



**CITY OF ELEPHANT BUTTE
REGULAR CITY COUNCIL MEETING**

Wednesday, August 18, 2021 – 2:00 pm, Workshop – 1:00 pm
Municipal Building, 103 Water St. Elephant Butte, NM 87935

The City will also open the meeting to the public through WebEx number: (408) 418-9388, Access Code: 126 124 0239, Password: 87935 or going to www.cityofelephantbutte.com for information about accessing the meeting through your computer.

MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Edna Trager called the meeting to order, and Clerk-Treasurer Rani Bush led the Pledge of Allegiance.

2. ROLL CALL

Clerk-Treasurer Bush called roll.

Mayor Edna Trager – Present
Mayor Pro Tem Kim Skinner - Present
Councilor Travis Atwell – Present
Councilor Cathy Harmon - Present
Councilor Michael Williams – Present

Clerk-Treasurer Bush declared a quorum.

WORKSHOP - 1:00 pm

1. DRAINAGE AND EROSION - PART 2

Mayor Trager explained that this workshop is a follow-up to the one last week held at the RV Resort. Councilor Williams reported that a citizen asked him when the hole at Canadian Circle and Rock Canyon would be filled, especially since that corner is a school bus stop. Councilor Atwell added that the City needs to be quicker cleaning up roads after a storm. Mayor Trager commented that they are working on getting back up equipment for cleaning the streets. Also, clean-up is needed for residents of Rio Grande Circle and San Andreas.

The workshop focused on re-prioritizing the short-term drainage list. Items on the long-term list are more expensive, so they will be looked at a later time. Mayor Trager and City Manager Vicki Ballinger spoke about money available for infrastructure related to tourism, i.e., how drainage from Balboa Pond affects the golf course.

Councilor Williams received input from Jay Armijo, South Central Council of Government, about applying for Colonias funding for the ditch that runs behind his house down to the lake. City Manager Ballinger added that the next round of Colonias funding would be at the beginning of the year. City Engineer David Shields added that planning documents for the construction need to be in place. He then explained some of the funding available for planning documents.

Next, Mayor Trager talked about the need to have a water conservation ordinance and asset management plan. Mayor Pro Tem Skinner asked about current efforts that can be done given the two major storms in the last couple of weeks. Mayor Trager reached out to the County.

Mayor Trager listed the following priorities: the water conservation ordinance and applying to the NM Finance Authority for planning grants. City Engineer Shields volunteered to help with the planning grant applications. Current funding for Michigan Drive covers a corner of Candian Circle, but the problem goes beyond that corner.

Next, Field Operations Manager Brain Burlage updated the Council on the condition of the streets and equipment. Councilor Atwell pointed out a property on Springland just west of Lakeshore that has a retention pond built with a channel that dumps water on Lakeshore. Land Use Administrator Lindsey Moore will follow up with the property owner and Councilor Atwell.

City Engineer David Shields and Senior Vice President for Bohannon Huston, Craig Hoover, explained the prioritizing criteria. The short-term list contains roadways because of their importance in getting people around the city. Next, the Council looked at the drainage maps to understand the issues. Mayor Pro Tem Skinner suggested having the Fire Department use their hoses to clean out the culverts.

The following were discussed as priorities:

1. Mescal
2. Canadian Circle
3. Skyline
4. Warm Springs – Phase 2

The drainage master plan also needs to be updated. City Engineer Shields will look into funding sources.

COUNCIL MEETING - 2:00 pm

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

Councilor Williams motioned to approve the agenda. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

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

5. PUBLIC COMMENT

None

6. MAYOR AND COUNCIL REPORTS

Mayor Pro Tem Skinner attended various meetings, including one with the Hospitality Association's Government Affairs Board. They met with Lt. Governor Howie Morales to discuss employment and businesses opening up fully. She also reported on how the latest health order is affecting outdoor festivals.

Mayor Trager reported that there are five events scheduled at the golf course from August through September. She attended a Bureau of Land Management workshop about off-highway vehicles and various webinars for the Economic Development Administration and the NM True CoOp. Per the Governor's latest health order, City Hall will require masks again starting Friday.

7. CITY MANAGER REPORT

City Manager Vicki Ballinger updated the Council about an NM Rural Water Conference attended by the City's two water operators. Their water sample was selected as one of five finalists in a taste test competition. It will now go on to a national competition. Next week Robert George, a state-certified field training specialist, will conduct wastewater training at the City's facility. Elephant Days is still a go at this point, and the NM True CoOp photo op will be used at it. She also responded to a question from Councilor Williams about a start date for the \$950,000 water system projects. The next step will be fire flow testing. She is also looking into acquiring generators for the City, including the one from the Sierra County Regional Dispatch Authority.

8. CLERK-TREASURER REPORT

Clerk-Treasurer Bush updated the Council about Candidate Day at the County Clerk's office the following Tuesday. All candidates for the November 2 Council Election must apply in person. She also went over the final budget format from State software and answered questions about the golf course expenses. Councilor Williams inquired about Wildland Fire Funds. Mayor Trager is following up with the Municipal League about reimbursement details. Fire Chief Toby Boone answered questions from Councilor Williams about Fire Fund expenses and allocation changes.

9. FIRE CHIEF REPORT

Fire Chief Boone reported that operations are normal. Mayor Trager informed him about the earlier conversation about using fire hoses to clean out the culverts after the storms. Field Operations Manager Burlage will be in contact with him.

10. LAND USE REPORT

Land Use Admin Lindsey Moore updated the Council on a new Windstream utility permit.

