

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, JANUARY 28, 2026

A. CALL TO ORDER:

The meeting was called to order by Mayor Rolf Hechler at 4:00 p.m., who presided and Angela A. Torres, City Clerk-Treasurer, acted as Secretary of the meeting.

B. INTRODUCTION:

1. ROLL CALL:

Upon calling the roll, the following Commissioners were reported present.

Hon. Rolf Hechler, Mayor
Hon. Destiny Mitchell, Mayor Pro-Tem
Hon. Amanda Forrister, Commissioner
Hon. Ingo Hoepfner, Commissioner
Hon. Chaz Glines, Commissioner

Also Present: Gary Whitehead, City Manager
Traci Alvarez, Assistant City Manager
Jay Rubin, City Attorney
Angela A. Torres, City Clerk-Treasurer
Jocelyn Holguin, Chief Financial Officer
Luis Tavizon, Chief of Police

There being a quorum present, the Commission proceeded with the business at hand.

2. SILENT MEDITATION:

Mayor Hechler called for fifteen seconds of silent meditation.

3. PLEDGE OF ALLEGIANCE:

Mayor Hechler called for Jim Paxton to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA:

Commissioner Forrister moved to approve the agenda as submitted. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

5. COMMISSION COMMENTS:

Commissioner Forrister: I just welcomed a new nephew into the world.

City Attorney Rubin: Congratulations.

Mayor Hechler: Congratulations, Auntie. I have one announcement to make, looks like we're going to have a group of us going to the Municipal League next week. The Municipal League is going to meet on Wednesday, February 4th for registration, and Thursday, February 5th for the programming. We'll have to make arrangements to go, we'll have two city vehicles, and we'll split up accordingly. It looks like, Gary what time do we have that meeting with the governor?

City Manager Whitehead: I think we landed on 2:30pm.

Mayor Hechler: So, it's exciting, I haven't had the chance to meet the governor for a couple years. We ran into some good luck, and I'm thinking we have an audience with her at 2:30pm on the 5th. We'll break off and do that to advocate for the city, maybe we'll have some luck. That's the only announcement that I have.

6. STAFF COMMENTS:

City Manager Whitehead:

- Just to remind everybody, our first water project is under construction. J&H Construction Company are moving at a very rapid pace, they're over on 8th Street, doing a really good job. We did have a water line break on the first day of construction, it was an unfortunate situation, so we've been managing that. We've gone out and identified all the valves along that corridor so that we can respond faster. We've done a test ourselves of the school. So we know we can shut the valve off at the top of Silver Street and still maintain pressure at the school.
- Last week, we hosted a meeting with the contractor, we brought the schools in, and we have a plan going forward. We will be communicating a little better with the residents along each of the locations, and working directly with the schools so that if we do need to shut water off, they have the opportunity to adjust their schedule. They've agreed to not be in such a hurry to shut the school down, give us a minute to isolate the problem and see if we can get it put in order. Again, we are just working as diligently as we can to try to make this work. Hopefully, it continues like it has this week and last week where we haven't had any

problems. But they're going to be in those areas for quite a while, they're putting the first line in, they've got to come back and adjust valves, so it's quite a bit of work there.

- Foch Street's moving along pretty well, right now they're running the ditches on both sides and we've found a lot of sewer lines and water lines. A lot of those water lines are not active, but we have run into some of the water lines that we added from the MSD project. Typical stuff that goes on with a road that's been around that long, so just letting you know that we're working diligently to try to stay on the path on a daily basis to make sure people have access where we've said they would.
- What I'm bringing to you today on your agenda is a purchase order adjustment that we are going to make for Wilson & Company, to do with the shovel-ready project that is underway right now. We'll wait until that comes up, but also for the critical water project back in 2022, the city approved a contract with Wilson to do all the design work for the 36,600 linear feet, all the water lines in that area are being improved. The first portion of that contract was paid for to Wilson from an agreement we had from Martin Heinrich, a contract of \$1.6 million. We have exhausted the funds on that particular set of funding, and now we need to move into the critical water application to get the next set of funds. There will be a change, not in scope, not in work, not in process from what was originally agreed, but we're upping the purchase order, it has to go up \$1.4 million for the remaining design, construction, construction management, everything that goes on with the critical water line project. We just wanted to update you, the purchase order has already been led, the contract was approved, but we are changing that PO, that amount of money, to finish out that contract that we have with Wilson on that project. I'll stand for any questions on that.

Mayor Hechler: Thank you for that clarification, I was a little confused earlier, but you straightened me out, so thank you very much.

City Manager Whitehead: The original project, just to remind you, was estimated at about \$21 million to do that part of town. We have just under \$18 million, but what's good about it is that we're paying for the full design of it, and it looks like, based on the quotes, that the \$17 million that we have should complete the project. It would be a high estimate given to us in 2022/2021, at that time, but prices are coming in line, so we still feel like we're going to get the full project.

C. CONSENT CALENDAR:

- 1. 2nd Quarter Subrecipient Reports**
- 2. Purchase report of requisitions between \$20,000 and \$59,999.99**

City Attorney Rubin: I think it's always good to point out that on the purchase report, there's a list contained in the packet, and there's three items on the list. Just so there's no confusion.

Mayor Hechler: Okay. I would like to ask for one change, that is on item number two: Purchase Reports of Requisitions between \$20,000 and \$59,000.99. Would you go back down to the spelling of my name and correct that please?

Commissioner Forrister moved to approve the Consent Calendar with the amendment of the mayor's name to item C2. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

D. ORDINANCES/RESOLUTIONS/ZONING:

1. Discussion/Action: Resolution No. 33 25/26 Execution of Contracts; Grant Agreements; Memoranda of Understanding; Joint Powers Agreements; Settlement agreements and Purchases.

City Manager Whitehead: This is an annual document that the Commission would look at, these are the authorities you grant to me and to the staff to be able to do the work that we do on a daily basis. We did make a few changes to the document, primarily to follow in the process. What we've been trying to do this year is streamline our requests, so we're not getting a grant application, a grant approval, a budget adjustment, and you're seeing the items four times. We'll be coming to you and basically saying, "We'd like to apply for this grant, and we would like the authority to fulfill all the obligations administratively to complete that grant." So if, as a Commission, you think that's the right grant, or we're in the right program to apply for, once you grant us that authority to move forward, this document would allow us to do so. In the beginning of last year, the Commission made an independent change to grant the manager the authority to approve purchase orders from \$20,000-\$60,000, and we just cleaned it up and put it in this document. Again, basically saying, "These are all the additional functions the Commission is granting to the administration." With that, I'll stand for questions, and I think the attorney has a couple of revisions he'd like to share.

