



REGULAR COUNCIL MEETING
Wednesday, November 2, 2016
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES

WORKSHOP – 1:00pm

Manager Finzen presented proposed revisions to the employee sick leave & PTO policy; included for the record.

Councilor Rogers made a motion to approve revisions to the Employee Sick Leave & PTO Policy as presented.

Councilor Lafont seconded.

Motion carried unanimously.

Manager Finzen presented a rough draft of the Traffic Calming policy for the City of Elephant Butte. The traffic calming policy would be limited to residential neighborhood streets. Criteria for calming policy include: residential area, no more than 35 mph on the road, and has to be a 2 way street. Councilor Trager questioned whether this would apply to part time residents also. If coordination with law enforcement did not solve an issue it goes to City Council for review. Based on a number of factors City Council would be the final decision makers.

Manager Finzen will make the suggested edits and bring a final draft to Council for approval at a later meeting.

REGULAR COUNCIL MEETING-2:00 pm

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Kent called the Meeting to order at 2:00pm, and Mayor Pro-Tem Skinner led the Pledge of Allegiance.

ROLL CALL

Clerk Rieth called the roll.

Mayor Kent, Mayor Pro-Tem Skinner, Councilor Lafont, Councilor Rogers and Councilor Trager were all present.

Also present, was Manager Finzen and City Attorney Rennick.

3 members of the public were in attendance.

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

PUBLIC INPUT

There was no public input at this time.

PRESENTATIONS

There were no presentations at this time.

APPROVAL OF AGENDA

Manager Finzen made a request to move item 12a, Executive Session to the next item on the agenda.

Councilor Rogers made a motion to approve the Agenda with the change of making item 12a the next item.

Mayor Pro-Tem Skinner seconded.

Motion carried unanimously.

At 2:03 pm, Councilor Rogers made a motion to go into executive session pursuant to NMSA 10-15-1 (H) (8) purchase, acquisition or disposal of real property or water rights by the public body. Councilor Lafont seconded.

A Roll Call vote was held:

Mayor Pro-Tem Skinner voted yes.

Councilor Trager voted yes.

Councilor Rogers voted yes.

Councilor Lafont voted yes.

Motion carried.

At 3:58pm, Council came out of executive session. Councilor Lafont certified that only items on the agenda had been discussed during executive session, no decisions had been made, and no action had been taken.

The regular open meeting resumed.

MAYOR AND COUNCIL REPORTS

Mayor Kent asked for the Holiday Tree Lighting to be on Monday December 5th with a follow up for the time on that date instead of December 1st.

MANAGER'S REPORT

Manager Finzen reported the city Lost \$100,000 for water lines and hydrants in legislative session back to the state of New Mexico. We did get awarded \$98,000 in the NM State Fire Marshal's Grant. We will be using them to improve communications, etc. for Fire.

CLERK-TREASURER'S REPORT

Clerk Rieth completed the third year of clerk school and is one step closer to her Certified Municipal Clerk certification. Mayor Kent asked about how the Clerk report item was listed on the agenda. Clerk Rieth explained that agenda items need to be specific, and therefore had listed "update from IIMC training", rather than the general "Clerk-Treasurer Report" in an attempt to meet proper notice requirements due to the Open Meetings Act. After a discussion among Council members, Mayor Kent stated we should use the following criteria: if the reports impact

the public, they will be specifically listed under regular items. The reports sections will remain a general listing on the agendas.

CONSENT ITEMS

Mayor Kent asked for a motion to approve the Consent items:

Approval of Minutes – Regular Meeting October 19, 2016

**Councilor Rogers made a motion to approve the Consent Item (s) as submitted.
Mayor Pro-Tem Skinner seconded.**

A Roll Call Vote was held:

Councilor Trager voted yes.

Councilor Rogers voted yes.

Councilor LaFont chose to abstain due to his absence last meeting.

Mayor Pro-Tem Skinner advised Councilor LaFont he could only abstain if he had a conflict of interest.

Mayor Kent looked to Clerk Rieth, who verified that indeed not being present was not a reason to abstain; the intended purpose of approving minutes is to adopt them as the official record of the meeting.

Councilor LaFont voted yes.

Councilor Rogers disagreed with Mayor Pro-Tem Skinner and Clerk Rieth and reminded Councilor Lafont that voting no was also an option.

Councilor Lafont stated he would like to change his vote to No.

Clerk Rieth asked for clarification – Councilor Lafont's official vote is a NO.

Mayor Pro-Tem Skinner voted yes.

Motion carried 3-1.

Mayor Kent would like approval of "minutes of record" rather than just "minutes" listed on future agendas.

REGULAR ITEMS:

Discussion/Possible Action Water & Wastewater Rates

Director Cole presented of which the packet is included for the record. Director Cole presented the formula with numbers of what would happen on the water and wastewater rate increase. Option 1 is a \$21.30 base rate for wastewater and \$3.25 for water increase to reduce the deficit by \$20,000.00. 21 percent increase on base and 0 percent increase on water. Option 2 is a \$25.00 base rate from \$17.59. This would reduce deficit to \$15,000.00 with us reducing consumption from 1k usage. Option 3 \$20.00 base rate and \$4.10 for wastewater would reduce deficit to \$20,000.00. Option 4 would be for a base rate increase to \$26.86 of which would get us into the black area at the end of the year. Director Cole advises that New Mexico water is very comparable to our rates in the City. Average household consumption is 3,932 gallons of water. Mayor Kent suggested matching NM Water rates. We currently have 496 stand-by customers in the City of Elephant Butte. Mayor Kent suggested to take the rate to \$40.00 and Director Cole said he would plug the numbers in and then report back to them. Director Cole stated that it would cost the City an extra \$240.00 for mailings, etc. However, we would have revenue of \$25,000.00. Mr. Cole stated that option #1 with a 21 percent increase would be in

the best interest of the public. Mayor Pro-Tem Skinner suggested to increase the rate to \$22.59. Mr. Cole suggested a 5 year plan to increase by \$5.00 now and in 4 years reviewing to see where the deficit is at that point. Mayor Kent suggests that the increase begins in January of 2017. Mayor Kent asked to bring a resolution to the second meeting in January for \$22.59 base rate increase and \$3.25 for water, and \$40.00 for wastewater to reflect on the February billing. We would change stand by fees to monthly billing instead of quarterly. \$30.00 for sewer would be the new rate.

Manager Finzen will bring a resolution setting the new water and wastewater rates to be effective with the December billing due in January to the first meeting in December.

ADJOURNMENT

Councilor LaFont made a motion to adjourn.

Mayor Pro-Tem Skinner seconded.

Meeting adjourned at 4:35 pm.

A handwritten signature in cursive script, reading "Karen Rieth", is written over a solid horizontal line.

Karen Rieth, Clerk-Treasurer