



**CITY OF ELEPHANT BUTTE
REGULAR CITY COUNCIL MEETING - OPEN TO THE PUBLIC**

**Wednesday, December 4, 2019 - 2:00 pm
Municipal Building, 103 Water St. Elephant Butte, NM 87935**

Minutes

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Edna Trager called the meeting to order. Sierra County Sheriff Glen Hamilton led the pledge.

2. ROLL CALL

Clerk-Treasurer Rani Bush called roll.

Mayor Edna Trager - Present
Mayor Pro Tem Kim Skinner - Present
Councilor Travis Atwell – Present
Councilor Gerald LaFont – Present
Councilor Michael Williams – Present

Clerk-Treasurer Bush declared there was quorum present.

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

4. PUBLIC COMMENT

James P. Smith, 402 Rock Canyon Road, Rock Canyon Dry Dock, inquired about the water distribution that needs to be handled in front of his business. He commented how the water distribution system has never worked properly since it's been installed. He suggested that pumping might be the solution.

Mayor Trager has been in touch with Mr. Smith by email over the holiday. She responded that Mr. Smith was taking about the flooding that took place on Rock Canyon from Mr. Smith's Business to the fire department at 309 Rock Canyon. She talked to Brian Burlage, Head of the Public Works Department. He is going to try and clean out the tank. If that doesn't fix the problem, she will talk to the City's engineer to see what can be done.

5. BOARD AND COMMITTEE REPORTS & APPOINTMENTS

Tami Smith introduced herself to the Council explaining that she grew up and lived in Sierra until age 25. After she married, she moved to Las Cruces. She moved back permanently about 7 years ago. Since living in Elephant Butte, she established her own business, Butte Vapors by 2013 and started contributing to the economy. She became part of the Chamber and vice-president in 2017, then shortly after became president until this year. She is very active in her church and is the chairman and director of Shepard's Closet. She is very excited and proud of the Elephant Butte community and is looking forward to being on the P&Z.

Mayor Pro Tem Skinner made a motion to approve the appointment of Tami Smith as alternate P&Z commissioner. Councilor LaFont seconded it. 4-0. Motion carried. Her term will begin in January.

6. PRESENTATION

a. **Elephant Butte Chamber of Commerce**

Will Dooley, President of the Chamber of Commerce, presented a quick rundown of their annual report (see attached) then opened it up for questions.

Mayor Trager inquired about the number of followers on the Facebook page. Mr. Dooley replied approximately 4,195. It's all organic; they don't pay for anything on Facebook.

b. **State Park Superintendent, Dr. Lillis Urban**

Dr. Urban explained that it was her fourth week at the state park. She is learning a lot and is listening, primarily listening, especially for the first year. She invited everyone to come by. She has been in southern New Mexico for about 20 years. She received a degree in biology and a Ph.D. focused on ecology and botany at NMSU. She worked for the Bureau of Land Management, the Bureau of Indian Affairs at NM State University. I'm new to the Parks system. She plans on attend the Council meeting regularly to foster good communication. Christy Tafoya, the Director of State Parks wanted me to rely to the City her appreciation support and partnership with the Park.

Park updates included talking about the Lakeshore Drive (Rock Canyon Road) improvement project that has key erosion and safety issues for a very long time. The project has been divided in to 5 areas and the Park has secured funding in 2 of the areas which are the most problematic. \$9 million has been obtained for these 2 areas with the Federal Highway Administration taking the lead. They will be contracting the work out. The tentative work schedule is that in 2020, design will begin and in 2021 construction. Future projects include the completion of a RV dump station near the park's entrance, an aquatic and endangered species inspection and decontamination station and a connection to the Elephant Butte's sewer system for the front of the Park.