City Attorney Rubin: Sure. After this document was placed in your folder, Mr. Whitehead and I got together, and I wanted to suggest three minor changes, if I might. The changes are as follows:

- On the second page, paragraph two, the last sentence reads, "The city manager shall present all documents utilized for procurement to the city commission for review and concurrence." We want to change the word "concurrence" to "acknowledgement". We don't want to have a difficult situation where the city manager has already entered into a contract, and then after it's done, we would seek concurrence, that would defeat the purpose of paragraph two. So instead of saying "concurrence" we're going to say "acknowledgement".
- On paragraph nine, where it reads, "The City Manager may prepare, submit applications and accept grants" we want to change "accept" to "process". That would give the City Manager the ability to go ahead and do what he needs to, to submit the applications, etc. But we want to make it clear that it would come back to you to actually approve the grants.

- Consistent with the previous change, on paragraph 13, you have a sentence that end with, "to secure grant funding." After that, we'd like to add the phrase "after approval by the City Commission." So you would be giving the approval, Mr. Whitehead could then complete his duties. Those are my suggested changes.

Commissioner Forrister: But those changes are not in our document?

City Clerk Torres: No.

City Attorney Rubin: Correct, I'm suggesting that you can vote on this resolution with the changes I just articulated.

City Manager Whitehead: I'd also like to point out, on paragraph 13, particularly, it doesn't only authorize me, because often times, the chief elected official is on that document for signature, so once the process is done and approved, you would give either myself or the mayor the authority, then, to sign those documents. The other item that we had to change in here was the ability to use electronic signature, because that's become the norm. It's incredible, we get a contract on Tuesday, and they want it executed by Friday, once we've approved it and it's gone through the process.

Commissioner Forrister: I think it's just keeping up with the times and staying relevant on what needs to happen.

Mayor Hechler: Agreed.

Mayor Pro-Tem Mitchell moved to approve Resolution No. 33 25/26 Execution of Contracts; Grant Agreements; Memoranda of Understanding; Joint Powers Agreements; Settlement agreements and Purchases with the changes articulated by City Attorney Rubin.

Commissioner Hoepfner: I still feel uncomfortable with going from the \$20,000 to \$60,000. When we were in Santa Fe, they recommended that we, as Commissioners, should know where the money is spent and where it's going, and be informed at all times. I heard so many times in the last two years that "We always did it like that. So it was \$20,000 the entire time. We always did it like that." and now we want to change that to make the process quicker and more fluent, but I think that we, as the City Commission, should be involved in the bigger decisions. I understand that it's case by case, especially when it comes to emergencies. We are reachable, we can be here, and I think that our voters would like to know what the money is spent on. I think it's always good to know, at least, and we were never saying, "Oh no you can't buy that." Or "You can't do that." So we really want to trust here that everybody is informed. I have a problem with going from \$20,000 to \$60,000.

Mayor Hechler: And you do remember that our agreement before was that we would give that authority to the City Manager, but that he would inform us as to what he did during our next Commission meeting on our consent calendar?

Commissioner Forrister: I've been here for a minute, and it used to be \$60,000. A prior City Manager wanted it at \$20,000 because he wanted us to have more say in that, but legally we can move it back to the \$60,000. But these are already budgeted items, it's not on anything that we haven't already approved.

City Attorney Rubin: Correct.

Commissioner Forrister: So these are already items that we have budgeted for and approved, and we will still get to see what those are spent on, we just aren't voting on that at that moment, it will still be in the consent calendar.

Commissioner Hoeppner: Yeah, but when it is in the consent calendar, that means everything is done.

Commissioner Forrister: You can pull anything out of the consent calendar to vote on it. But yeah, it'll already be done because we've already budgeted the items.

Mayor Hechler: We have a motion on the table, so do we have a second for that motion?

Commissioner Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer.

**Hon. Destiny Mitchell, Mayor Pro-Tem voted aye
Hon. Chaz Glines, Commissioner voted aye
Hon. Ingo Hoeppner, Commissioner voted nay
Hon. Amanda Forrister, Commissioner voted aye
Hon. Rolf Hechler, Mayor voted aye**

Motion carried with a 4-1 vote.

**2. Discussion/Action: Approval of Resolution No. 34 25/26 and MOU
Authorizing ongoing scheduled use of the Adobe Hills Shooting Range
by Rio Vaqueros Inc.**

City Manager Whitehead: Thank you for the opportunity to present this. County Commissioner Paxton came to see me, and indicated that there was a misunderstanding at the shooting range between the parties involved. They had an event and it wasn't on the city's calendar. When we went back and looked through it, there was an MOU that had been brought up a long time ago where the Rio Vaqueros, who are an organization that supports shooting events and education, would partner with the city to help make sure that the shooting range was open, accessible, clean, available, and carry out some of those services. That MOU never really made it through the process, so what we did is go back, Jay was able to find this and provide it, so we

kind of cleaned it up, modernized it a little bit, and put together the MOU which basically says that we're going to let the Rio Vaqueros be support, help us maintain, clean, they're going to do those things, and then concrete those dates that they really want to use to do shooting events. I'll let Mr. Paxton answer some more questions, he knows the range better than I do, but in all instances, the range would always be open to the public. He's indicated that when they shoot, they take one particular part of the course, and there are eight or more ranges in other areas that are always open. At no point would any member of the public ever be asked not to participate. Members of the public could actually come out to join their event, participate in an organized shooting event. Secondly, our Police use this, they use it for All Act, so this wouldn't change anything our law enforcement community would do out there either. With that, I would ask that Mr. Paxton be allowed to comment, and the staff supports approval of this.

Mayor Hechler: Yes, sir. Mr. Paxton, welcome.

Sierra County Commissioner Paxton: Good afternoon, it's good to see you all. The shooting range was built in 1992 with volunteer labor, which the city participated in, as well as State Parks, Forest Service, Sierra County, and I don't remember who the other was, but it was all built with volunteer labor. The city was able to buy that 80 acres for \$50/acre in 2014. That is one of the silver gems that we have, we have a lot of snowbirds that come here year after year to shoot. They go out there and be members of our club for the time that they're here. We have held regional-type matches in the past, we don't have anything on the calendar now, but there are four days a month we use the range with organized shooting matches. We had a situation, we were shooting on the rifle range, which is to the far East in the 600-yard range, we were shooting 22's and a man came up with his family, he was pretty upset that we were using that range. He wanted us to vacate it. There's a 150-yard rifle range just to the West of that, before the law enforcement range, so we told him we'd be done in about two hours, and he said, "Well you can't keep me from doing this." And he said that he had checked with the Clerk and there was nothing on the calendar. So we want to get these four dates on the calendar, they're standard every month, it's the second and fourth Wednesday, and the second and fourth Saturday of each month. It's generally from 8am-12pm. The Rio Vaqueros is a pretty small club, without our winter visitors, we're about 25 members. With our winter visitors, we're about 60 members. Every time we shoot, we clean up, and it's everything from washing machines and TV's to chunks of concrete, it's just amazing. In some of those cases, we need heavy equipment to move the debris. We have had annual cleanup days and coordinated with the city in the past, and we'd like to continue that. It's a safe place to shoot, there are eight pistol bays, that excludes the law enforcement range which is gated off, and two rifle ranges, 150-yard range, and a 650-yard range. We get all kind of compliments and letters telling us what a great facility it is, and how people really enjoy using it. Gary and I talked, and the MOU will simply clean this thing up and continue on to the next generation of shooters. The other people that really use that range a lot is the 4H shooters. I don't know what their schedule is, and we probably should coordinate with them because they do quite a few activities out there as well.

