



COUNCIL MEETING
Wednesday, September 6, 2017
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Mayor and Mayor pro Tem being absent in the presence of a quorum, Councilor Rogers called the Meeting to order at 2:00pm, and Councilor Trager led the Pledge of Allegiance.

ROLL CALL

Clerk Rieth called the roll.
Councilor Lafont, Councilor Rogers, and Councilor Trager were all present.
Mayor Pro Tem Skinner was absent but arrived late.
Mayor Kent was absent, but joined for Executive Session.
Clerk Rieth declared a quorum was present.

Councilor Rogers continued to lead the meeting:

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

PUBLIC COMMENT

Jerry Ballard, T or C, NM Lease lots explained that the Airforce wants to do their training exercises over Elephant butte. Mr. Ballard is trying to get a Blue Sky Ordinance passed by T or C, City of Elephant Butte and Williamsburg, and announced there will be a meeting at the Civic Center on September 19th. Mr. Ballard urges City of Elephant Butte to participate. Mr. Ballard offered to provide copies of a draft Ordinance in effect in Hawaii.

Ed Mike Burke, 208 Calle del Sol, Elephant Butte, stated concern about the condition of lots and houses in the city including 110 Calle del Sol which is an empty lot, 205 Calle del Sol which complaints have been made for the last year and a half about the property being in disrepair, and also 214 Calle del Sol.

APPROVAL OF AGENDA –

Councilor Rogers made a motion to approve the Agenda
Councilor Lafont seconded.

A Roll Call Vote was held:
Councilor Lafont voted yes.
Councilor Rogers voted yes.
Councilor Trager voted yes.
Motion carried.

MAYOR AND COUNCIL REPORT

Mayor Pro Tem Skinner had nothing to report at this time.

Councilor Lafont reported getting back from a vacation to Russia.

Councilor Rogers had nothing to report at this time.

Councilor Trager reported that Elephant Days was coming up this weekend. Also, Chamber of Commerce will be hosting the Homecoming Under the Stars the following weekend.

BOARDS AND COMMITTEE REPORTS

No Boards or Committee reports at this time.

MANAGER'S REPORT

Manager Lucero reported having Space men, Rockets , and Elephants to throw out in the Parade. This year there will be a new Parade Route. There are still Raffle Tickets and T-shirts available.

FIRE CHIEF AND CODE ENFORCEMENT REPORT

Chief Boone reported E-Days Parade Route has changed. Butte Blvd will be closed during the parade. Traffic will be re-routed through Hallmark and County Club. The city will be hosting the 9/11 Memorial at 8am on Monday, September 11, 2017. The radio tower is scheduled to be completed on Thursday, September 7, 2017. Chief Boone stated that since January 1, 2017 there has been a total of 81 calls and complaints, 51 animals at large, and 37 Zoning permits. A report from the State Police should be available at the next Council Meeting.

CLERK-TREASURER'S REPORT

CONSENT ITEMS

**Councilor Rogers made a motion to approve the Consent Items:
Approval of Special Meeting Minutes, August 23, 2017;
Councilor Trager seconded.**

**A Roll Call Vote was held:
Councilor Trager voted yes.
Councilor Rogers voted yes
Councilor Lafont voted yes.
Motion carried.**

Mayor Pro Tem Skinner arrived at the meeting and explained that the Mayor was held up at another meeting that needed her attention.

Councilor Rogers turned the meeting over to Mayor Pro Tem Skinner.

Public Hearing

Public Hearing for Transfer of Liquor License from Turtle on the Rocks to City of Elephant Butte

At 2:24pm Mayor Pro Tem Skinner opened the public hearing for Transfer of Liquor License from Turtle on the Rocks to City of Elephant Butte.

There being no public comment,

Mayor Pro Tem Skinner closed the public hearing at 2:25pm.

Public Hearing for Ordinance 167; Repealing Ordinance 89 and Section 131.12 of the Elephant Butte Code of Ordinances.

At 2:25pm Mayor Pro Tem Skinner opened the public hearing for Ordinance 167; Repealing Ordinance 89 and Section 131.12 of the Elephant Butte Code of Ordinances.

There being no public comment,

Mayor Pro Tem Skinner closed the public hearing at 2:26pm.

REGULAR ITEMS

Councilor Rogers made a motion to Approve Transfer of Liquor License from Turtle on the Rocks to City of Elephant Butte.

Councilor Trager seconded.

A Roll Call Vote was held:

Councilor Trager voted yes.

Councilor Rogers voted yes

Councilor Lafont voted yes.

Mayor Pro Tem Skinner voted yes

Motion carried.

Councilor Rogers made a motion to Adopt Ordinance 167; Repealing Ordinance 83 and Section 131.12 of the Elephant Butte Code of Ordinance.

Councilor Trager seconded.

A Roll Call Vote was held:

Councilor Trager voted yes.

Councilor Rogers voted yes

Councilor Lafont voted yes.

Mayor Pro Tem Skinner voted yes.

Motion carried.

Clerk Rieth stated that the bid opening for the Wastewater Treatment Plant Improvements, project #17-18-002 was held August 17, 2017 at 2pm. There were a total of four bidders. The bid from C&E Industrial Services, Inc. contained mathematical errors which had no impact to the bid results. A summary of the 3 lowest bids are included on page 8 of Council packets. The apparent low bidder's licenses have been verified with NM licensing services, are valid for the type of work to be accomplished, and are in active status. Funding Analysis by Bohannon Huston can be found on page 11 of Council's Packets. The City currently does not have adequate grant funding available to award all bid lots at this time. It is therefore recommended by our Engineers, with concurrence from Director Cole that Council award bid lots 1-3 only to Smithco Construction. Page 12 of Council packets is a letter of Concurrence from NMED. Any shortfalls indicated in the funding analysis will be covered by the General Fund. Clerk Rieth introduced Mr. Dave Shields from Bohannon Huston to answer questions.

Mr. Shields addressed questions and concerns from Council.

Councilor Rogers made a motion to approve award of 17-18-002 Wastewater Treatment Plant Improvement Lots 1-3 to Smithco Construction.

Councilor Lafont seconded.

A Roll Call Vote was held:

Councilor Trager voted yes.

Councilor Rogers voted yes

Councilor Lafont voted yes.

Mayor Pro Tem Skinner voted yes.

Motion carried.

EXECUTIVE SESSION

At 2:31pm, Councilor Rogers made a motion to go into Executive Session to discuss NMSA1978 10-15-1(H)(8) purchase, acquisition or disposal of real property or water rights by the public body: Sierra Del Rio.

Councilor Trager seconded.

A Roll Call Vote was held:

Mayor Pro-Tem Skinner voted yes.

Councilor Lafont voted yes.

Councilor Rogers voted yes.

Councilor Trager voted yes.

Motion carried.

Council came out of executive session at 3:48pm.

Councilor Lafont certified that only matters on the agenda had been discussed, no decisions had been made, and no action had been taken.

ADJOURNMENT:

Councilor Lafont made a motion to adjourn.

Councilor Rogers seconded.

Meeting adjourned at 3:50pm.

Minutes approved and adopted at the Regular meeting of the City Council on:

September 20, 2017



Melissa Apodaca, Deputy Clerk

Attest:



Karen Rieth, CMC
Clerk-Treasurer