

WORKSHOP AND REGULAR COUNCIL MEETING May 6, 2015 103 Water St. Elephant Butte, NM 87935 ACTION MINUTES

WORKSHOP - Cancelled

REGULAR COUNCIL MEETING - 2:00pm 103 WATER STREET ELEPHANT BUTTE

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Kent called the Regular Meeting to order at 2:00 PM, and led the Pledge of Allegiance. 15 members of the public and one member of the Press attended.

ROLL CALL

Karen Rieth, Clerk-Treasurer called the roll. Mayor Kent, Mayor Pro-Tem Skinner, Councilor LaFont, and Councilor Rogers were all present.

Councilor Trager was absent.

Also present was City Attorney Charles Rennick.

STATEMENT OF OPEN MEETINGS RESOLUTION AND THREE MINUTE LIMIT PER SPEAKER ON ALL ISSUES

PUBLIC INPUT

Mr. Tony Grundler, 407 Trout stated that he is a business man, and requested the Council reconsider naming Butte Blvd. Veteran's Blvd.

Mr. Dallas Lipscomb of Erie Ave requested putting the renaming of Butte Blvd. on the next Council agenda. Mr. Lipscomb thanked Councilor Rogers for his service, and thanked everyone who has relatives who served. Mr. Lipscomb requested renaming Butte Blvd: Butte Veteran's Pkwy, or Butte Blvd. to the right of Warm Springs, and requested that this issue be added to next Council Agenda.

Ms. Rebecca (Becher) of 1576 E 7th, Truth or Consequences stated that someone made a slashing motion, which is a terrorist sign at her during the recent protest, and stated that if it was not Councilor Skinner, the Council should help her find out who it was.

Sierra County Sheriff Hamilton reported that deputies have responded to 32 incident reports, including property crimes, Domestic, Control Substance and one DWI. Sheriff Hamilton stated that Controlled Substance abuse is a top priority, and urged citizens to report any suspicions in an effort to assist the Sheriff's office in identifying problem areas.

PRESENTATIONS

Barbara Schalkofski presented the South Central Regional Dispatch Authority proposed Joint Powers Agreement. Mayor Kent stated that more clarity around the building of the budget was needed to avoid misunderstandings once the agreement is signed. Councilor Rogers commented that the document was well framed, but that Section 5.2 regarding percentage of economic contributions to support SCRDA needed to be clarified. Attorney Rennick explained that the existing JPA requires each member (three municipalities and the County) to pay set dollar amounts. The proposed JPA shows percentages rather than an "amount not to exceed...", which is the same amount as currently required for each member. Attorney Rennick noted that the voters approved a ¼%g.r.t. at the November election to fund SCRDA, and that the member contributions should be based on the difference between the g.r.t. revenues and the proposed budgeted expenditures, not on the total budget. The member contributions should be stated in percentages with a "not to exceed," but must also be subject to the members' appropriations. In the event of a shortfall, the budget would need to be revised. Council and City Attorney Rennick Discussed proposed changes with Ms. Schalkofski, who agreed that the revisions would need to be made. Council directed Mr. Rennick to draft revisions for presentation at the May 20 regular meeting.

Mayor Kent presented a proclamation to the American Legion Ladies Auxiliary declaring May 2015 American Legion Poppy Month. Mayor Kent encouraged the public to contribute, and set the example by making the first donation.

APPROVAL OF AGENDA

Mayor Kent asked for a motion to approve the Agenda.

→ Councilor Rogers made a motion to approve the Agenda as submitted. Councilor Mayor Pro-Tem Skinner seconded. The motion carried unanimously.

BOARDS AND COMMITTEE APPOINTMENTS AND COMMITTEE REPORTS

Mayor Kent explained that 19 applicants had been reviewed by a three person committee, and although there were several qualified applicants, making it a difficult choice, one candidate stood out at the best fit for the City; Mayor Kent recommended Andrew Finzen to be appointed City Manager.

→ Councilor Rogers made a motion to appoint Andrew Finzen as City Manager. Councilor Lafont seconded. The motion carried unanimously.

MAYOR & COUNCIL REPORTS

Councilor Rogers had nothing to report.

Councilor Lafont reported being unable to attend the SCRTD meeting, but passed along information from Truth or Consequences Commissioner Green; Bus Service is scheduled to begin in September, and the City's contribution will be \$0.50 per person based on population, which equates to approximately \$700 per year.

Mayor Pro-Tem Skinner stated for the record in response to recent allegations: that on April 20, 2015 she attended the Special Council Meeting from 10:30am – 12:43pm. Mayor Pro-Tem Skinner stated that she seconded a motion to adjourn at 12:42pm, and was upset that "someone would do that, but it was not me". Mayor Pro-Tem Skinner stated that all Councilors exited at the same time, and went in the opposite direction of the protest.