11. CONSENT ITEMS (Roll Call Vote)

a. Approval of Regular Meeting Minutes, July 21, 2021

Councilor Williams motioned to approve the Regular Meeting Minutes, July 21, 2021, with the amendment of adding to Regular Item 14g that he requested Gerald LaFont to be called to determine if Mr. LaFont would take the road if the City vacated it. Councilor Atwell seconded.

12. PUBLIC HEARING

a. Approve/Disapprove: Ordinance 183 - Manufactured Home Standards

Mayor Trager opened the Public Hearing.

Clerk-Treasurer Bush swore in Planning and Zoning Chair Nathan LaFont. No public comments were submitted. He explained the ordinance and answered questions from the Council.

Councilor Williams motioned to approve Ordinance 183. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

b. Approve/Disapprove: Ordinance 197 – Signs

No public comments were submitted. Chair LaFont explained the ordinance and answered questions from the Council. City Attorney Ben Young then explained why “offensive” was changed to “obscene” and gave examples.

Councilor Williams motioned to approve Ordinance 197. Councilor Harmon seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

c. Approve/Disapprove: Ordinance 198 - Cannabis Zoning & Regulations

No public comments were submitted. Chair LaFont explained that the State is still in the process of writing cannabis regulations. Therefore, some recent changes need to be reflected in the ordinance. Also, if the ordinance passes today, there will probably be the need for amendments to it in the next couple of months after the State finalizes its regulations. Next, he explained the ordinance and answered questions.

Councilor Williams motioned to approve Ordinance 198 with the following amendments:

- **Change Line 119 to read “. . . cannabis consumption area, or cannabis courier unless the applicant has a provisional license . . .”**
- **Add the following sentence to the end of Line 120: “Upon receipt of the full license, the applicant or business must provide confirmation of it to the City.”**
- **Change Line 211-213 to “. . . Cannabis cultivation and production for personal use must not be visible from a public right-of-way.”**

Mayor Pro Tem Skinner seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

Mayor Trager closed the Public Hearing.

13. REGULAR ITEMS

a. Discussion/Possible Action: Wood Road Transfer

Attorney Young explained the two options for the Wood Road transfer: 1) sale of the property according to State Statue 354.1 or 2) an individual can submit a petition asking for the City to vacate the road according to Statue 67.2.6. Nathan LaFont said he would have his father present the petition, and the Council can then approve it at the next council meeting.

b. Discussion/Possible Action: Sierra County E911 Geographical Information Systems Addressing Services Agreement

Keith Whitney, Sierra County GIS Coordinator, presented the agreement to the Council and updated them about the current condition of the database. He also presented the Council with a list of Elephant Butte addresses he had already added or corrected. Councilor Harmon pointed out that Williamsburg was mentioned at the bottom of the first page instead of Elephant Butte.

Mayor Pro Tem Skinner motioned to approve the Sierra County E911 Geographical Information Systems Addressing Services Agreement with the amendment of correcting the city in the last "Whereas" on Page 1 and putting a cap of ten hours per month without prior authorization under the Scope of Duties. Councilor Williams seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

c. Discussion/Possible Action: Pharmacist Consultant Contract

Chief Boone explained the contract to the Council. There will be no cost to the City. Councilor Williams asked about the term "Department" being used throughout the contract instead of "City." Attorney Young will revise the Scope of Work to quarterly visits to the City of Elephant Butte Fire Department.

Councilor Williams motioned to approve the Pharmacist Consultant Contract with the correction of adding the City of Elephant Butte Fire Department. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

d. Discussion/Possible Action: Resolution No. 21-22-103 NM Environment Department Water System Grant Authorization

City Manager Ballinger explained the agreement and resolution. Chief Boone then explained the best hydrant locations and the best way to implement this project.

Councilor Williams motioned to approve Resolution No. 21-22-103. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

e. Discussion/ Possible Action: Infrastructure Capital Improvement Plan FY 2023-2027

City Manager Ballinger presented the most current draft of the ICIP. Chief Boone commented that there is a much greater need to rebuild Fire Station 1 than replace a fire engine at this point.

Mayor Pro Tem Skinner motioned to approve ICIP FY 2023-2027 with the amendment of changing the fire engine replacement to a fire station rebuild. Councilor Williams seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

14. COUNCILOR COMMENTS

Mayor Trager announced that with the resignation of Councilor LaFont, Councilor Williams is now our full-time representative on the Joint Powers Commission. Elephant Butte's representative on the South Central Regional Transit District will be decided at the next Council meeting

15. EXECUTIVE SESSION

Councilor Williams motioned to go into Executive Session after a five-minute recess. Mayor Pro Tem Skinner seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

*****EXECUTIVE SESSION BEGAN*****

a. Discussion concerning purchase, acquisition, or disposal of real property or water rights pursuant to NMSA 1978, Section 10-15-1(H)(8).

Councilor Atwell motioned to come out of executive session. Councilor Williams seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

*****EXECUTIVE SESSION CAME TO AN END*****

Mayor Pro Tem Skinner certified as required by Section 10-15-l(J), NMSA 1978, matters discussed in executive session were limited only to those specified, and no actions were taken.

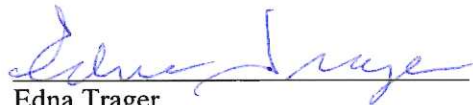
16. ADJOURNMENT

Councilor Atwell motioned to adjourn. Councilor Williams seconded. Clerk-Treasurer Bush conducted a roll call vote.


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

Motion passed.

Minutes approved and adopted at the City Council Meeting on September 15, 2021.


Edna Trager
Mayor

ATTEST:


Rani Bush
Clerk-Treasurer

