, Public Works finished a city-wide striping project, advanced two stormwater basin maintenance projects, and initiated the Hubbard Bridge replacement. Two water storage tanks were rehabilitated, and plans are underway to upgrade three additional tanks. The city is in the first phase of repairing and replacing water infrastructure in an eight-phase plan. Work is being done on the Washington Bridge after a crack was discovered, making it necessary to close off. On New York Avenue, in conjunction with Alamogordo MainStreet and the Great Blocks Project, water and sewer lines are being replaced along that section. Bonito Lake was reopened after the initial Little Bear Fire and later Blue 2 Fire that threatened to refill the Lake with debris. Sediment ponds were dug to save our Lake, and it worked.

Airport

The Airport hosted an annual flying event in collaboration with the Experimental Aircraft Association, or EAA, that featured a vintage Ford Tri-motor that offered rides to the public. The event attracted around one thousand seven hundred visitors, and the EAA flew fifty-two flights over four days with three hundred and twenty-eight passengers. \$1,500,000 was secured from various sources to rehabilitate a cracked seal project for the entire taxiway, and the project was completed this month.

Library

ICIP funding was secured to renovate the North Patio and assist patrons in accessing the newly constructed Telehealth Booth. The total cost of the walkway, Patio, and Booth is estimated to be \$125,000. Work will begin once the plans are finalized. They secured GO Bond funding for \$166,446, some of which will be allocated to replace thirty-one windows, eleven public computers, twenty-three reservation computers, and eight catalog computers. \$60,000 of the GO Bond funding will be allocated for the library's collection, and the remaining funding will be carried over to 2026. They also purchased a book vending machine with library branding for \$8,000, and the machine is to be placed in the downtown MainStreet area after the construction on New York Avenue is complete.

Alameda Park Zoo & Alameda Park

Due to ICIP funding, half of the Zoo's fencing projects are complete. Essential upgrades were made to the Wolf Exhibit to bring it in line with USDA standards. Upcoming ICIP requests include an Education Building. Upgrades are

being made to IT infrastructure. Sewer line replacements are planned for the south side of the Zoo, which is needed for the Education Building. A north-side bathroom is beginning construction, which is funded by a recent grant. There are new trees in Alameda Park that should be blooming soon. The new irrigation project in the Park was quite extensive.

Cemetery

Improvements are about fifty percent complete. Improvements include wall structures, motorized gates on the north and east entrances, and a new arch entrance on the north side.

Family Entertainment Center/Family Fun Center

This recently went out for RFP, and eight companies showed interest by completing a mandatory walkthrough of the facility. Prospective bidders were given little in terms of required amenities other than it had to have a restaurant and bowling alley. To be as transparent as possible, all presentations on this project will be done in a public meeting on April 22nd in front of the Commission, who will make the final decision on the award.

Housing

City staff have been researching housing options for our community. We recognize the need for additional housing, particularly rentals. Two new apartment complexes are scheduled to begin soon, both of which are off the base. It will hopefully free up units currently occupied by military members and make them available for non-military personnel as well. There will be another complex that, once complete, will provide one hundred-plus units available for rent. We continually look for ways to fulfill the housing needs in the community.

F4 Project

Years ago, the City was gifted a decommissioned F4 Phantom. This iconic aircraft represents decades of service and sacrifice by those who have defended our freedom. Community leaders have laid out a plan to create a memorial to honor those who have served our country. This project will be unveiled later this summer and will be home to the Gateway Freedom Monument.

Project RISE

This project is to ignite positive change. The Commission has adopted this project in conjunction with the Center of Commerce and adopted its core values of respect, integrity, service, and excellence.

PUBLIC COMMENT

Joseph Lindsey said he wanted to speak on free speech and why our government cannot legally silence it on a public platform. Congress shall make no law abridging the freedom of speech. That binds us, city, state, and federal, without exception. Public platforms, from the streets to the digital realm of social media, are where people express, debate, and connect. The Supreme Court calls them the modern public square. You cannot shut that down without tempering the Constitution. The courts spoke clearly in 1939 with *Hague v. CIO*, which affirmed that public spaces belong to us to voice our thoughts. You can regulate time and place but not the message itself. In 2017, in *Packingham v. North Carolina*, it was ruled that social media is a cornerstone of free expression. The court struck down a restriction saying that excess is a right. If we tried to mute an online forum here, we would be breaking the law. In 2024, in *Moody v. Net Choice*, and *Net Choice v. Paxton*, it challenged state efforts to control platforms. The Supreme Court pushed back, saying that the government does not dictate speech. Imagine us silencing dissent because it is loud or inconvenient. That is not leadership; it is control and unlawful. In 1971, in *Coen v. California*, that protected a man's right to wear a jacket with a bold offense message. If we could kill platforms, we would strangle that freedom. History proves that if you suppress speech, liberty crumbles. Yes, there are limits like violence or threats, but those are narrow, not a license to censor. In 2015, in *Reed v. Town of Gilbert*, it demanded any restrictions be critical and precise. Blanket shutdowns do not hold up. Public platforms are our voice, and you cannot stifle them without violating the law and community spirit.