Mayor Pro-Tem Skinner reported attending the Governor's Conference on Hospitality and Tourism in Santa Fe, and thanked the Tragers for donating to the silent auction, and thanked the Lafonts for attending. The keynote was Governor Martinez, who announced that the New Mexico True marketing has been expanded to airports in Dallas, Phoenix, Denver, Chicago and San Diego, and flyers are posted in taxi cabs in New York City.

Mayor Pro-Tem Skinner announced that Councilor and Susan Lafont met with the Governor to report on the fish fund progress.

Councilor Lafont reported that the lake was stocked with 20,000 black bass.

Mayor Kent described the stocking of the lake as overwhelming; thanking Councilor Lafont, Susan Lafont, Bob Owen, and Ron Gillworth for their participation on the committee. Mayor Kent stated that the project blossomed, with the entire community coming together, and collecting \$20,000 since January. Mayor Kent thanked the Chamber for their promoting efforts, and explained that boats rallied at 7:30am, with people being very happy and excited. Mayor Kent extended her gratitude to everyone who helped and participated.

Mayor Kent announced that representatives from Channel 13 were in the area doing a story about the animal hoarding case. 44 dogs had been voluntarily relinquished to the animal shelter on Saturday. The animal shelter requested help with getting the word out to anyone who may want to adopt a dog.

Mayor Kent reported on the SJOA. The Mayor commended Patsy Barnett for doing a great job with the Board in getting them back on track financially. The Mayor also sent a thank you to the Dispatchers for National Dispatch week.

CLERK-TREASURER'S REPORT

Clerk Rieth's report is attached for the record.

PLANNER'S REPORT

Planner Dyjak's report is attached for the record.

CONSENT ITEMS

Mayor Kent asked for a motion to approve the Consent Items

- Approval of Minutes –Regular Meeting, April 15, 2015
- Approval of Minutes Special Meeting, April 20, 2015
- Approval of Minutes Special Meeting April 24, 2015
- → Councilor Rogers made a motion to approve the Consent Item(s) as submitted. Mayor Pro-Tem Skinner seconded.

A Roll Call vote was held:
Mayor Pro-Tem Skinner voted yes.
Councilor Lafont voted yes.
Councilor Rogers voted yes.
Councilor Trager was absent.
Motion carried.

PUBLIC HEARING: ORDINANCE 151 – LODGERS TAX

Clerk Rieth and Attorney Rennick presented the redlined version of the proposed ordinance, explained the changes, and answered questions from the Council.

There being no further discussion, and no input from the public, Mayor Kent closed the public Hearing.

→ Councilor Rogers made a motion to approve Ordinance 151 as amended. Councilor Lafont seconded.

A Roll Call vote was held:
Mayor Pro-Tem Skinner voted yes.
Councilor Lafont voted yes.
Councilor Rogers voted yes.
Councilor Trager was absent.
Motion carried.

REGULAR ITEMS

DISCUSSION & POSSIBLE ACTION OF SCRDA JOINT POWERS AGREEMENT

→ Mayor Pro-Tem Skinner made a motion to postpone for discussion and possible action on May 20, 2015. Councilor Lafont seconded. Motion carried unanimously.

DISCUSSION & POSSIBLE ACTION OF RECOMMENDATIONS FROM THE LODGERS TAX ADVISORY BOARD

Clerk Rieth presented a letter of recommendation from the lodgers Tax Advisory Board and discussed the recommendations with Council.

→ Mayor Pro-Tem Skinner made a motion to approve the recommendations as submitted. Councilor Lafont seconded. Motion carried unanimously.

APPROVAL OF CHANGE TO AUTHORIZED SIGNORS ON BANK ACCOUNTS AND CREDIT CARDS

Clerk Rieth explained that currently, the previous City Manager, Alan Briley was the only authorized signer on the City Credit Card, and in order to remove Mr. Briley from the Bank accounts, minutes showing authorization were required.

→ Mayor Pro-Tem Skinner made a motion to remove Alan Briley as an authorized signatory on the Credit Cards and Bank accounts, and update the authorized Signators to be:

Mayor Eunice Kent Mayor Pro-tem Kim Skinner Clerk-Treasurer Karen Rieth City Manager Andrew Finzen

Councilor Rogers seconded. Motion carried unanimously.

DISCUSSION AND AWARD OF PHASE IVA WASTEWATER BID

Council reviewed bid award recommendations from Bohannan Huston.

→ Councilor Rogers made a motion to award the bid as recommended to Sierra Valley Contractors for the amount of \$449,971.00. Councilor Lafont seconded.

A Roll Call vote was held:
Mayor Pro-Tem Skinner voted yes.
Councilor Lafont voted yes.
Councilor Rogers voted yes.
Councilor Trager was absent.
Motion carried.

