



REGULAR COUNCIL MEETING
Wednesday, May 4, 2016
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES

REGULAR COUNCIL MEETING - 2:00pm

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Kent called the Meeting to order at 2:00pm, and members of the American Legion 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 City Manager Finzen.

2 Members of the press and 14 members of the public were in attendance.

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

PUBLIC INPUT

Rick Harrison of Elephant Butte announced the RV& Boat Adventure Show will be June 17th through 19th that will be inside the NM State Park next to mast up area. There will be a Sand Castle Contest and Professional Sand Castle on display a week ahead of the event.

PRESENTATIONS

Proclamation- American Poppy Month

Mayor Kent presented a Proclamation to the American Legion Auxiliary # 44 to commemorate Poppy Month. Mayor Kent thanked the American Legion Auxiliary for a great job.

APPROVAL OF AGENDA

Mayor Kent asked for a motion to approve the Agenda.

Councilor Rogers made a motion to approve the Agenda as submitted.

Mayor Pro-Tem Skinner seconded.

Motion carried unanimously.

MAYOR & COUNCIL REPORTS

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

Councilor Trager- had nothing to report at this time.

Councilor Rogers – reported SCRDA Working on final budget 2016-17. The City's Contribution will be \$14,326.00.

Councilor LaFont – had nothing to report at this time.

MAYOR'S REPORT

Mayor Kent reported meeting with BOR regarding progress for Agreement for Dam Site property.

MANAGER'S REPORT

Manager Finzen stated that the City of Elephant Butte was awarded \$30,000 for clean and beautiful grant for Veteran's garden.

Rock Canyon Road project is close to being closed out. Contractor still needs to put in French drain where ponding was a problem, and this will include some additional paving work.

San Mateo sewer project is being completed 05/04/2016.

Next LGRF Project will be to pave San Mateo and Black Range.

CLERK-TREASURER'S REPORT

Report attached for the record.

CONSENT ITEMS

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

- Approval of Minutes – Special Meeting; April 19, 2016

Councilor Dee 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.

PUBLIC HEARING

Ordinance 160 New Mexico Water Franchise Agreement

At 2:26 pm Mayor Kent opened the public hearing for public comment. There being no public input, Mayor Kent closed the public hearing.

Mayor Kent asked if there was any further discussion from Council. There being none, Mayor Kent asked for a motion.

Mayor Pro-Tem Skinner made a motion to approve Ordinance #160 New Mexico Water Franchise Agreement. 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.

REGULAR ITEMS

Mayor Kent turned discussion of possible grant writer for Mescal Loop over to City Manager Finzen. City Manager Finzen introduced Jack King, FEMA Consultant to council. City Manager Finzen reported on possible funds for the Mescal Loop project. Mescal Loop Project would be mitigated through Professional Services from Jack King's Office out of Ruidoso. Mayor Kent asked council if they would like to approve the Professional Grant Writing Services Contract for the Mescal Loop Project to Jack King.

Mayor Pro-Tem Skinner made a motion to approve the Professional Services Agreement with Kings Industries Corp 1210 Meacham Drive for the Mescal Loop Project.

Councilor LaFont seconded.

Motion Carried unanimously.

City Manager Finzen discussed the Budget for FY 2016-17; explaining several proposed changes to make budget easier to manage throughout the year.

City Manager discussed the new LED sign for the city.

Councilor LaFont made a motion to approve the LED sign for the City of Elephant Butte's City Hall.

Councilor Rogers seconded.

Motion carried unanimously.

Mayor Kent asked for a motion to go into executive session.

At 3:25pm Mayor Pro-Tem Skinner made a motion to go into executive session pursuant to NMSA 10-15-1(H) (2) Limited Personnel Matters; Fire Chief and Code Enforcement Officer.

Councilor Rogers seconded.

A Roll Call vote was held:

**Councilor Rogers voted yes.
Mayor Pro-Tem Skinner voted yes.
Councilor Lafont voted yes.
Councilor Trager voted yes.
Motion carried.**

At 3:25 pm Council came out of executive session.

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

Councilor Rogers made a motion to adjourn.

Councilor Trager seconded.

Meeting adjourned at 4:30.

Minutes approved and adopted at the regular meeting of the City Council on June 1, 2016.