Commissioner Forrister: We shoot on the law enforcement range. We're going to ask, how old do you have to be to come be one of the members of the Rio Vaqueros?

Sierra County Commissioner Paxton: We have one member that's 9 years old.

Commissioner Forrister: Good to know.

Sierra County Commissioner Paxton: They go through a little safety course, and we have safety range officers that are both NRA and United States Practical Shooting Association certified. Everything is done in a very safe manner, and everybody has fun, at any skill level. The handgun matches are the second Saturday, they're from 8am-12pm. We love having newcomers, and especially kids. We'll coach them, as well as have them run the course.

Commissioner Forrister: That's what I was looking for.

Sierra County Commissioner Paxton: We appreciate the Commission considering this MOU, and we look forward to working with you. Any questions?

Mayor Hechler: Any questions for Mr. Paxton?

City Attorney Rubin: I would say, the interesting history about this, as you know I had drawn up this MOU similar to what you have now, I think I drew this about three years ago, and what I remember was that the requirements that we put in here that Vaqueros was agreeing to actually came from Vaqueros, I think it was something you guys suggested, it wasn't my thoughts, it was actually you.

Sierra County Commissioner Paxton: We don't have any quarrel with it, it's just, you know, the gating and the locking of the range became untenable. There was a concern, the Chief and I talked, too, there were some extracurricular activities out there late at night that included bonfires and underage drinking, and I don't think there's any of that happening right now. I haven't seen any evidence of beer cans or bottles left behind, so I think that's kind of toned down. It's in the deed that it has to be dedicated to a shooting range, open to the public, and I think that's a good thing. I think T or C should be proud that we have that facility.

City Attorney Rubin: So I can assume, then, that Vaqueros is familiar with the responsibility set forth in the MOU, and you're okay with that?

Sierra County Commissioner Paxton: Yes. We have a meeting tomorrow, and if it's ready to approve, we'll approve it tomorrow.

Mayor Hechler: Thank you, Mr. Paxton, I've enjoyed using that range many times. It's a great asset to our community, so thank you for bringing this forward.

City Manager Whitehead: We did come across one change today, I would point out that the Streets Department has worked out there this year with the Police Chief, has kept that up and will continue to, but under the MOU, on item 2-F, it talks about Vaqueros, it reads, "Vaqueros will maintain the Shooting Range and keep the premises free from trash and weeds." We added a line so it reads, "The city will assist Vaqueros in maintaining the Shooting Range and keep the premises free from trash and weeds." Also, it should be pointed out that in this particular case, with the MOU, the consideration is that they're going to clean and maintain the park for us, at no cost to do those four events. We recognize that in the future, we may have other events, we may have other vendors that want to come and do events, so in the near future, I'll be bringing an updated resolution that talks about the fees that we charge on all items. The MOU supports the four events, and the Vaqueros providing cleaning and all those services in conjunction. I just wanted to note those two points. In the future, we could potentially be charging other folks for using the facility, and we could be charging the Vaqueros for using the facility if it was a big event outside these four that we're concreting and locking for them. I do think, for any citizen that was disappointed, it's important that we have things on our calendar, and if they checked and it wasn't there, then we certainly weren't in the right to do that. This cleans that up for everybody so the public has good access to that.

Mayor Hechler: Thank you, Mr. Whitehead.

Commissioner Forrister made a motion to approve Resolution No. 34 25/26 and MOU Authorizing ongoing scheduled use of the Adobe Hills Shooting Range by Rio Vaqueros Inc. with amendments mentioned by City Manager Whitehead. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Resolution No. 35 25/26 Establishing a cash-transaction rounding policy in response to the cessation of circulating penny production, while requiring that all non-cash transactions be accepted and processed to the exact penny.

City Manager Whitehead: This is one of the fun ones. Obviously, everyone knows the penny is going to go out of circulation, it won't end at any one point. The resolution just really clarifies that if and when the city does not have a penny, or pennies are not available, they'll have a process by which they can round up or down. The writers of the policy felt like over time it would balance out. The other thing is that it requires we keep those records when we do so, so that we can report that to the auditor. It doesn't allow for rounding on any transaction that's not cash. If you're paying by credit card, you'll pay the full amount. If you pay by check, you'll pay the full amount, debit card, all that, it's just for cash transactions, and when we get to that point.

Commissioner Forrister: So, if anybody wants to save a few cents, go pay in cash and be on the round-downside.

Mayor Hechler: I haven't done the research yet, but I think this might be a time where the penny is actually worth more money to be recycled than it is as currency. I'd have to do that research.

Mayor Pro-Tem Mitchell: I'd like to know what you find out. I'm just curious what's going to happen when the little kids come to the swimming pool with their bag of dollar pennies and try to get in, what do we do?

City Manager Whitehead: Well, you take them, I mean, the penny will still be a currency, it's just that at some point, we may not be able to get change at the bank, they may not service us.

Commissioner Forrister: They can still pay in pennies, we just might not have pennies to give change.

Mayor Hechler: Maybe a collector's item at some point.

Commissioner Hoepfner: No, it's already on eBay, people are selling them for more than they're worth.

Commissioner Forrister: Perfect, save your pennies, folks.

Commissioner Hoepfner: Exactly, save your pennies.

Mayor Pro-Tem Mitchell made a motion to approve Resolution No. 35 25/26 Establishing a cash-transaction rounding policy in response to the cessation of circulating penny production, while requiring that all non-cash transactions be accepted and processed to the exact penny. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

E. NEW BUSINESS:

1. Presentation/Discussion/Action: MainStreet Truth or Consequences Wayfinding Plan.

Presenter Names: Amy Bell, Cam and Julia Wilde - Revitalization Specialists from New Mexico MainStreet; and Becca Eza, Executive Director of MainStreet T or C

Becca Eza MainStreet Truth or Consequences Director: We're here this afternoon to present the final wayfinding plan. A little bit of background, we've been working on this project since September of 2024, at that point I wrote a service request to New Mexico MainStreet. For a little background on that, as a MainStreet community, as part of the New Mexico MainStreet network, we get these services from the revitalization specialists from New Mexico MainStreet at no cost to us, you guys, or to the community.