Acting City Manager Hernandez said when the decision was made to turn off comments, we got information from our lawyers that, as a government platform, we cannot block anyone or delete comments. We could treat it as an informative platform as opposed to a town hall type of platform. City Attorney Smith said case law in New Mexico supported it. When we first turned off comments, the law basically said we could turn off comments, but we would have to do it uniformly on all our pages. So we can use it as an online bulletin and post it on YouTube and other places. However New Mexico Law has said we could turn off comments. Mayor Payne said so, it is just information

only. City Attorney Smith said we do not monitor it all the time and cannot respond to every comment. Mayor Payne said she did not make that decision and had nothing to do with it. I abide by it if our legal counsel says we cannot have comments. Comments are shut off across all our social media, so it is fair and equal across the board. If someone wants to ask me a question, my Facebook Messenger works just fine, and I try to keep up with it on my Mayor's page. I will not respond on my personal page. Cell phone or email is a way better method than Facebook.

CITY MANAGER'S REPORT

Acting City Manager Hernandez made the following comments:

1. The \$25,000,000 is signed, sealed, and will come on a budget resolution in March. The first of the projects to be hit are the Callahan, Lower Alamo, and Ocotillo water tanks. Then, we will focus on the sixteen-inch transmission main at Lower and Upper Heights, and the tower and liner at the La Luz plant. The tower, erected in 1954, is dangerous for our staff. The liner is from the 1990's.
2. Animal Control is doing Pet of the Week on its Facebook page and will be featured on the Jumbotron. The Pet of the Week will also come with free neutering, spaying, and chipping. We want to help progress adoptions.
3. Regarding the Family Fun Center, we had eight interested parties. Anyone who went to the mandatory walkthrough must submit their proposals by March 10th to be considered. The oral presentation will be on the 4th, and the Commission will select on the 22nd.
4. I spoke with Commissioners Rardin and Burnett. Once we get the new commissioner seated, we will have an agenda item to talk about the vision for the Commission's direction. Now, the seven of you can direct staff on budgets. I asked the departments what their priorities were going into 2026. I think it would be a good perspective to get the Commission's priorities going into 2026 before the budgets are finalized and brought to you.
5. Commissioner Rardin said that some of our plans are twenty years old. We are working with CDM Smith to update our comprehensive plan and other things.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Burnett asked where we are regarding the applications for the City Manager position. Acting City Manager Hernandez said she did not know. I believe the Commission was waiting until a new Commissioner was brought on. Mayor Payne said we were. Commissioner Burnett asked if there were new applicants. Acting City Manager Hernandez said she did not know, but Human Resources Director Osborn handled that. Now that Commissioner Guthrie has been seated, Human Resources Director Osborn will probably start reaching out for an executive session or agenda item. Mayor Payne said she spoke to Human Director Osborn the other day and told her that one of the applicants had emailed me, and it sounded like they were aggressively trying to make us make a decision. I told her we were waiting to seat the seventh commissioner. As the Commission, we felt it was unfair to make that decision. I will not be here for the March 11, 2025, meeting. I felt that we could pick this up at the March 25, 2025, meeting and start looking. Human Resources Director Osborn has been good about sending us new emails if there are new applicants. I believe I saw there was one. Commissioner Rardin said he did not remember one additional over the fourteen to nineteen back in December. We did not notify the candidates we were going to be on hold. Acting City Manager Hernandez said there was a notification.

Commissioner Robinson said he wanted to compliment city staff. They work hard and are professional.

Mayor Payne said I meant to mention something in the Annual State of City. The military has a very prestigious award called the Altus Award, which is given to a community that demonstrates outstanding support for the military. Shelley Bailey, our liaison at the Base who works in public affairs, put a huge packet together, and we applied for it in late 2023. We won the award in 2024, and there was a huge celebration with dignitaries like General Robinson in June at the Space Center. We competed with other huge bases and cities in other states.

Mayor Payne said her nonprofit recently held a fundraiser at the Civic Center, and it was advertised on the Jumbotron and Facebook. They advertised that because we paid to rent the Civic Center. We paid for everything and did not ask for or receive any favors.

Mayor Payne said the bi-monthly Base Leadership Meeting is coming up on Friday. I meet with the Commander of the Base, and it's a great exchange of ideas.

CONSENT AGENDA

3. Approve the minutes for the Regular Commission meeting on February 11, 2025. *(Rachel Hughs, City Clerk)*

4. Consider, and act upon, Ordinance 1711 Case Z-2025-0001(A) for adoption and final publication of a map amendment to rezone the property located at 523 Maryland Ave. from R-4 Multiple Family Dwelling to C-3 Business District. *(Stella Rael, City Planner) (Roll Call Vote Required)*

5. Consider, and act upon, Resolution 2025-05 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 February 25, 2025. *(Evelyn Huff, Finance Director) (Roll Call Vote Required)*

Commissioner Rardin moved to approve.
Commissioner Robinson seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.

ITEMS REMOVED FROM CONSENT AGENDA

None.

EXECUTIVE SESSION

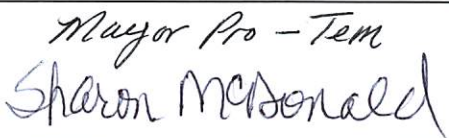
6. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(2)NMSA (as amended) to discuss: 10-15-1(H)(2)NMSA (as amended) Pending Litigation: All Current Litigation. *(Ashley Smith, City Attorney)*

Mayor Pro-Tem McDonald moved to adjourn to Executive Session.
Commissioner Burnett seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.

ADJOURNMENT

ATTEST:


City Clerk Rachel Hughs


Mayor Susan Payne

(Prepared by Dylan Aleshire, Deputy Clerk)
Approved at the Regular Meeting held on March 11, 2025.