



**WORKSHOP AND
REGULAR COUNCIL MEETING
April 15, 2015
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES**

WORKSHOP 1:00pm

DISCUSSION OF SECOND MONUMENT SIGN

The Council discussed the location and logistics with the builder for the second monument sign.

DISCUSSION OF FY 2015-2016 PRELIMINARY BUDGET

Clerk Rieth presented preliminary budget projections and requests from various departments.

**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 Councilor Rogers led the Pledge of Allegiance. 19 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 municipal Judge Dalrymple, and Appointee Edna Trager.

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

PUBLIC INPUT

Mr. Daniel Everett expressed concern that animal ordinances are being ignored. Mr. Everett stated that he has submitted ten reports to Code Enforcement about people not obeying leash laws, and not cleaning up after their animals since February.

Mr. Chester Anderson of either 701 or 107 Hallmark (Mr. Anderson was not sure of his physical address) requested that the City look at the radius turn on Hallmark. Mr. Anderson feels the turn radius is insufficient.

Mr. Rick Harrison of 105 Calle del Monte announced the Open Arms Pregnancy Clinic will be hosting a stuffed potato dinner.

Dalllas Lipscomb of Erie Avenue Requested the Council reconsider the name of Butte Blvd. Mr. Lipscomb also announced plans for a peaceful rally on April 20th, patriot day, from 11am – 1pm. The rally will be at the corner of Warm Springs and Butte Blvd.

Mr. Lipscomb accused the Council of being “anti-Veteran” and threatened to “be a thorn in your side if you ignore us”. Mr. Lipscomb also inquired how to get a petition entered into permanent record.

Tor Roberts explained that he did not know his physical address, and instead gave PO Box 410, commenting, “That’s where I live”. Mr. Roberts stated that the name Butte Blvd. would be made fun of, and would like the Council to reconsider the name Veteran’s Hwy.

Brother Art, 101 Huron, stated that he volunteered to put up and take down flags starting at 6am for the Poker Run. Brother Art stated his support for the veteran’s home, and commented that this would show further support for veterans.

Joyce Hutchins, from Truth or Consequences, stated that she enjoyed coming to Elephant Butte to see the flags on Flag Day, and commended the Council for their patriotism. Ms. Hutchins stated that she feels not naming the road for the veterans is contradictory to being the most patriotic city.

PRESENTATIONS

Bert Frederick, Las Cruces and Albert Sanchez, Las Palomas, of the USSA Soft ball event, presented their plan to bring a Softball tournament to Elephant Butte during Elephant Butte Days, and urges the Council to support the effort. Councilor Rogers asked where the event would be held, since Elephant Butte has no baseball diamond. Mr. Sanchez replied that the event would be held in Truth or Consequences, concurrent with the Elephant Days Celebration. Mayor Kent requested the gentlemen to contact the City Clerk and provide contact information.

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

Mayor Kent recommended Edna Trager to be appointed to the empty Council Seat, and explained that the appointment would be until the March election.

→ Mayor Pro-Tem Skinner made a motion to appoint Edna Trager to the Council. Councilor Rogers seconded. The motion carried unanimously.

Judge Dalrymple administered the Oath for Councilor Trager.

MAYOR & COUNCIL REPORTS

Mayor & Council reports were given during the workshop portion of the meeting.

Councilor Rogers reported on the April 8, SCRDA meeting, at which the Board recommended approving the JPA. There will be a presentation at the May 6 City Council meeting. Councilor Rogers commended the Board for their progress. Mayor Kent expanded by discussing a need for a reserve for upcoming needs of moving to a new building, and upgrading systems.

Councilor Rogers provided a draft of the JPA and requested that the Clerk send it to the Councilors for review.

Councilor Lafont reported on the Golf Cart Committee meeting.

Mayor Pro-Tem Skinner reported on a draft of a JPA for the upcoming Hospital Board meeting.

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 reported on training for the Clerk's and Finance Officers Association in Clovis the previous week.

PLANNER'S REPORT

Planner Dyjak was unable to attend, but provided a written report, included for the record.

CONSENT ITEMS

Mayor Kent asked for a motion to approve the Consent Items

- Approval of Minutes –Regular Meeting, April 1, 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 voted yes.
Motion carried.**

REGULAR ITEMS

APPROVAL OF RESOLUTION 14-15-340 – AUTHORIZING APPLICATION FOR FINANCIAL ASSISTANCE TO THE NEW MEXICO FINANCE AUTHORITY.

Clerk Rieth reported that the City's application will be heard on April 23 by the New Mexico Financing Association.

- **Councilor Rogers made a motion to approve Resolution 14-15-340 – Authorizing application for financial assistance to the New Mexico Finance Authority. 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 voted yes.**

Motion carried.

EXECUTIVE SESSION

- **At 2:32pm, Mayor Pro-Tem Skinner motioned to go into Executive Session pertaining to 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.
Councilor Trager voted yes.
Motion carried.**

Council went into Executive Session.

At 4:35pm 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 4:36pm

Minutes adopted at the Regular meeting on May 6, 2015



Karen Rieth, City Clerk -Treasurer

CITY PLANNER'S REPORT



To: Mayor Kent & City Councilors
From: Bradford Dyjak, City Planner
Date: April 10, 2015

While I will be out of town next week, 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.

Development & Planning Updates

1. **P&Z Update** – Met Tuesday, April 7th and approved a comprehensive signage plan for 900 Highway 195. Also continued updating the Comprehensive Plan in addition to finalizing commercial ordinance and discussing chicken keeping.

A public input session will be held at the May 5th meeting for comments on the commercial and chicken keeping proposals prior to P&Z making any recommendations to Council. P&Z also recommended that Council consider creating a 3-way stop at the intersections of Highways 171 and 195.

Code Enforcement/Zoning Updates

1. **Dog Hoarding Case** – Staff received a call this morning from a resident reporting of potential dog hoarding at Superior, to which Rob responded along with Larry, the Sheriff's Office and T or C Animal Control officers. The owner surrendered 44 dogs that were being fed, but kept in unsanitary conditions within a heated and cooled garage. The owner is facing pending neglect and cruelty charges in Magistrate or District Court. Additionally, staff was notified of another potential hoarding location and will coordinate its investigation with the same agencies in a week.

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 (4/1 – 4/10)

- | | | |
|-------------------|----------------------|----------------------------------|
| 1. Weeds – 29 | 5. Noise – 0 | 9. Zoning/Vendors /No Permit – 1 |
| 2. No Address – 4 | 6. Streets/Drain – 1 | 10. Begging & Vagrancy – 0 |
| 3. Animals – 4 | 7. Trash/Junk – 1 | |
| 4. Nuisances – 0 | 8. Vehicles – 0 | |

Permits Issued (4/1 – 4/10)

1. #15-S117 - 900 Highway 195 – Signage plan/ Relocating pylon sign w/ 39.5ft²
2. #15-118 – 203 Calle del Rancho – Placement of Manufactured Home (30'x70')
3. #15-119 - 200 Northern Drive – Carport - portable, unenclosed