They're paid by New Mexico MainStreet and the Economic Development Department. We have these folks that are able to help us in all different areas, and for this particular project, we asked for their help in developing a wayfinding plan; signage to help people get around town. The benefit for having them come in and help on this project is that they know the technical specifications, and how to actually do a project like this. They've done several of these for other communities throughout the state, and they know what to do to make it acceptable for NMDOT, and what we need to have in a plan like this to be able to actually manufacture and install signs. They're going to talk with you guys on the process we went through and what the final plan looks like, and then we ask that you consider voting to approve the plan. This is not asking for any kind of financial obligation from the city, this is just your approval for it, and then MainStreet will seek grant funding to actually produce these signs. I will turn this over to Amy Bell and Cam & Julia Wilde, who will talk a little bit more about the plan.

Amy Bell, New Mexico MainStreet Revitalization Specialist: We're really excited to be at this point in this project, we've been here a couple times before, sharing information on progress of the plan, and it's really great to be at this point when the plan is all put together and now we can just help Becca look for money.

Amy Bell and Cam Wilde presented the MainStreet Truth or Consequences Wayfinding Plan (Copy attached hereto and made a part hereof).

City Attorney Rubin: Can I ask a question? You're talking about adopting the plan, I thought all we were doing was supporting the plan. That's what I thought from the agenda request form. And there's a difference, that's the reason why I want to know, because adopting the plan means we actually went through every page here, and we agree with all the details. I thought all you wanted from us was a letter of support so you can get grant opportunities. I just want to clear that up.

Becca Eza, MainStreet Truth or Consequences Director: I don't really know, legally, what we would need.

Amy Bell, New Mexico MainStreet Revitalization Specialist: I would think that probably the letter of support would be enough if formal adoption creates a process that could be prohibitive.

Mayor Hechler: For clarification, though, this isn't like the final plan? It will change to some degree, right?

Amy Bell, New Mexico MainStreet Revitalization Specialist: Well there was a draft plan that should have been included in the packet.

Mayor Hechler: Right. So if we adopt it, then our hands are kind of tied. So I'm thinking, in our notes, we're supposed to support, so I'm thinking that's probably the direction –

City Attorney Rubin: That's what I thought, that's why I brought it up.

Mayor Hechler: That's why I asked if there were going to be any further changes, it would make it easier.

Becca Eza, MainStreet Truth or Consequences Director: And you know, the issue, then, would be if we'll need to have a final plan when we pursue grant funding for it. So I don't know if it's something that the Commission needs to look at more in-depth, and consider any changes that you guys might propose to it, or if it could be supported right now, and that would allow us to start pursuing grant funding, but then before we actually go through with implementing anything, that we would have a final, final plan that you guys would look at.

City Attorney Rubin: That's what I thought.

Commissioner Forrister: I like that just for our purposes.

City Attorney Rubin: I apologize for that, but since you brought up adopting the plan, I thought it was a good time to ask, because now all the sudden, you're done.

Amy Bell, New Mexico MainStreet Revitalization Specialist: It was a really good question, and definitely not something that is my area of expertise. Procedurally, what could be considered the final plan might be, like the shop drawings that the sign fabricator submits. Because, really, the plan is meant to be guidance, this plan establishes the rules for what the signs are going to look like. There's sort of a difference between what's in the more general plan guidance, and then what's in those design intent drawings, the sign schedule, and all of the sign content, because you can always add signs, or there might be something that between now and installation, something moves. Like there's a new pool, or something. Hopefully, it's not that long.

Becca Eza, MainStreet Truth or Consequences Director: Yeah, and it does seem like there would need to be changes up to the final point of manufacturing, because like Amy said, that different manufacturers might do things differently. It seems to me like we would be able to pursue grant funding for it, and then use that funding to have the finalized plan, and have that officially adopted at that point.

Mayor Hechler: I think that might be a logical step. We can support this plan, that'll give you a starting point. Then when you come back to us, we'll have this already –

Becca Eza, MainStreet Truth or Consequences Director: And we've got X amount of money already to do it, and then you look over this with a fine-tooth comb.

Mayor Hechler: Right. I think part of the final plan should include some other things too, for instance, I'm interested in the construction of the signs themselves, and I'm interested in which direction they're going to face. New Mexico sun is notorious for damaging signs, they don't last very long, I'd like to know what the longevity of the signs may be. I'd like to know how to replace these signs, because if they're going to be so

unique, how do we quickly replace them if something gets stolen or vandalized? I think those are all going to be part of a plan down the road, I would think, right?

Amy Bell, New Mexico MainStreet Revitalization Specialist: Yeah, so the detailed information on the sign materials and the construction, that's outlined in those design intent drawings, but would be provided in the shop drawings that the fabricator is required to provide before they fabricate them. The other items, that raises a really important point, which is not often included in these types of plans, it's more of a maintenance and management plan, so sort of understanding what are the practices and costs associated with keeping the sign system up.

Mayor Hechler: And I guess, just to give you a little context, I was part of a plan that bought similar signs for state parks, 35 state parks, well over \$100,000 projects, and the signs lasted about 5 years. That was a poor decision at the time, it's been a few years, I know things have changed and we've progressed, we're more modern and have better materials now, I hope, but it's very critical to me that we get something that lasts for a long time, and is constructed well.

Amy Bell, New Mexico MainStreet Revitalization Specialist: Yeah, really, all of the signs are required to comply with the manual and uniform traffic control devices, so those materials that go on the sign, that have the colors and the text and everything, that has to be the same as the DOT signs that are out there, so they should last at least as long as those, but we know that those fade over time too, especially here.

Cam Wilde, New Mexico MainStreet Revitalization Specialist: Like somebody setting fire to them, and all that stuff.

Mayor Hechler: It happens.

Cam Wilde, New Mexico MainStreet Revitalization Specialist: And I'll just add, the plan, once we get to that adoption stage, it's with the caveat that if there is a new library built, you could make a new sign, the plan isn't saying "You *have* to do these things." As far as the overall intent and placement and stuff. There may be shifts, so nothing's saying that if you adopt this plan you *have* to put this sign here, and you have to put that sign there. You just have the guidance, and you're adopting the general language, intent, design, things like that, over time, and of course things will change up to the last minute. When it comes to placement, we had something similar with Taos, and there were changes right up to the end, because businesses – or you know, and office – would move, or a new building would come up that they felt like was higher priority than the sign pointing to that building, things like that.

