



**WORKSHOP AND
REGULAR COUNCIL MEETING
March 4, 2015
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES**

WORKSHOP MINUTES – 1:00pm

CONSIDERATION OF RENAMING OF HWY 195

The Council discussed procedures for the renaming of HWY 195. The public can continue to submit suggestions through the end of March. The Council will make the final decision on the name at the first meeting in April, and then a soft change will be implemented. The soft change will consist of putting up co- signage showing both the new name and HWY 195. Business can change addresses on letterhead and written materials as they re-order.

DISCUSSION OF HABITUAL REPEAT CODE VIOLATIONS

Planner Dyjak presented proposed Ordinance 149, amending City Code regarding penalties for certain recurring code violations. Specifically, sections 90 Environmental Regulations, 95 Weeds and Vegetation and 135 Nuisances would be amended to expedite and strengthen the process for second and subsequent code violations.

Public Hearing of Ordinance #149 is scheduled for the March 18 meeting.

Planner Dyjak will include a timeline in the Comp Plan next year to address additional necessary code changes.

PERSONNEL POLICIES CHAPTERS 9-11

Manager Briley presented Chapters 9-11, of the Personnel Policy, which include Employee Conduct, Ethics, Attendance, workplace violence, fraud, and whistleblower protection.

After discussion amongst Council Members, Mayor Kent directed Councilor Rogers, Clerk Rieth, and Manager Briley to meet to assign categories of employment based on the Organizational Chart and Job Descriptions. Separate sections of the personnel policy will be developed to address At will employees vs. classified personnel progressive disciplinary action.

**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 2:01 PM, and Councilor Lafont led the Pledge of Allegiance. Seven 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, City Attorney Charles Rennick, and City Planner Bradford Dyjak.

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

PUBLIC INPUT

Mr. Kenny Campbell, part-time resident of #9 Elephant Place, suggested re-naming Hwy 195 South Broadway, to reflect more what the lake is about.

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 Lafont requested a map of all the streets for the Golf Cart Committee. Manager Briley will provide an 11X17 map.

Mayor Kent invited the public to attend A Taste of St. Patrick's, to be held Saturday, March 14, from 12-4pm at the Elephant Butte RV Resort.

Mayor Kent reported a successful trip to Santa Fe, including meetings with Senator Smith, Representative Hamilton, Representative Zimmerman, Cabinet Secretary of Tourism Rebecca Latham, and a Representative from the Governor's office regarding the City's letter of intent to take over management of Damsite.

Also mentioned were SJOA Appointments Patsy Barnett and Sharon Finerelli.

The Fish fund has raised \$20,000 so far. The City of Socorro donated \$2,000, the City of Elephant Butte will donate \$3,000, and Mayor Kent has issued a challenge to Sierra County, the City of Truth or Consequences, and the Village of Williamsburg.

The money will be used to purchase 4 inch Bass to start with. Cost is \$1.05 each, and will be coming from a hatchery in Arkansas.

Councilor Rogers had nothing to report.

Mayor Pro-Tem Skinner reported on the New Mexico Tourism Department South West Regional Board that met in Las Cruces with New Mexico Tourism Staff at Virgin Galactic offices.

Monday a Clean and Beautiful grant opened, and Co-Op Grants will be on the website next week. New Mexico Tourism partner site is offering event sponsorships.

This year is the 50th anniversary for the State Parks.

MANAGER'S REPORT

Manager Briley reported several financing options for MAP Project on Rock Canyon Road including; \$250,000 match loan to include the annex project, a Rural Economic Development loan through Sierra Electric Coop, a USDA loan, or a loan through the Finance Authority. Manager Briley recommends going with a loan that would pledge a portion of our tax as collateral. A public notice of hearing of loan ordinance will be issued by the next meeting, to meet the two week notice requirement, so that the ordinance hearing could take place the meeting of April 1. Then at the May 6 meeting, a resolution could be approved pertaining to the terms of the loan, and transaction could then be closed in June in order to have the funding needed to complete the project.

Manager Briley reported on the LGRF project involving San Mateo, Black Range, and Mescal. The City will bid the smaller project now, and needs 2-3 years of funding for the Mescal project, so it will be broken into phases.

The Easement for the Phase IVA Sewer project around Jade & Nambe loop has been granted, and the City is waiting on originals so they can be recorded.

Manager Briley presented some samples of mesh that could be put around the fence at the Recycling center, and discussed plans regarding landscaping rock at the monument signs and in front of the Annex, and the intersection of Warm Springs and Hwy 195, referring to the intersection as the Plaza area, where the City plans on making space for a permanent Christmas Tree, which will be live cut for next year. Manager Briley also discussed plans for a walking path between the Chamber of

Commerce and the City Center, and some possible grant money that might be available to use for paving or crusher fines. Manager Briley mentioned the need to consider budgeting money for event banners during budget talks.