Events that are coming up include the Luminaria Beach Walk and Floating Light Parade which will be held on Saturday, December 14 from 5-8. She acknowledged and thanked the Friends of the Lake for coordinating the event. They will also be holding a First Day Hike out at the Dam from 10-2 on January 1. They are also starting a free lecture series starting January 8 every other Wednesday for 6 times. She provided flyers.

c. **Sierra County Sheriff Glenn Hamilton**

Sheriff Hamilton explained how this is the time of the year to wrap up old stuff and take a snapshot of where we are at so we can plan ahead. Crime is down throughout the county. Elephant Butte accounts for approximately ¼ of all the calls they received. For FY18-19, 536 calls for service were fielded in Elephant Butte Proper.

He went over 2 categories: 1) crimes against persons – they went down from 145 in the prior fiscal year to 68 and 2) crimes against society (i.e. drug offenses) – they only went down from 140 to 128, but this is because they have continued to work to get rid of the drug culture in other areas which also impacts the other crime categories.

As for major holidays, like the fourth of July, they have worked closely with state police and the state parks, game and fish offices and the U.S. Border Patrol to coordinate patrolling so that visitors and residents alike can enjoy the lake and businesses without feeling over-policed but at the same time safe. In the past, it has been a big issue where people don't utilize the businesses and simply stay on the beach.

7. APPROVAL OF AGENDA - Council Declaration of Conflict of Interest

Mayor Pro Tem Skinner made a motion to approve the agenda as submitted. Councilor LaFont seconded. 4-0. Motion Carried.

8. MAYOR PRO TEM AND COUNCIL REPORTS

Councilor LaFont just attended the South-Central Regional Transit District meeting in Las Cruces via phone. They are still working on increasing their areas of service. Within the next 2 years we should have service in Elephant Butte.

Mayor Pro Tem Skinner invited Superintendent Urban to future Sierra County Tourism Board meetings. The last one was held the day before. They are held the first Tuesday of every month, 9:00 am, at the Lee Bell Center. As the chair of that board, Mayor Pro Tem Skinner could make sure Superintendent Urban would be added to the agenda so she can further her connections within the community.

9. CITY MANAGER REPORT

City Manager Vicki Ballinger welcomed Superintendent Urban to the area of which she has also recently returned to. She then followed up with her previous report about job openings. She has received a number of submissions for both for the utility clerk position as well as the code enforcement position. There was a mix up with publishing them in the paper so she will hold the positions open for at least another week to give time for more submissions.

The leaky roof at Sierra del Rio that has been previously talked about caused a small electrical fire in the kitchen on Thanksgiving morning. The incident was isolated to one area and Fire Chief Boone responded immediately. They were still able to provide approximately 120 Thanksgiving dinners before closing the restaurant and bar for the remainder of the weekend due to safety reasons. The restaurant and bar were reopened yesterday. She and Maintenance Supervisor Brian Burlage met with a contractor yesterday to look at solutions for getting the roof fixed. She is also renewing the liquor license.

City Manager Ballinger met with Paul Sanchez of NM Rural Water Association and on December 17 she and the Mayor will attend an all-day training in Socorro. Next week she and the Mayor will also meet with Steve Meilleur of POMS & Associates to review a revised draft of the City's personnel and policies manual. The coming Monday, City Manager Ballinger will have her first area managers meeting with Morris Madrid and Bruce Swingle.

The Mayor added that in the recent past during a transition with wastewater employees we contracted with NM Rural Water to help the City through the transition. That is coming to an end. Mr. Sanchez has one more meeting with the City, then after that he won't be coming on a regular basis but will be available as needed. The City also ended its contract with Protean Accounting as well as SystemsMD, (the IT contractor). She and the City Manager are working on a contract with a new IT contractor, Spectrum Technology.

10. CLERK-TREASURER REPORT

Clerk-Treasurer Bush presented the Detail vs. Budget report for November 2019 as well as the check register. She attended the Local Government Division Budget Conference the second week of November in Albuquerque. Our auditor were on-site the 3rd week to do field work for the FY18-19 audit which we are on track to finish by December 15.

11. FIRE CHIEF REPORT

Fire Chief Toby Boone reported that there were 29 calls within the City's fire response area. Most were standard EMS calls, though there were a couple of fires. His move to the Annex building is going well. He will have an open house after the beginning of the year.

