



**WORKSHOP AND
REGULAR COUNCIL MEETING
April 1, 2015
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES**

WORKSHOP 1:00pm

PERSONNEL POLICIES

The Council discussed several sections of the Personnel Manual. Councilor Rogers explained the differences between the three employee designations, and some issues that surround how each is affected under FLSA. Councilor Rogers asked the Council for input on the outline for the remainder of the manual. Flex time and Comp time policies will likely be more involved, and may require some help from HR specialists to make sure the City is in compliance with all regulations.

Mayor Kent announced the official theme for 2015 Elephant Days will be Luau. Elephant Days will be held August 21 – 23. The Balloon Regatta has been rescheduled for the same weekend.

**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 Mayor Pro-Tem Skinner led the Pledge of Allegiance. 15 members of the public and two members 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.

Also present was City Planner Bradford Dyjak and representatives from Bohanan Huston, George K. Baum, and Bond Council.

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

PUBLIC INPUT

Mr. Dallas Lipscomb, resident on Erie voiced his opinion that Hwy 195 should be named Veteran's Parkway.

Mr. Tony Grimlar of Trout Rd also urged the Council to adopt Veteran's Parkway as the official name of Hwy 195.

Mr. Perry Larson, Rio Grande Circle, reiterated his concern that since Public Comment is only at the beginning of the agenda, the public may not have a chance to respond to all issues, Stating Ordinance 150 appearing later in the agenda as an example. Mayor Kent assured Mr. Larsen that due process

would be followed, and there would be an open public hearing for the ordinance as advertised and required by law.

PRESENTATIONS

None.

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 Lafont seconded. The motion carried unanimously.**

BOARDS AND COMMITTEE APPOINTMENTS AND COMMITTEE REPORTS

None.

MAYOR & COUNCIL REPORTS

Mayor Kent mentioned some possible changes to the second monument sign, and will meet with Planner Dyjak at a later date to discuss.

Mayor Kent reported meeting with Rob Richardson, Bohanan Huston and Dave Shields, Project Manager regarding the Rock Canyon Road project; and meeting with Dean Banks, Water Department Supervisor regarding the Booster Station.

The preliminary 40 year water plan was put on hold pending completion of the City's Comprehensive Plan, which is currently on the Planning and Zoning Commission agenda, and should be adopted by 2nd quarter 2016.

Mayor Kent will be working with the City Attorney to establish the interview process for the City Manager position. Several applications have already been received.

Mayor Pro-Tem Skinner spoke about the upcoming budget, the Tourism Grant, and requested Planner Dyjak apply for the Clean and Beautiful grant next year, as this is an in-kind grant and would be of great benefit to the City.

Mayor Pro-Tem Skinner reported on the JPA meeting with the hospital. Recommendations for the quarterly JPC meeting are being planned.

Councilor Lafont recently attended meeting in Socorro regarding the rescheduling of priorities along the Highways.

Councilor Rogers will be unable to attend the SCRDA Meeting, and requested Mayor Kent attend in his absence.

Members of the Council requested that Planner Dyjak present the revised plans for the Annex, including the elevation renderings at the April 15 workshop.

CLERK-TREASURER'S REPORT

Clerk Rieth's Report is included for the record.

PLANNER'S REPORT

Planner Dyjak's report is included for the record.

CONSENT ITEMS

Mayor Kent asked for a motion to approve the Consent Items

- Approval of Minutes –Regular Meeting, March 18, 2015
- **Councilor Rogers made a motion to approve the Consent Item(s) as submitted. Councilor Lafont seconded.**

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

PUBLIC HEARING- ORDINANCE #150 – AUTHORIZING THE ISSUANCE OF GRT BONDS NOT TO EXCEED \$550,000.

Bond Council Daniel Alsop, Modrall Sperling and Luis Ramos, George K. Baum, explained the Bond process for the public.

Mayor Kent opened the hearing for Public Comment. There was none.

There being no further comments, Mayor Kent closed the hearing to the public and asked if the Council had any discussion. There being none;

- **Mayor Pro-Tem Skinner made a motion to approve Ordinance #150 – Authorizing the issuance of GRT Bonds not to exceed \$550,000.**

**A Roll Call vote was held:
Mayor Pro-Tem Skinner voted yes.
Councilor Lafont voted yes.
Councilor Rogers voted yes.**

Motion carried.

REGULAR ITEMS

DISCUSSION AND POSSIBLE ACTION – RENAMING OF HWY 195

Mayor Kent requested all the Councilors state their positions, as they have heard from the constituents.

Councilor Rogers observed that of the 54 names submitted, Butte Blvd. seemed to have the most support.

Councilor Lafont agreed, stating his support of Butte Blvd.

Mayor Pro-Tem Skinner reported hearing from many people, but overwhelming most wanted Butte Blvd.

There being no further comment, Mayor Kent asked for a motion from the Council:

- **Councilor Rogers made a motion to re-name Hwy 195 as “Butte Blvd.” Councilor Lafont seconded. The motion carried unanimously.**

RESOLUTION 14-15-339 – DESIGNATION AN ICMA RETIREMENT PLAN COORDINATOR

Clerk Rieth explained that former Manager Briley was the only person listed as Plan Coordinator, and in his absence, no one had authorization to access the website, or submit the required contributions withheld from each pay period. ICMA requires formal action from the governing body in order to allow designation of a new plan coordinator.