RENAMING OF STREET - SIERRA LANE TO WIMBERLY WAY

Mike Williams announced that on June 13 there will be Guy Wimberly Golf Tournament, and requested announcing the renaming of Sierra Lane to Wimberly Way in honor of Guy Wimberly at that time. Members of the Council and Mayor Kent explained that the street could be renamed, as part of the PUD, however Mr. Williams would need to make sure that Central Dispatch and the County was also made aware of the change, to avoid confusion for first responders.

→ Councilor Rogers made a motion to support the renaming of Sierra Lane to Wimberly Way. Councilor Lafont seconded. Motion carried unanimously.

EXECUTIVE SESSION

→ At 3:27pm, Councilor Rogers motioned to go into Executive Session pertaining to Limited Personnel Matters pursuant to NMSA 1978, Section 10-15-1(H)(2) City Manager. Mayor Pro-Tem seconded.

A roll call vote was conducted by the City Clerk.

Mayor Pro-Tem Skinner voted yes.

Councilor Lafont voted yes.

Councilor Rogers voted yes.

Councilor Trager was absent.

Motion carried.

Council went into Executive Session.

→ At 3:52pm, Councilor Rogers motioned to come out of executive session. Mayor Pro-Tem seconded. Motion carried unanimously.

Council came out of Executive Session.

Councilor LaFont certified that no decisions had been made during Executive Session and that only matters on the agenda under Executive Session were discussed. The regular meeting reconvened.

ADJOURNMENT

→ Councilor Rogers made a motion to adjourn. Councilor Lafont seconded. The meeting adjourned at 3:56pm

Minutes adopted at the Regular meeting on May 20, 2015

Karen Rieth, City Clerk -Treasurer



CITY OF ELEPHANT BUTTE

P. O. Box 1080 Elephant Butte, New Mexico 87935 (575) 744-4892 FAX (575) 744-4493 "New Mexico's Diamond in the Desert"

April 16, 2015

Dear Mayor & City Council,

The Lodgers Tax Advisory Board of the City of Elephant Butte reviewed applications for Lodgers Tax Funds during our regular meeting on April 16, 2015, and makes the following recommendations:

| Applicant | Prior Year | Requested | Recommended |
|-----------------------------------|-------------|---------------|---------------------|
| NM Veteran's Car Show | | \$379.00 | Postponed to July 9 |
| Luminaria Beach Walk | \$2,000.00 | \$2,000.00 | \$2,000.00 |
| Lighting Contest | \$600.00 | \$600.00 | Postponed to July 9 |
| Casino Night | \$600.00 | \$600.00 | Postponed to July 9 |
| Balloon Regatta | | | \$1,000.00 |
| TV ads | \$2,000.00 | \$2,000.00 | \$2,000.00 |
| Vacation Guide | \$5,900.00 | not specified | \$5,900.00 |
| Brochure Reprint | \$2,000.00 | not specified | Postponed to July 9 |
| Responsive Website | \$600.00 | \$600.00 | \$600.00 |
| Internet Access | \$504.00 | \$600.00 | \$600.00 |
| Visitor Center Rent | \$4,800.00 | \$4,800.00 | \$4,800.00 |
| Golf Tournament | \$600.00 | \$600.00 | Postponed to July 9 |
| Fireworks Extravaganza | \$2,000.00 | \$2,667.00 | \$2,700.00 |
| Veteran's Memorial Park Brochures | | \$1,000.00 | Denied |
| Marketing Plan | | \$48,880.00 | \$48,880.00 |
| LT Annual Audit | \$500.00 | \$500.00 | \$500.00 |
| Elephant Days | \$4,000.00 | \$4,000.00 | \$4,000.00 |
| Flag Day | | \$4,000.00 | \$500.00 |
| Kayak Fishing Tournament | \$5,000.00 | \$5,000.00 | \$5,000.00 |
| Improvements to event site | \$5,000.00 | \$5,000.00 | Postponed to July 9 |
| Totals | \$36,104.00 | \$83,226.00 | \$78,480.00 |

^{*}Board will Also review Elephant days Security, Oktoberfest, and Taste of St. Patty's Day at the July 9, 2015 meeting.

Respectfully submitted,

Susan Lafont, Chairperson Lodgers Tax Advisory Board

CITY PLANNER'S REPORT



Date: May 4, 2015



Projects

- 1. Annual Yard Waste Drop-off Continues through May 29th at City Recycling Yard with Saturday hours of 10 2 p.m. Also accepting appliances, electronics and scrap metal courtesy of Coal Basin Recycling.
- 2. Monument Signs Permit has been secured with site preparation on second sign to begin this week along Warm Springs Boulevard. Construction to follow next week; meanwhile, I am coordinating light landscaping options with Lynn Camerer for the first sign.

