



**WORKSHOP AND
REGULAR COUNCIL MEETING
March 18, 2015
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES**

WORKSHOP MINUTES – 1:00pm

SJOA UPDATE

Patsy Barnett reported progress with SJOA to the Council. SJOA expects to begin the new fiscal year with no deficit, and is currently serving approximately 150-180 meals per day. Meals on wheels is operating all the way out to Arrey, and although there is still work to be done, Patsy feels they are off to a good start.

PERSONNEL POLICIES

Manager Briley discussed the Table of Contents from the draft of the new personnel policies manual with the Council.

**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 Clerk Rieth led the Pledge of Allegiance. Eight members of the public and two members of the Press attended.

ROLL CALL

Clerk Rieth called the roll.

Present:

Eunice Kent, Mayor
Kim Skinner, Mayor Pro-Tem
Gerald Lafont, Councilor
Dee Rogers, Councilor

Absent: None.

Also in attendance were City Manager Alan Briley and City Planner Bradford Dyjak.

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

PUBLIC INPUT

None.

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.
Motion carried unanimously.**

BOARDS AND COMMITTEE APPOINTMENTS AND COMMITTEE REPORTS

None.

MAYOR & COUNCIL REPORTS

Councilor Rogers reported on the SCRDA meeting. T or C Police Chief Alvarez has joined the board. The draft budget was discussed. First GRT disbursement to the County will be in September, which means that only three quarters of income will occur for fiscal year 2015-2016, but a whole year's worth of expenses, leaving a gap in the budget. Total budget is expected to be approximately \$769,000. This is an operating budget, and does not include the potential move to another building, nor any upgrades that are needed at the existing facility. The entities are reluctant to approve a budget since there is not yet a solid plan for whether SCRDA should upgrade or move, or what the time frame or costs associated with that will be. JPA outlining each entity's contribution needs to be worked out before a budget can be agreed upon.

Councilor Lafont is working on setting a date for the Golf Cart Committee.

Mayor Pro-Tem Skinner announced that the annual Chamber Golf Tournament will be March 28. The chamber has hired someone to develop a website, and blog about the Fish Fund.

Mayor Kent reported on the Fish Fund Project. Volunteers with boats that have live wells will be utilized to distribute the fish at strategic areas around the lake. The first drop money has been collected, and will be used to purchase 20,000 four-inch bass. New Mexico Game and Fish has pledged money to pay for a second drop. Local businesses have collection jars to collect money for additional drops.

Mayor Kent thanked the Chamber for their in-kind donations.

Mayor Kent reported that the Taste of St. Patty's Day event was very successful, and thanks the area restaurants that participated.

Mayor Kent thanked Rob Leavitt for putting up the flags for the Wounded Warriors event.

Mayor Kent mentioned the Lago Rico Island Party, which had about 600 people attend, and would like to encourage everyone to keep the momentum going with these types of events to continue to grow and bring in tourists.

MANAGER'S REPORT

Manager Briley reported gearing up for annual budget preparations. Memos to staff and entities to which the City contributes money will be sent April 1, and budget workshops will be in May, with preliminary budget due to DFA June 1.

Manager Briley reported on the Phase IVA Sewer Project, the Booster Pump Station, the bond ordinance that will be heard April 1, LGRF street projects, and several landscaping projects.

PLANNER'S REPORT

Planner Dyjak presented his report to the Council. Included for the record.

CLERK'S REPORT

Clerk Rieth presented her report to the Council; attached for the record.

CONSENT ITEMS

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

- Approval of Minutes –Regular Meeting, March 4, 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 #149 – Amending Chapters 90, 95, & 135 for Code Enforcement and Penalties

Manager Briley and Planner Dyjak presented the Ordinance for hearing.

Mayor Kent opened the hearing for public comment.

There being no public comment, Mayor Kent closed the hearing.

There being no further discussion or questions;

- **Mayor Pro-Tem Skinner made a motion to approve Ordinance #149 Amending Chapters 90, 95, and 135 for Code Enforcement and Penalties.**

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.**

REGULAR ITEMS

RESOLUTION 14-15-333 – Declaring Nuisance Conditions at 139 Camino Encantado

Planner Dyjak reported that unfortunately, no further work had been completed at the property, and therefore 139 Camino Encantado is not seen as being fully compliant, and the owners have been unresponsive to any further communications.

There being no further questions or discussion, Mayor Kent asked for a motion.

