NOTICE OF CITY OF ELEPHANT BUTTE
REGULAR CITY COUNCIL MEETING - OPEN TO THE PUBLIC
Wednesday, June 19, 2019
Municipal Building, 103 Water St. Elephant Butte, NM 87935

Minutes

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
   Mayor Pro-tem Trager called the meeting to order. Councilor LaFont led the pledge.

2. **ROLL CALL**

   Court Clerk Lindsey Moore called roll.
   Mayor Pro-Tem Edna Trager - present
   Councilor Gerald LaFont - present
   Councilor Kim Skinner - present
   Councilor Travis Atwell - present

   Court Clerk Lindsey Moore declared there was a quorum present.

3. **STATEMENT OF OPEN MEETINGS RESOLUTION & 3 MINUTE LIMIT PER SPEAKER ON ALL ISSUES**

4. **PUBLIC COMMENT**

   Dave Frederickson 203 Mesa Grande Elephant Butte, NM– Addressing the use of private golf carts at Sierra del Rio Golf Course. He stated he is more than happy to pay a fee to do this. Frederickson also stated he would like to see restrictions on golf carts that are allowed on the course; i.e age, condition, ect.

   Jim Brown 80 Marina Rd Elephant Butte, NM – A request of public records had been made by Brown on the financials of Sierra del Rio. Within these financials it was shown that during 2017 there was a loss of $457,000.00. Brown offered his knowledge and know how on managing golf courses on this matter.

   Mayor Pro-tem Trager replied to Jim Brown's public comment stating that there is the need for an advisory board for Sierra del Rio and requested Brown to leave his contact information so they City could be in further contact with him on this matter.

5. **BOARD AND COMMITTEE REPORTS & APPOINTMENTS**
   a. Re-appointment of David DuVall to the City Manager's position.

      Councilor Skinner asked Mayor Pro-tem Trager, "Looking for something?" Mayor Pro-tem Trager replied with, "Looking…" Councilor LaFont stated, "I didn't see anything."

      City Manager David DuVall stated that he had just given the paperwork to Mayor Pro-tem, Mayor Pro-tem continued to look through her packet. City Manager David DuVall stated, "It is only for your signature." Mayor Pro-tem Trager Clarified, "it's only for my

signature?" Councilor LaFont then asked, "So another words, we need to make a motion?" City Manager David DuVall, "If that is what you choose to do."

Councilor LaFont made a motion to re-appoint David DuVall to the City Manager's position. Councilor Skinner seconded. 4-0. Motion carried.

Mayor Pro-tem stated that at this time they are now extending David DuVall's contract as City Manager for another year.

b. Appointment of Marsha Plitteris to S.J.O.A

Councilor Skinner made a motion to appoint Marsha Plitteris to represent on the S.J.O.A board. Councilor LaFont seconded. 4-0. Motion carried.

6. **PRESENTATION – None**
7. **APPROVAL OF AGENDA -** Council Declaration of Conflict of Interest
Councilor Skinner made a motion to approve the agenda. Councilor LaFont seconded. 4-0. Motion carried.

8. **MAYOR PRO TEM AND COUNCIL REPORTS**
Councilor Skinner – Attended the workforce monitoring committee on Monday. Had a meeting with Virgin Galactic for two hours with the volunteers who had never met with any of the officials from Spaceport or Virgin Galactic. Councilor Skinner noted that there will be increased activity over the next three weeks at the Spaceport. Councilor Skinner did receive multiple phone calls from constituents regarding a dog bite incident. The questions that were asked to her were if the Ordinance had been passed and when will the City of Elephant Butte be requiring animal owners to register their animals with the City. Other constituents have been asking when the business license renewals will be being sent out.

Councilor LaFont- No Report
Councilor Atwell – No Report

Mayor Pro-Tem Trager- Reported that she will be in Albuquerque on Friday at the Senior Games to represent the City of Elephant Butte. She will have a booth set up with information about our area. The information will range from City specific to area wide. Mayor Pro-tem Trager's goal is to represent our whole region as a place that has a lot to offer and plenty to do. Mayor Pro-tem Trager will be in Albuquerque on Saturday for a New Mexico Municipal League meeting. The City of Elephant Butte had its preliminary exit interview with the auditors yesterday; as soon as everything is final the auditors will be coming before the council to do a full presentation on the outcome of the audit.

9. **CITY MANAGER REPORT**
City Manager David DuVall presented the Council with a packet full of pictures of different storage lots throughout the City. Many are in disarray. DuVall stated that the City will be bringing Marcus Ortega who is currently working in waste water will also do part-time code enforcement alongside Chief Boone to offer some much needed help. DuVall reported that Williamsburg has passed their OHV/ATV Ordinance. DuVall reported that he had contacted the owner of Chisolm Corner/Valero and had instructed them to pull their trash cans to help keep the property clean. Now that we are coming into summer these trash cans are overflowing with trash every day.