Commissioner Forrister: Are they still presenting, or can we ask more questions?

Mayor Hechler: Yeah, please ask them more questions.

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City Attorney Rubin: Yeah, I didn't mean to curtail your presentation, feel free to proceed. It's just because you brought up that question, I figured now was a good time to ask, instead of waiting until the end of the presentation and then asking.

Amy Bell, New Mexico MainStreet Revitalization Specialist: We were conveniently at the end, so you had very good timing.

Becca Eza, MainStreet Truth or Consequences Director: Please continue with any questions you may have.

Commissioner Forrister: You talked about really getting citizens and the community involved, and you said you've had public meetings, where were those held at?

Amy Bell, New Mexico MainStreet Revitalization Specialist: So, we had those meetings in the side room at the brewery, the garden.

Mayor Hechler: I think there were, 2 or 3?

Amy Bell, New Mexico MainStreet Revitalization Specialist: There were three.

Cam Wilde, New Mexico MainStreet Revitalization Specialist: Four. There were four, and several of them were twice in the same day, the same meeting at two different times.

Amy Bell, New Mexico MainStreet Revitalization Specialist: Oh, right.

Becca Eza, MainStreet Truth or Consequences Director: But four separate days, separate times through the process.

Commissioner Forrister: And then, on the logo, how did you guys come up with that part? I mean, more in-depth, like did we have any staff that got to have any input into that?

Cam Wilde, New Mexico MainStreet Revitalization Specialist: 2021, all that was done, way before the wayfinding plan was even anything, and it was a similar process with community input, all that stuff.

Becca Eza, MainStreet Truth or Consequences Director: And that logo has been used by the Lodgers tax board, so it is out there throughout the state on anything the Lodgers Tax board is paying for, marketing-wise. Brochures, billboards, and that kind of thing.

Mayor Pro-Tem Mitchell: It replaced the terminology, "Paid for in part by Lodgers tax" on anything we've printed from Lodger's tax, so as long as it had that logo, it was considered approved by Lodgers tax.

Commissioner Forrister: And I know the Mayor was kind of hitting on that, on who will be the ones to maintain these signs, and things like that, is that going to be a city thing, or is MainStreet going to take lead on that? What is that going to look like?

Becca Eza, MainStreet Truth or Consequences Director: I would say a collaboration, hopefully these signs will stay intact for a while. Certainly, MainStreet can pursue funding for whatever needs to be done, if things are vandalized, as we know unfortunately happens here too often. MainStreet is absolutely willing to at least be a big part of that, we're not putting this all on the city to then, forever, in perpetuity, maintain this. We'll partner on that.

Commissioner Forrister: Okay, thank you.

Commissioner Hoepfner: I just wanted to say thank you for all your good work, and travelling from Alamogordo and Albuquerque to meet with us and to listen to the citizens, and for helping guide us. It is always hard to verbally make an idea that you know in your head is a perfect idea, but when you talk about it in meetings then you find out, okay, we could change certain things. Your assistance with that, and MainStreet is doing a lot for our town, and I would like to say thank you for that. It has always been professional, and I enjoyed coming to each one of the meetings and being a part of all that. It's great that the community is included in those decisions.

Cam Wilde, New Mexico MainStreet Revitalization Specialist: A lot of cool ideas came out of those meetings, not just from you, everyone had such good ideas.

Julia Wilde, New Mexico MainStreet Revitalization Specialist: And they cared, it's nice to see a community that cares about their community.

Commissioner Forrister: I do love wearing my shirt, thank you for that.

Commissioner Hoepfner: Looking forward to working with you guys in the future.

Mayor Hechler: And don't get us wrong, we think this is a wonderful program. It's needed for our community, we want it, we're just trying to get some good guidance here on what we can do and how far we should go, and our recommendation is to support the plan, and if we vote that way, and we will, we probably need one more presentation with some finalization. Then, if we get that, I think we can – and I don't want to hamper any efforts on your part to get money – so you'll have to advise us with what we need to do down the road.

Becca Eza, MainStreet Truth or Consequences Director: Sure, and it may be that we need all of you to look through this plan with some more time to reflect on if there would be anything you would ask us to change in it before we can go forward, but also I can go ahead and look into if we would be able to start applying for grants now without having a 100% finalized plan, and then I'll come back to you guys.

Commissioner Forrister: So, what is the recommendation? That we support this plan? Then let them go do funding, but this is not set in stone.

Mayor Hechler: See if that meets your needs, as far as funding goes. If that's strong enough terminology. If it's not, we'll invite you to come back, I don't think we have to go through the whole presentation, it gives us a better chance to familiarize ourselves with it, and then we can move to that next step.

City Manager Whitehead: Just to add a couple of comments, first of all, just to be really supportive of MainStreet, we have a lot of momentum going with them. I mean, we have a road being built, it's through that process. The second part, to bring to everyone's attention, similar to Foch Street, this process has been going for 4-5 years, so it's not unreasonable that we don't all know the nuances of it. We're in a good spot working with Becca, the current board is really good, so staff will continue – there are a couple of items that have been addressed on how we identify, "What does this logo mean? What does that logo mean? How do we come up with a system across the board that takes care of that?" and we're going to be continuing to mature that. From administration, from our position, it would be really to support, if you felt that was the right decision, really, a letter of support to allow them to continue to work on the process, while we work on the back end to try and resolve some of these nuances that we need to, and then present that. So that when you vote to accept this plan and put it into action, you're doing so with a little more information. Other than that, we support and certainly want to really be supportive of Becca and MainStreet and what they're doing. There are a lot of good things going on right now, we have a good partnership.

Mayor Hechler: I think we're all in agreement here, thank you so much for that.

Commissioner Glines made a motion to support the MainStreet Truth or Consequences Wayfinding Plan. Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Agreement letter between the Animal Shelter and Scars for Jordan's Way Event.

Tara Manning, Animal Shelter Supervisor: Jordan's Way contacted us, I was about to contact them because I was getting a little nervous, and they ended up emailing me, and we set up for Jordan's Way again. We are super excited to have them back. It's going to be on February 25th, from 10am-1pm for our live Facebook event – I'm still working on all the details – but of course there'll be pies thrown in my face and all that fun stuff. I'm super excited. This is just the agreement letter that we usually present to you for Jordan's Way because we're going to be partnering with SCARS. Mainly due to the fact that they have a PayPal account, and there's money that has to go back to Jordan's Way, so we figured it was a lot easier to have SCARS do that portion, and then just cut us the check difference. We're going to do the same amount that we did last time, where they'll get their deposit back, SCARS will get 30%, and the rest of the

proceeds, 70%, will come back to the shelter. We're hoping we can make it a big live event. For some reason, Kris put the limit at \$15,000. I'm hoping to beat that because of right now, we're already at \$300, and we haven't even started. So I'm super excited and I also want to take the time to invite all of you to be there. If you don't want to get dirty, by all means, I'm sure Kris will let you throw a pie in *my* face for you. I will stand for any questions, concerns, or comments.