12. CODE ENFORCEMENT REPORT

Fire Chief Boone reported that there was a decrease in submissions. There is still an issue with weeds at Family Dollar. They have had a high turnover of managers so he is going to contact the owner instead for resolution.

13. CONSENT ITEMS (Roll Call Vote)

None

14. REGULAR ITEMS

a. Discussion/Possible Action: Ordinance 180: Residential Building Width

P&Z Chairman Nathan LaFont was present to help with the discussion. He apologized for not being able to attend last month's public hearing about the ordinance. The Council's requests and comments from the public hearing were discussed at the P&Z meeting yesterday. They felt that the easiest solution was to strike the component that was allowing the overnight use of RV's on residential lots. It was a small component that requires more discussion and coordination. The rest of 180 (dealing with residential widths) has been worked on since at least January of last year. The two issues therefore could be split so the remaining could be passed.

Chairman LaFont went in to detail about matching the industry standards vs. custom homes in regards to width. Legal Counsel recommended dealing with sections instead of widths. Councilor Williams had a number of questions which Chairman LaFont addressed including the use of the term "zoning permits" and issues with current code.

Councilor Williams made a motion to approve Ordinance 180. Councilor Atwell seconded.

Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner - Yes

Councilor Atwell - Yes

Councilor LaFont - Yes

Councilor Williams - Yes

Motion Carried.

b. Discussion/Possible Action: Resolution 19-20-107 NMFA Loan Agreement Amendment

Mayor Trager explained that there were some last minute revisions dealing with the name of the specific project that NMFA's law firm (Sutin Thayer & Browne) used, but the substance of the resolution is the same. The correct project is "Road Projects" instead of "Warm Springs." It is still allowing the City to use the expired funds that were originally obtained for Rock Canyon and the Annex for Camino Cinco.

Mayor Pro Tem Skinner made a motion to approve Resolution 19-20-107 with the correction to all three documents saying is "Road Projects" instead of "Warm Springs." Councilor LaFont seconded.

Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner - Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams - Yes

Motion Carried.

c. Discussion/Possible Action: Resolution 19-20-108 Open Meetings Act – City Council

Clerk-Treasurer explained that each year the Council needs to update the Open Meetings Act. The only changes she made to it more description in the 4 posting locations. A discussion was held about where the agenda is posted vs. where notice of the meeting is posted.

Councilor Williams made a motion to approve Resolution 19-20-108. Councilor LaFont seconded.

Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner - Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams - Yes

Motion Carried.

d. Discussion/Possible Action: Approval of 2020 Holiday, Event & Meeting Schedule

Clerk-Treasurer Bush explained that 2 of the regular meeting days have changed. The City Council meeting will now be the 3rd Wednesday of the month. The Lodger's Tax Advisory Board will still meet on the 3rd Tuesdays once a quarter, but the months have changed. They will be January, March, June, and September to better facilitate the process.

City Manager Ballinger clarified that the current employee manual states that the City designates the normal holidays and employees have 2 floating holidays. These floating holidays can be any day that the employee chooses with proper notice to their supervisor. She confirmed this with Dr. Meilleur of POMS & Associates. Mayor Trager mentioned that this may cause confusion when City Hall is open on some holidays that other government entities have off.

Councilor Williams made a motion to approve the 2020 Holiday, Event & Meeting Schedule with the revision of November 27 to read "Day after Thanksgiving" instead of "Black Friday." Mayor Pro Tem Skinner seconded. 4-0. Motion Carried.

15. EXECUTIVE SESSION

None


16. ADJOURNMENT

Mayor Pro Tem Skinner made a motion to adjourn. Councilor Atwell seconded. 4-0. Motion Carried.

Minutes approved and adopted at the City Council Meeting on January 22, 2020.


Edna Trager
Mayor

ATTEST:


Rani Bush
Clerk-Treasurer