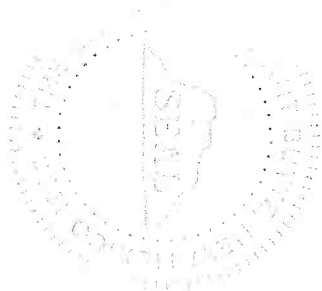


Charlene Spieker, Deputy Clerk

Attest:



Karen Rieth, City Clerk





- Proclamation -

**May 2016 is
American Legion Poppy Month**

- WHEREAS:** America is a country based on the freedoms expressed in the Constitution of the United States, written by our Founding Fathers;
- WHEREAS:** Many men and women have served on the field of honor for the US and have been injured or lost their lives;
- WHEREAS:** the United States has been blessed by the service of its men and women in uniform;
- WHEREAS:** the red poppy has been designated as a symbol of sacrifice of lives in all wars; and
- WHEREAS:** The American Legion Auxiliary faithfully reminded us of these truths;
- WHEREAS:** The American Legion Auxiliary Unit 44 will hold its annual Poppy Drive May 27 – 29, 20164263.
- THEREFORE:** I, Eunice Kent, Mayor, and the City of Elephant Butte do hereby proclaim the Month of May, 2016 as “Poppy Month” in the City of Elephant Butte and ask that all citizens honor those who made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy.

Dated this 4th day of May, 2016



Eunice Kent, Mayor

CLERK-TREASURER REPORT TO THE COUNCIL

To: Mayor Kent & City Councilors
From: Karen Rieth, Clerk-Treasurer
Date: May 4, 2016

Training

I attended training in Albuquerque April 19-22. The first day and a half was procurement training through the Certified Finance Officers Association. I've provided a memo on procurement procedures.

State Bill 480 passed during the last legislative session calls for implementation of a State-wide Commodity code list by July 1, 2016. I will update Council as that process moves forward.

Sunshine portal changes: All contracts must now be placed on the City website with a notation of award with or without preference. I am working with the City Manager to create a procurement page for our website.

The other 3 days included CMC accredited training through the International Institute of Municipal Clerks, and the New Mexico Municipal Clerks and Finance Officers Association.

The new record retention schedule that was passed down recently revealed a number of changes that affect municipalities. The number of permanent records has increased significantly, causing the need to look at physical storage space and alternative storage methods. Members of the Clerks Association voted to form a committee to look into adopting our own standardized records retention program. I will keep Council informed as that develops.

Legislative changes

In council's boxes last week was a booklet Summary of 2016 Laws of Interest to Municipalities. I encourage you all to familiarize yourselves with some of the changes that took place during the last Legislative session, including Capital Outlay, Economic Development, Public Finance, and Government Operations to name a few.

Collection Efforts

On May 2, I attended a Property Tax Lien Auction. One of the properties that the City currently has a utility lien on was sold. The Utility Clerk is attempting to contact the new owner to resolve the lien.

I have provided a list of customers who are in default on their Wastewater bills.

AGENDA MEMORANDUM



To: Mayor Kent and City Councilors
From: Andrew Finzen, City Manager
Date: May 4, 2016
Subject: Ordinance 160; NM Water Franchise

Ordinance 160 enacts a franchise agreement with New Mexico Water Service Co. This franchise agreement grants the company usage of the City's right-of-way for a 25-year term in exchange for a 3% fee of the Company's basic monthly service charge to customers, exclusive of sales, GRT, or regulatory fees collected.

This ordinance shall take effect 30 days after passage to allow the company to update its billing information and process the 3% fee.

Staff recommends approval of Ordinance 160.

MEMORANDUM



To: Mayor Kent and City Councilors
From: Andrew Finzen, City Manager
Date: May 4, 2016
Subject: Grant Writing for Mescal Roadway Project

At the April 6 City Council meeting, I presented the proposal for hiring a consultant/grant writer for the Mescal Roadway Project. Today, I bring before Council a Professional Services Agreement (PSA) for consideration with King Industries Corporation.

The Professional Services Agreement will be for King Industries to put together a grant application, which will be submitted to FEMA. While the City will be responsible for paying the costs upfront, once accepted, the City will only be responsible for 25% of project and grant writing costs, with 75% of costs being matched by FEMA.

This FEMA funding is a limited resource that comes from monies granted to the State of New Mexico from the Federal Government. This funding will likely not be available in future years, so this provides an opportune time now to take care of this needed project.

Staff recommends approval of the PSA.