Commissioner Glines: I just noticed that this says, "A minimum of 25-30 volunteers."

Tara Manning, Animal Shelter Supervisor: That's what they usually do ask for, we average, in the past I think our first time we started off with 10 and ended up with 15 in the shelter, last year, throughout the day, I think we ended up with 35. The mayor showed up, the police department showed up half the time, we locked everybody in dog kennels, so it's not a full requirement, but it is something that the more volunteers we do have present, we raise more money. Before you ask any other questions, I also want to let you know that I have contacted the County Clerk's Office, I'm waiting to hear back from them, but I have heard back from Williamsburg and Elephant Butte, and I will be going to their Commission meetings as well, to help advertise because they use the shelter, and see if we can get more people involved that way as well, which we haven't done in the past before, so we're really excited for that.

Mayor Pro-Tem Forrister: Is there an age limit on your volunteers for that day?

Tara Manning, Animal Shelter Supervisor: Nope. As long as they have a cell phone and can send some text messages to help raise money, that's all they need.

Mayor Pro-Tem Mitchell: I'll bring my kids.

Commissioner Forrister: I'll share it with all my 4H kids.

Mayor Hechler: This is a wonderful, high-energy event. It's really great, it's live.

Commissioner Forrister: The Mayor called me from a kennel.

Tara Manning, Animal Shelter Supervisor: I remember that.

Commissioner Forrister: He's like, "Get me out of here!"

Tara Manning, Animal Shelter Supervisor: I have pictures of that.

Mayor Hechler: It's great. This is your third year, isn't it?

Tara Manning, Animal Shelter Supervisor: My third year, and I remember when they first came, and then last time, Kris saw the name coming up and he was like, "Who's this?" and I said that's my husband, and he goes, "Cool. Here's a donation form him." And he just threw a pie in my face. Then, next time, he screamed my name, and he's like,

"Donation from your husband!" and a pie back in my face. So my husband likes it because he's not the bad guy and he's donating, but he gets his anger out taking a pie in my face.

Mayor Pro-Tem Mitchell made a motion to approve the agreement letter between the Animal Shelter and Scars for the Jordan's Way Event. Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Contract Agreement Amendment Proposal - Wilson & Co. Shovel Ready Project.

Assistant City Manager Alvarez: City Manager Whitehead touched on this earlier, we have the shovel-ready project that's out there. The initial contract with Wilson & Company didn't account for construction oversight and streets, that they're actually working on right now, Silver and 8th area. Because we added those in from the WSPI-1 project, we need to account for additional contract oversight. We predict about 4 months of additional construction services out there, to add those additional. We have the contract amendment here for \$203,345 to add the additional time out there. With that, I'll turn it over to the City Manager if he has anything to add.

City Manager Whitehead: Under WSPI-1, the street that they're on, as Assistant City Manager Alvarez said, from 8th street, all the way down, was part of WSPI-1 originally, they moved it into shovel-ready, and this is going to extend the contract from 10 months to 14 months of overview, so they're asking for additional time for project management and project oversight. I've reviewed the contract, everything seems to be in order, it's consistent with the normal charges with that project.

Mayor Hechler: You gave a good explanation earlier too, so that really helped me out. With that, do we have any further discussion?

Commissioner Forrister: No, sir.

Commissioner Forrister made a motion to approve the Contract Agreement Amendment Proposal - Wilson & Co. Shovel Ready Project. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

4. Discussion/Action: NM Capital Outlay Grant Agreement A24-15393 Aging and Long-Term Services Dept.

Assistant City Manager Alvarez: Our SJOA was lucky enough to be a recipient of another grant through Aging and Long-Term. This one will be for \$88,000 and it'll be to purchase and equip vehicles. The plan is to get a heavy-duty ADA-accessible vehicle with these

funds. As you know, there's no match, there's no cost to the city, we're just the fiscal agent, we process the payment and assist them with the close and ordering, and then request the reimbursement back. Due to finance's crazy schedule when this one came about, this one will actually come back to the Commission for a BAR. We were unable to do the BAR for this Commission meeting, so you will see it come back, along with the PO at that time. We'll have the BAR and the PO on the same meeting.

Commissioner Glines made a motion to approve the NM Capital Outlay Grant Agreement A24-15393 Aging and Long-Term Services Dept. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

5. Discussion/Action: Conditional Use Permit at 1101 Marshall St.

Assistant City Manager Alvarez: I'm actually going to summarize E5, E6, and E7 because they're all for the same thing, and then you can vote individually. In the case of all three of these, residents actually had their storage containers in their yard prior to the city implementing the storage container ordinance. Due to some anonymous complaints we received about storage containers, they didn't see that they had gone through a Conditional Use with our P&Z, the code doesn't currently allow for me to make an administrative decision on that, it does have to go through the whole Conditional Use Permit process to bring them into compliance. All three went to the P&Z board, were presented, and they were recommended for approval. Everything seems in order, there are no opponents, nor proponents, other than the one person that decided to drive around town and make a lot of complaints. That's the only complaint we've ever received, I was unaware that they were even there.

Commissioner Forrister: And maybe that wasn't a complaint, maybe they're just bringing it to our attention.

Assistant City Manager Alvarez: Yes, ma'am.

Commissioner Forrister: I read through each one individually, and they all seem to be very similar. The P&Z board asked really good questions on, "Is there a grandfather clause in there?" and I know you let them know they are going to have a workshop, and we are going to be going over that, but I think that is very smart to have a grandfather clause, maybe not grandfather, but maybe an administrative, where you can look at it, if it's not a problem, if it was there before we put these rules in, then they shouldn't be subject to that. I also really did like that they mentioned Conditional Use Permits not having to come back every year, and I don't know how to do that, but I think some of them that we are like, "Yes we never need to see this one again because we don't care about it, that's fine to leave it." or I know we've had stuff come in front of us that we're very glad that is just a year because we want to see it again, and I think that would be really nice to be able to pick and choose on those things. I don't know how to do that fairly, I think

maybe P&Z can make that call, then it could come to us and we could finalize that, just really good, and I have no problem with it.

Mayor Hechler: Manager Whitehead, I think that's one of the ordinances we want to try to tackle this year, make some upgrades so that we can address those issues.