- Councilor Rogers made a motion to approve Resolution 14-15-333.
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 3:10pm, Councilor Rogers motioned to go into Executive Session limited 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) and Limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2). Mayor Pro-Tem Skinner 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 4:55pm the Council came out of Executive Session.

The regular meeting reconvened.

Mayor Pro-Tem Skinner certified that no decisions had been made and no action taken during Executive Session and that only matters stated on the agenda were discussed.

ADJOURNMENT

→ Councilor Rogers made a motion to adjourn. Councilor Lafont seconded. The meeting adjourned at 4:56pm.

Minutes adopted at the Regular meeting on April 1, 2015



Karen Rieth, City Clerk -Treasurer

CITY PLANNER'S REPORT



To: Mayor Kent & City Councilors
From: Bradford Dyjak, City Planner *[Signature]*
Date: March 17, 2015

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

Development & Planning Updates

1. **P&Z Update** – Holding next regular meeting April 7th with focus on updating the Comprehensive Plan relating to economic development, tourism and land use issues in addition to reviewing final draft of commercial ordinance.
2. **Commercial Zoning Ordinance** – Staff is preparing the final draft based upon P&Z comments to review at its next meeting. The new revisions incorporate clearer landscaping standards, temporary uses, mobile retail vendors and have stronger site plan requirements. A recommendation will be sent to Council by May.

Code Enforcement/Zoning Updates

1. **Address Verification** – Staff will continue a city-wide process to notify specific property owners of no address or of discrepancies, focusing on two neighborhoods per month.
2. **Residential Keeping of Chickens** – Staff has begun researching the issue to determine whether any amendments should be made to the zoning code. Further discussion will occur at the April 7th P&Z meeting.
3. **Code Revisions** – While Ordinance #149 will be considered at Council's March 18th meeting, staff and the City Attorney have reviewed several additional sections of the Code which require consolidation, clarification and – in some instances – complete revision. Staff has prepared a list of these sections and will begin prioritizing revisions over the coming months.

Municipal Court Cases – 3/18

1. #12823 – 406 Tewa Avenue – Inoperable cars, Weeds (*Status update from 11/14 order*)
2. #12835 – 189 Camino Encantado – Junk car, Expired registration

New Complaints/Violations Inspected (3/1 – 3/14)

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

Permits Issued (3/1 – 3/14)

1. #15-111 – 404 Roadrunner Circle – Garage 30'x40'x14'h

#

City Clerk's Report



To: Mayor Kent and City Councilors
From: Karen Rieth, Clerk-Treasurer
Date: March 18, 2015

Business Registrations:

Claudia Ragonesi had applied for a new Business Registration in anticipation of purchasing the Marina Suites. That sale apparently fell through; the registration was deactivated, and has been reactivated in the name of Alan & Maureen Brown.

Training

I will be in Las Cruces for training on March 26.

Phones:

The lease on the phone equipment with Tamco is coming to an end. We have signed a lease purchase agreement for a new phone system with South Western New Mexico Communications. The phones are scheduled for installation on March 24. The new phone system will include a virtual attendant, which will help to route calls more efficiently. It will also allow for virtual voicemails for off-site locations like water and wastewater, seamlessly directing those calls that up to now required the office staff to act as a go between by taking hand written messages. The new agreement also includes a support plan, which was lacking on our current phone system, resulting in problems that were unable to be addressed.

Vendor W9s:

As you probably know, During our end of year processes we are required to send 1099s to any vendor that we paid over \$600 to during the year. I noticed that none of our vendors had 1099s on file, for tax reporting purposes. Over the past few months, I've been requesting current W9s from all Vendors, and have put a policy in place that requires a W9 to be submitted from all new vendors prior to being added to our vendor list. I am now in the process of auditing every vendor file in our financial software and adding the information from the W9s, to insure that next year our 1099 reporting is complete and accurate .

Lodgers Tax:

We've received feedback from some of our Lodging Vendors that our current Lodgers Tax ordinance does not allow enough time for accurate reporting. We have identified some portions of the ordinance that could be amended to allow us to more easily enforce the code, while also allowing the time our vendors require to remain compliant. The City Attorney and I are working on a proposed draft ordinance to amend the code, and we will be bringing that to the Council for hearing in April.

Water Quality Report:

The 2014 Water Quality report has been approved and has been posted for the general public on our website. Hard copies can also be obtained through the Clerk's Office.