PLANNER'S REPORT

Planner Dyjak presented his report to the Council; attached for the record.

Planner Dyjak mentioned some residents that have asked about changing codes to allow back yard chickens, which are currently prohibited except in residential agricultural zones.

Planner Dyjak discussed with the Council the progress of the monument signs.

Planner Dyjak will get a cost estimate to paint the letters black.

The Council chose option 2 regarding the lettering font to be used on the front of the Monument sign.

Councilor Rogers requested that the spacing of letters be enlarged to allow for ease of reading from moving vehicles.

The City will hold off commissioning metal art for the monument signs at this time.

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, February 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.

REGULAR ITEMS

RESOLUTION 14-15-338 LGRF Application – Street Improvements

Manger Briley presented the Local Government Road Fund Application, and explained the San Mateo, Black Range project. Mescal will be left for the next phase. There being no further questions or discussion, Mayor Kent asked for a motion.

→ **Mayor Pro-Tem Skinner made a motion to approve Resolution 14-15-338.
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 3:08pm, Mayor Pro-Tem Skinner 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). 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 4:53pm the Council came out of Executive Session.

The regular meeting reconvened.

Councilor LaFont certified that no decisions had been made 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 4:54pm.

Minutes adopted at the Regular meeting on March 18, 2015

Karen Rieth

Karen Rieth, City Clerk -Treasurer

CITY PLANNER'S REPORT



To: Mayor Kent & City Councilors
From: Bradford Dyjak, City Planner
Date: March 2, 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** – Is holding its regular meeting March 3rd with no public hearings scheduled, although it will continue updating the Comprehensive Plan and commercial ordinance.
2. **FEMA Flood Reimbursement** – Consistent with the preliminary notice from FEMA in January, I received the award agreement reimbursing the City for September's flood-related cleanup costs for approximately \$18,000, with a further smaller round of funding due shortly.
3. **Monte Vista** – Staff and a contracted engineer reviewed the drainage and grading plan was submitted, with most of the plan being consistent with the findings in the August 2014 engineer's report. A permit will be issued shortly and final inspection will occur.

Code Enforcement/Zoning Updates

1. **Address Verification** – The City's Fire and EMS volunteers have shared several recent calls whereby personnel had difficulty locating a house or found two houses with the same address. In an effort to resolve the chronic problem of dwellings with either no address, improper display or incorrect number, staff has begun a city-wide process to notify specific property owners of no address or of discrepancies. Staff will focus on one or two neighborhoods per month until full compliance is achieved.
2. **Residential Keeping of Chickens** – Chickens, among livestock and other fowl, are currently prohibited in all zoning districts except for the R-Agricultural. As several residents have expressed an interest in keeping chickens as part of a self-reliance movement, P&Z will begin reviewing the issue to determine whether any amendments should be made to the zoning code.

Municipal Court Cases – 2/25

1. #12823 – 406 Tewa Avenue – Inoperable cars, Weeds (*contempt of Court's 11/14 order*)
2. #12827 – 510 Mescal – Inoperable car, No skirting (*contempt of Court's 11/14 order*)
3. #12835 – 189 Camino Encantado – Junk car, Expired registration (Failure to appear 1/21)

New Complaints/Violations Inspected (2/15 – 2/28)

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

Permits Issued (2/15 – 2/28)

1. #15-107 - 200 San Pedro Loop – Porch
2. #15-CU108 – 779 Highway 181 – Conditional Use: Construction Yard (#CU-15-01)
3. #15-109 - 401 Roadrunner – Accessory building 40'x50'
4. #15-S110 - 402 Highway 195 – 4'x8' sign – EB Chamber of Commerce

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City Clerk's Report



To: Mayor Kent and City Councilors
From: Karen Rieth, Clerk-Treasurer
Date: March 4, 2015

In a continued effort to improve record keeping processes, I have updated the quarterly Lodgers Tax Reports and they have been sent to all of our registered Lodging vendors.

I have completed my Certified Procurement Officer Training Course, and passed the certification exam, and expect to receive documentation in the next two weeks showing that I am officially Certified.

I will be attending several trainings in the upcoming months, as I work toward my Clerk Certification and further my training. I will be out of the office March 11 in Albuquerque and March 26 in Las Cruces for training. As always, I am available by phone or text. My cell phone number is: 720-530-1218.

We have received the completed LEPF Application for Fiscal Year 2015-2016 back from Sheriff Hamilton. It has been submitted to DFA.

Reminder: Lodgers Tax fund applications are due by April 1, 2015.