Development & Planning Updates

 Sierra Lane Renaming Request – Turtleback Mountain Resort has submitted a request (attached) renaming Sierra Lane to "Wimberly Way". Sierra Lane is currently – and would remain – a private street within the Turtleback PUD, however any changes to previously approved and platted streets require a formal Council vote at the May 6th meeting.

I have also included an aerial map for Council's reference depicting the location of Sierra Lane. While neither staff nor P&Z take a formal position on this renaming, staff would note that Turtleback Mountain Resort will pay for new street signs and that the name change may actually avoid confusion with the numerous other "Sierra" streets within the county.

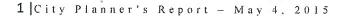
2. **P&Z Update** – Meeting Tuesday, May 5th to continue updating the Comprehensive Plan in addition to finalizing commercial ordinance and discussing chicken keeping.

A special meeting will be held May 19th to receive public input on the commercial and chicken keeping proposals and allow for P&Z to finalize the draft ordinances prior to its recommendations to Council.

3. **Training** – I will be out of the office May 6th – 8th attending the League of Zoning Officials conference. Chuck Looney will join me Thursday for the Commissioners Training segment. Additionally, I will be coordinating with Randy Van Vleck of the Municipal League to bring a training session to City Hall tailored to our P&Z.

Code Enforcement/Zoning Updates

- 1. **Dog Keeping Case** As Council and P&Z are aware, Rob has issued 3 municipal citations to the property owner on Superior Drive who surrendered 44 dogs. Staff has also kept the local press and Animal Protection of New Mexico informed of the case status
- 2. Chicken Keeping P&Z continues its research into the possibility of recommending that chickens be considered permissible to keep in small quantities on certain residential and commercial properties. Initial informal polling in the public has yielded a mixed result thus far, so if you encounter any residents with a view point, please have them call me or submit an e-mail.





Municipal Court Cases - 5/5

- 1. #12835 189 Camino Encantado Trash and Junk (trial)
- 2. #12878 105 Kiowa Loop Trash and Junk
- 3. #12879 304 Calle del Prado Weeds, Inoperable Vehicle
- 4. #12881 100 Camino Seis Weeds
- 5. #12882 107 Camino Tres Trash, Junk, Expired vehicle registration (trial)
- 6. #12838 223 Superior Drive Multiple-Animal Site w/o permit, Failure to vaccinate, Unsanitary conditions

New Complaints/Violations Inspected (4/15 – 4/30)

Weeds - 5

5. Noise -0

No Address - 0

Streets/Drain-3

Zoning/Vendors /No Permit - 1

Animals - 1

Trash/Junk - 2 7.

10. Begging &

4. Nuisances - 1

Vehicles - 1

Vagrancy - 0

Permits Issued (4/15-4/30) – None

CLERK'S REPORT TO THE COUNCIL

To: Mayor Kent & City Councilors **From:** Karen Rieth, Clerk-Treasurer

Date: May 6, 2015

New City Website:

The City website has undergone a face lift. The new site is more intuitive, user friendly, easier to update, and mobile friendly. Check out the new look at www.cityofelephantbutte.com!

Booster pump station progress:

We had a progress meeting & site visit to the pump station April 22; with representatives from Smithco, Bohanan Huston, and NMED. Project is on track and progressing nicely. We expect the project to be completed by the end of June.

NMFA Loan

Our loan application was approved by NMFA on April 23. This was the money for the Rock Canyon and Annex projects. We were approved for a disadvantaged rate, which means \$200,000 will be 0% interest, and the rest is at 3%, giving us a blended rate of 1.6%. Staff will be presenting an authorizing resolution at the May 20th meeting, and we expect to be able to close by the end of June.

Independent Auditor

We received proposals from 6 State approved Auditors for Independent Audit Services for our 2015 Audit. We had a 3 person committee of myself, Councilor Lafont, and Mayor Pro-Tem Skinner review the bids, and we selected Integrity Accounting and Consulting out of Albuquerque as our recommendation to the State Auditor. We are now waiting approval from DFA.

Budget Training

I was in Santa Fe on April 30 to attend a budget training workshop. Prior to the workshop, I was able to meet with Ivie Vigil, our tempory analyst; and her supervisor, Susan Rodriguez, Budget and Finance Bureau chief, and Rick Lopez, Local Government Division Director. The day was quite productive, and informative.

Highlights included announcement of DFA getting approved to begin work to roll out an online database for municipal budget submission. This will include eventually moving toward a standardized chart of accounts. With that in mind, I will be recommending some changes in the organization of our chart of accounts to better coincide with DFA reporting, which will help to streamline the process going forward, and provide ease of transparency with the tracking of public monies.

I will be meeting with department heads on Monday and combining all the departmental proposals into a rough draft of the preliminary budget to present for our May workshop.