City Manager Whitehead: We've been really working, for the past year that I've been on, with P&Z to begin to be thoughtful when situations like this arise, what was in the code at the time, what did it say, what was good, what was bad, and we're trying to work through those to identify them. On that point, I think we need to be very clear on the three items, the three opportunities that the Commission has to change: A Variance – what does that mean? A Special Use – what does that mean? As well as Conditional Use, which has different meanings. I think we want to try to clarify that and make sure that happens. Certainly, looking at these, it would be nice to have some way to do an administrative code. The flip side, to be fair, though, is you don't want everybody putting them in, and then coming back and saying, "Oh, give me the administrative approval." There's nuances that have to be considered, and we'll continue to work through that, to try and find the best balance. I think with the Variance item, you also have a component of, what's the position of the Commission? Does the Commission feel open to say, "Let's look at everything and work with it." or does the Commission say, "We're going to follow the rules black and white." I think that's a decision you have to have in the code that says, "On an annual basis, the Commission has to – "" or when it's anew Commission, you have to kind of say, "This is the way we want to handle this." So there are a lot of nuances, and we'll continue to work on it, Mayor. Hopefully, we'll see something this year.

Assistant City manager Alvarez: Commissioner Forrister, in answer to the question on the grandfather clause, one of the other items I do is, I have the old files from back when we had a building inspector, and I did have a case where somebody came through via a complaint, but when I pulled their file, I actually found that they had been approved for it by a past building inspector, so that one I didn't feel was necessary to bring because there had been a prior approval. In all three of these, they actually had great files, where they'd gone through for various other things for past building inspector approval, I just couldn't find anything that identified the storage container, I don't know what the process was.

Commissioner Forrister: Okay, yeah I don't have a problem with any of these.

City Attorney Rubin: You could actually make a good argument that, okay if something's grandfathered in, you don't really even need to take action. On the other hand, to clean things up, why not do it?

Commissioner Forrister: Yeah, and I think P&Z asked some really god questions and made some really good points for all three of these, and I like where we're moving forward for this.

Commissioner Forrister made a motion to approve the Conditional Use Permit at 1101 Marshall Street. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

6. Discussion/Action: Conditional Use Permit 1306 Nickel Street.

Commissioner Forrister made a motion to approve the Conditional Use Permit 1306 Nickel Street. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

7. Discussion/Action: Conditional Use Permit at 1301 Platinum Street.

Commissioner Forrister made a motion to approve the Conditional Use Permit at 1301 Platinum Street. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

8. Discussion/Action: Appointment of a City Representative to serve on the Sierra Vista Hospital Governing Board for a 2-year term.

City Manager Whitehead: Ten days ago, the mayor came in and indicated that we, potentially, would need to look for another appointment. One of our members that was serving had asked to step down, that they were having some health issues. We casually strolled through that, and unfortunately, our member, Cookie Johnson, passed away. My condolences to her family and friends, the mayor, who was very close with her, we think about her family. That's how this item got on the agenda so quick, we had discussed, potentially, providing her the time to step away and take care of her health. It just didn't go in the best way for her. At this point, Mayor, I'll let you take it. We have two applicants, I did reach out to a third, who was unable to offer their service at this time but wished us well. You have two options for a member that we need to serve on the board.

Mayor Hechler: Thank you. We do have two letters of interest, one from Katharine Elverum, she is a former governing board member, she served on the finance committee and the bylaws committee, and she's currently working in behavioral health at the Olive Tree. She's a great candidate, she's got good history with us, and she would have some consideration. The other one is present with us today, Miss Edna Trager, she served on the Joint Powers Committee 2019-2023. She's also served previously as a mayor, and as a councilor. She's a business owner in Elephant Butte, she also serves as president on the hospital board conducting fundraisers for the hospital itself. I don't believe that actually causes any conflict of interest, it's totally separate, does a wonderful job with Denim & Diamonds and the 5k race that you do.

Commissioner Forrister: Great event.

Mayor Hechler: So we have two wonderful candidates, I know them both personally, either one could function very well in this capacity, and I'll open it up to discussion or recommendations.

Commissioner Forrister: I think both are amazing candidates, I have one that I would like to see move forward, I talked to a few community members that are on both boards at the hospital, and they also gave recommendations.

Mayor Pro-Tem Mitchell: I flipped coins.

Commissioner Hoeppner made a motion to appoint Edna Trager to serve on the Sierra Vista Hospital Governing Board for a 2-year term. Commissioner Glines seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

9. Discussion/Action: Discussion on the scheduling of regular meetings.

Mayor Hechler: Six months ago, we said we would try the present scenario for our meetings, which are: two meetings a month, one at 9:00am and one at 4:00pm, we thought we'd try that for six months to see how it worked out. It's been six months, and our discussion now is if we are happy with the way it is, or if we want to make any changes, do we want to go back to 9:00am meetings, do we like it the way it is, do we want to make a slight change to 3:00pm? I'm very flexible, I'll do anything that the majority of us want to do. With that, I'll open it up for discussion and suggestions.

Mayor Pro-Tem Mitchell: I would like to say that I woke up at 6:00am, did shower, breakfast, and drove all the way down here this morning at 8:30am to be ready for the Commission before realizing that it's at 4:00pm. So for me it's just a consistency thing, if I know it's every Wednesday at 9:00am, I have it on my calendar, I block the day, and then all of a sudden, Commissioner Glines and I have plans on Wednesday, and we're going to have to change that if we're going to keep this, cooking keto food with his parents, he's not keto, but anyways, so we can figure something out, I prefer it to be at 9:00am both times, but I'm willing to do the 3:00pm or 4:00pm.

Commissioner Forrister: I'm going to very much appreciate the 3:00pm, I know my schedule changed drastically from when I came onboard here 6 years ago, however long I've been here, but I would love a meeting in the afternoon, one, and I can go at 3:00pm to give us a little bit more flexibility, but if they're both at 9:00am, it's going to be tough.

Mayor Hechler: So, I hear two different scenarios. Mr. Hoeppner, what do you think?

Commissioner Hoeppner: I'm fine with the evening one, because I want to give the public the possibility to show up, but the main idea, when I suggested going to evenings, was so we could have public hearings, and public input in the evenings after everyone is out of work. There's no public comment right now in the evenings. So, I think we should have

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public comment in the evenings if we choose to keep the same schedule and reports can be done during our morning meetings so that doesn't interfere with the staff's time.

Commissioner Glines: So, I heard 3pm versus 4pm on the second meeting in the afternoon, so we're thinking about moving it an hour up from the 4:00pm spot?

Mayor Hechler: Yep.

Commissioner Forrister: And I'm fine with either/or.

Commissioner Hoepfner: 4:00pm gives more people a chance to come.

Commissioner Glines: I'm okay with 4:00pm, I like it. Because now it's 5:30pm, we're wrapping up our meeting now.