Mayor Pro-Tem Skinner pointed out a spelling error:

- **Mayor Pro-Tem Skinner made a motion to approve Resolution 14-15-339, with the correction of the spelling error. Councilor Lafont seconded.**

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

EXECUTIVE SESSION

- **At 3:06pm, Councilor Rogers motioned to go into Executive Session pertaining to the purchase, acquisition or disposal of real property or water rights by the public body pursuant to NMSA 1978, Section 10-15-1(H)(8); Damsite & Turtleback Mountain Resort Development; and Limited Personnel Matters pursuant to NMSA 1978, Section 10-15-1(H)(2) City Manager.**

Councilor Lafont 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.

Motion carried.

Council went into Executive Session.

At 4:46pm the 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 Lafont made a motion to adjourn. Councilor Rogers seconded. The meeting adjourned at 4:47pm

Minutes adopted at the Regular meeting on April 15, 2015



Karen Rieth, City Clerk -Treasurer

City Clerk's Report



To: Mayor Kent and City Councilors
From: Karen Rieth, Clerk-Treasurer
Date: April 1, 2015

Budget Timeline:

April 1, 2015 Instruction Memo to City Departments
April 13, 2015 departmental budget requests due
April 15, 2015 First budget workshop
May 20, 2015 approval of preliminary budget
June 1, 2015 Deadline to submit proposed budget to DFA
July 1, 2015 LGD approval deadline
July 15, 2015 Pass Resolution of Final Budget
July 31, 2015 Final budget submission
September 8, 2015 LGD approval deadline of Final Budget

Phase IVA Sewer Project

We have received approval from DFA to begin the bid process. Advertising has begun. Pre-Bid meeting is scheduled for April 13 at 2pm, and Bid opening will be April 28 at 2pm.

Booster Pump Project

Scheduled for construction to begin April 6.

Training

I will be in Clovis for training on April 6-10. The first 1 ½ days is Financial Officer Training, the rest of the week is Spring Clerk Conference & Training toward my Certification.

Phones:

The new phone system has been installed. Already, we are noticing fewer interruptions, as the automated attendant is doing the routing of the calls for us.

New City Hall Hours:

City Hall is now closed for lunch between 12pm and 1pm to allow employees to take a proper lunch break. This will ultimately cut down the number of overtime hours and correct the improper administration of Comp time, flex time, and PTO time that was a finding in a past audit.

Planner's Report 4/1/2015

Mayor, Council and P&Z,

Following is a brief update on planning, zoning and code enforcement activity ahead of Wednesday's Council meeting.

Projects

1. **Annual Yard Waste Drop-off** – Scheduled for April 13th – May 29th at City Recycling Yard with Saturday hours of 10 – 2 p.m. I am also trying to coordinate electronics and white goods collection with Coal Basin Recycling as the City did last year.
2. **City Center** – A third-party contractor had already begun reviewing the building plans produced by Ron Montoya Designs. Staff is coordinating with the contractor on projecting cost estimates and addressing questions related to the plans.
3. **Monument Signs** – Southwest Signs completed its installation of the letters and associated electrical work last week and City water and maintenance staff has cleared the right-of-way approaching the sign. With construction completed, staff will seek Council input on potential landscaping options. The Mayor and staff will also finalize the location for the second sign within the right-of-way along Warm Springs Boulevard near the road's curve.

Development & Planning Updates

1. **P&Z Update** – Meeting next Tuesday, April 7th with a public hearing on a comprehensive signage plan for 900 Highway 195. Will also continue updating the Comprehensive Plan in addition to finalizing commercial ordinance and discussing chicken keeping (see below).
2. **Commercial Zoning Ordinance** – P&Z will review draft at its next meeting and finalize changes. The new revisions incorporate clearer landscaping standards, temporary uses, mobile retail vendors and have stronger site plan requirements. A recommendation is pending in May.

Code Enforcement/Zoning Updates

1. **Residential Keeping of Chickens** – Staff has researched the issue and will present considerations to P&Z next week. As that time, P&Z will determine whether to proceed with drafting an ordinance and obtain public input on the proposal during its May meeting. At a minimum, the recommendations will address permit and fee requirements, maximum number per lot, enclosure requirements, sanitary standards and minimum lot size.
2. **Electronic Dog Collars** – Stemming from a neighbor vs. neighbor dispute, staff has received questions as to whether electronic collars are considered an effective means for controlling dogs in public. As per the City Code, staff has determined that these do not meet the requirement of having a physical leash present. Therefore, several residents have expressed interest in requesting an amendment to this regulation and staff brings this to Council's attention for its information.

Municipal Court Cases – 4/15

1. #12876 – 209 Camino Encantado – Trash
2. #12835 – 189 Camino Encantado – Junk car, Expired registration (*trial*)
3. #12877 – “ “ – Trash and Junk (*arraignment*)
4. #12878 – 105 Kiowa Loop – Trash and Junk
5. #12879 – 304 Calle del Prado – Weeds, Inoperable Vehicle

6. #12880 – 184 Camino Encantado – Weeds and Nuisances
7. #12881 – 100 Camino Seis – Weeds
8. #12882 – 107 Camino Tres – Trash, Junk, Expired vehicle registration

New Complaints/Violations Inspected (3/15 – 3/30)

1. Weeds – 1
2. No Address – 0
3. Animals – 5
4. Nuisances – 0
5. Noise – 0
6. Streets/Drain – 1
7. Trash/Junk – 3
8. Vehicles – 0
9. Zoning/Vendors/No Permit – 1
10. Begging & Vagrancy – 0

Permits Issued (3/15 – 3/30)

1. #15-112 – 610 Highway 195 – Fence
2. #15-ROW113 – 203 Calle del Rancho – Utility work
3. #15-114 – 103 Kiowa Loop – Fence
4. #15-115 – 900 Highway 195 – Accessory building 40'x50'
5. #15-116 – 100 Calle del Rancho – Carport 12'x16'