10. **CLERK-TREASURER REPORT- No Report**
11. **FIRE CHIEF REPORT – No Report**

12. CODE ENFORCEMENT REPORT

Reported by City Manager David DuVall, the animal registration within City of Elephant Butte will begin in August. Marcus Ortega will be sworn in at the next City Council meeting as part time code enforcement.

13. CONSENT ITEMS (Roll Call Vote)

a. Approval of Meeting Minutes, June 5, 2019

Councilor Skinner made a motion to approve the meeting minutes from June 5, 2019. Councilor LaFont seconded.

Court Clerk – Lindsey Moore called roll.
Mayor Pro-Tem Edna Trager - Yes
Councilor Gerald LaFont - Yes
Councilor Kim Skinner - Yes
Councilor Travis Atwell – Yes

14. REGULAR ITEMS

a. **Public Hearing -** Approve/Disapprove: Ordinance 185 reducing the base residential waste water rate to $35.00 per month.

Mayor Pro-tem Trager stated that this has been months of going over information from throughout the state. Mayor Pro-tem Trager stated that the reason for the increase in the first place was in hopes that the Waste Water Plant could fully sustain itself. With the decrease it will not fully sustain itself but it is felt that this is something that needed to happen as a gesture to the community. Councilor Skinner added that City Manager David DuVall along with City Staff are working hard to cut costs and remove any excess expenses to ease this increased cost to the City.

Mayor Pro-tem Trager opened the Public Hearing for Ordinance 185 reducing the base residential waste water rate to $35.00 per month.

Dee Rogers Mesa Grande Elephant Butte, NM – Asked if the City has a full time employee for the Waste Water Treatment Plant.

City Manager David DuVall addressed this public comment by stating that we have a Waste Water Level 4 Operator by the name of Salvador Martinez and also Marcus Ortega who will be going to training this summer to become certified as a Waste Water/Water 1 Operator. The City of Elephant Butte also has a consultant from Las Cruces that comes in to help as needed.

Mayor Pro-tem closed the Public Hearing for Ordinance 185

Councilor Skinner made a motion to approve Ordinance 185 reducing the base residential waste water rate to $35.00 per month. Councilor Atwell seconded. 4-0. Motion carried.

b. Discussion/ Possible Action: Proposed Ordinance 186 Building Moratorium: Storage Facilities

City Manager David DuVall stated he will post this for public hearing and this will go before two more City Council meetings.

c. Discussion/ Possible Action: Proposed Ordinance 187 New Mexico Dealers License Requirement

There was a discussion between Councilor Skinner and City Manager David DuVall on whether the sale of an item in a storage yard would count towards the owner of the storage yard or the owner of the item for sale. City Manager David DuVall assured the Council that the way the Ordinance was written, will hold the owner of the item for sale liable if they sell more than 4 items per year. The only time it will fall back onto the storage property owner is when they are the ones either selling it or the main contact for the item for sale.

City Manager stated he will make the requested corrections to make the details of this Ordinance clearer.

d. Discussion/ Possible Action: Proposed Ordinance 188, Trash Removal Service for Residents.

City Manager David DuVall presented this proposed Ordinance for review by the Council. Councilor LaFont had suggested that the City offer a large waste receptacle during the summer holidays to help keep the City clean during our busy season. Mayor Pro-tem Trager suggested while they revisit this at the next council meeting that they also revisit reopening the recycling yard as well.

e. Discussion/ Possible Action: Resolution 18-19-136, Allowing privately owned golf carts on the SDR Golf Course

The council had an in-depth discussion on this resolution. Public carts could not be more than 10 years of age, no loud speakers, no driving the cart paths or the greens for recreation outside of golfing, no outside alcohol. Same rates will apply to personal golf carts as they do for rented club carts. All golf carts must comply with Ordinance 158 and follow regulations with the City of Elephant Butte and register their golf cart annually through the City.

Councilor Skinner made a motion to approve Resolution 18-19-136, Allowing privately owned golf carts on the SDR Golf Course. Councilor LaFont seconded. 4-0. Motion carried.

15. EXECUTIVE SESSION - None

16. ADJOURNMENT

Councilor Lafont made a motion to adjourn. Councilor Skinner seconded. 4-0. Motion carried.

Minutes approved and adopted at the City Council Meeting on July 10th, 2019.

Rani Bush

Rani Bush
City Clerk-Treasurer