Mayor Hechler: So here's a thought, if we kept it at 4:00pm, here's what happens, we get the business taken care of, and it's usually 5:00pm or 5:15pm, then in the evening, if we have a public hearing, it rolls right into the time that the public can join us, *if* they get off work and they want to join us. If we do it at 3:00pm, we may get done early, and then we'd have to figure out a way to stay late if we want to have the public involved. My recommendation would be to keep it the same, just so that we get the –

Commissioner Forrister: I'm fine with that.

Mayor Hechler: My recommendation, then, would be to stay at 4pm or 5pm, just so that we could have that time with the public in the evening, if the public wanted to have that. So, I would recommend that we kind of stay the same. I don't have a problem changing public comment to that day as well, we can split it a little bit and do public comment on the evening discussion. But then, do we move it around on the agenda so that we're after 5:00pm?

Commissioner Forrister: So, we've had them at 9:00am for many years, and this is my thought when I had suggested it for, if there's something that somebody really wanted to be here, they would be here at 9:00am to talk, or they can take a flex hour or whatever, and be here at 4:00pm. I mean, I like the idea of adding public comment back onto our evening meeting, and I understand that we can't always do our public hearings at the second meeting, because we need to get it done at the first one. So maybe not setting stipulations on what that needs to look like, let's just have a 9:00am meeting, a 4:00pm meeting, and if people want to be here, they'll be here. They would have been here at 9:00am if they had something important to talk about. If we can have our public hearings in the afternoon so maybe we'll get more, so be it. If it has to be at the 9:00am meeting, let it be there.

Mayor Hechler: So just for the record, I've been with the Commission long enough to enjoy 6:00pm meetings, and we had no more participation than we did at any other time.

Commissioner Forrister: When people want to be here to talk, they're going to be here.

Mayor Hechler: That's right, so I don't think that really makes a difference right now, and it's a nice thought, I got it, but there really wasn't much more participation, and you're right, when people wanted to show up and they had something they want to tell us, they showed up in the mornings to be here. With that being said, I kind of like it the way it is.

Commissioner Forrister: I would go with his recommendation, though, let's add public comment back onto the evening meeting in case.

Commissioner Hoepfner: And just at the end of the meeting.

Commissioner Forrister: I would still keep it at the beginning because I want to hear what they say before we make any action throughout the meeting.

City Clerk Torres: They like to have their comments made before you guys discuss certain items. Since you're not changing anything, your motion would just be to leave everything the same. Public comment, you don't have to make a motion on that, it can just be noted, and we can add it to the agenda.

Commissioner Forrister: I definitely want to keep staff and Commission comments probably a little later in the evening, though. But if they want anything, we still are allowed to talk business.

City Manager Whitehead: A couple of comments, I think the dialogue's good and I hear you. So again, the vision when we started that was really to have that first meeting at 9:00am, it's going to be a long meeting, and we can work hard to make sure that public hearings for the animal ordinance or the zoning ordinance, etc., fill that agenda. The second meeting was really intended to pick up any items that came in for the last part of the month and needed to be dealt with, you know, what's the last bit of business that the city had to deal with? I also think there's a misunderstanding of public comment. Take, for example, the public comment we had last month on the item supporting law enforcement. Every one of those individuals that spoke had the ability to speak during the item, and I think that there's kind of a misconception that if public comment is not there, the public can't speak. The body has the ability to say, "We're going to take public comment on this particular issue." And you could hear those public comments specific to that item. If I look back at the agenda, there's only been one particular issue, Miss Dougherty, who brought an item that wasn't on the agenda, it was of a national concern to her, and therefore, she wanted the opportunity to address you, to bring a new *item*. We can get tighter, but you also have the ability to say that the public can speak on every item on the agenda, the public can let you know what they think, so they could have done that in public comment, or they could have done it within that. But I think the compromise is nice, I think we could definitely add public comment, and this year, we are going to host more public meetings at 5:30pm. We have the T&D study we need to do a presentation, I need to get that scheduled, we have the wastewater/water rate study, if we do Planning & Zoning, Traci has talked about a lot of things throughout the city. For example, the

armory, it sits there unused, we need to do things like that where we can have public hearings and hear from the public, "What should we do with these things?" so I think, fitting into the 4:00pm time, and then going into a nice public meeting where we get more feedback on items of future growth is just as important, when you think about public comment, as what's on the agenda to deal with the business for the day. That's a workaround compromise, but certainly adding public comment doesn't affect us one way or the other.

Commissioner Forrister: I think it's just a good thing to put on there just in case anybody would like to speak during that time.

Commissioner Hoeppner: I agree with the future planning and things, this way we don't have to jump through hoops and be careful when all of us are showing up. We are here already.

Commissioner Forrister: Okay, good.

Mayor Hechler: I think what we're going to do is just give you the flexibility to schedule it the way we need to, we do that on our agenda reviews, and keep the times at the same time.

Commissioner Forrister: Yeah, not set any stipulations.

Mayor Hechler made a motion to keep the current meeting schedule. Commissioner Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

F. EXECUTIVE SESSION:

- 1. Threatened & Pending Litigation (Sean Barnes) pursuant to 10-15-1(H.7).**
- 2. Threatened & Pending Litigation (Rachel Higgins) pursuant to 10-15-1(H.7).**
- 3. Threatened & Pending Litigation (Tony Harper) pursuant to 10-15-1(H.7).**

Commissioner Forrister made a motion to go into executive session at 5:40 p.m. to discuss Threatened & Pending Litigation (Sean Barnes) pursuant to 10-15-1(H.7), Threatened & Pending Litigation (Rachel Higgins) pursuant to 10-15-1(H.7) and Threatened & Pending Litigation (Tony Harper) pursuant to 10-15-1(H.7). Mayor Pro-Tem Mitchell seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Hechler recused himself from Threatened & Pending Litigation (Sean Barnes) pursuant to 10-15-1(H.7).

Mayor Pro-Tem Mitchell reconvened the meeting in open session at 5:54 p.m.

Mayor Pro-Tem Mitchell certified that only matters pertaining to Threatened & Pending Litigation (Sean Barnes) pursuant to 10-15-1(H.7), Threatened & Pending Litigation (Rachel Higgins) pursuant to 10-15-1(H.7) and Threatened & Pending Litigation (Tony Harper) pursuant to 10-15-1(H.7) was discussed in Executive Session and no action was taken in executive session.

I. ADJOURNMENT:

Mayor Pro-Tem Mitchell adjourned the meeting at 5:56 p.m.

Passed and Approved this 11th day of February, 2026.



Rolf Hechler, Mayor

ATTEST:



Angela A. Torres, CMC, City Clerk