



**NOTICE OF CITY OF ELEPHANT BUTTE
SPECIAL CITY COUNCIL MEETING**

103 Water Avenue, Elephant Butte, NM 87935
Friday, March 3, 2023 – 10:00AM

Minutes

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Skinner called the meeting to order with Chief Mascaro leading the pledge of allegiance.

2. ROLL CALL

Mayor Phillip Mortensen – Absent
Mayor Pro Tem Kim Skinner – Present
Councilor Travis Atwell – Present
Councilor Cathy Harmon – Present
Councilor Edna Trager – Present

City Clerk Cobleigh conducted a roll call and declared a quorum.

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

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

Councilor Atwell made a motion to approve the agenda as submitted. Councilor Harmon seconded. 4-0. Motion Carried.

4. PUBLIC COMMENT

Public comment can be made in person, by phone or given to the City Clerk email (cityclerk@cityofeb.com) before the meeting.

No public comment was present.

5. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

a. Discussion/Possible Action: MOU – Regarding Provision of Animal Shelter Services

City Manager Mascaro introduced this item to the Council, explaining the changes that are present, including a price increase for the continued shelter services. City Manager Mascaro stated that the TorC animal control will continue to assist Elephant Butte until we have our new code enforcement animal control employee on board and fully trained.

Councilor Trager asked if the City would continue being charged per call for animal pick ups in the meantime. Mascaro confirmed that there would be a continued price of \$50.00 per call out until we have our own animal control in place.

Councilor Atwell made a motion to approve the MOU Regarding Provisions of Animal Shelter Services. Councilor Harmon seconded. 4-0. Motion Carried.

6. PUBLIC HEARING

- a. NM Golf Properties, LLC dba Sierra del Rio Golf Resort is seeking approval of obtaining a liquor license through the state of New Mexico. This application has been preliminarily approved through the NMRLD with the directive to have this matter heard at a public hearing of the governing board.

LUA Cobleigh distributed the public hearing packets and script to the Council and Mayor.

Mayor Pro Tem Skinner requested City Staff be sworn in by Manager John Mascaro.

City Staff Presentation

LUA Cobleigh presented the case, 23-0027 NM Golf Properties, LLC dba Sierra del Rio Golf Resort. LUA Cobleigh went over the application packet that was received by the City of Elephant Butte on January 31st, 2023, with the preliminary approval process from the NMRLD. LUA Cobleigh stated that this license is a transfer from an established business located in Albuquerque, Cocina Azul. The applicant has purchased that license and will be transferring it into their name and to their location here at 101 Clubhouse Drive. LUA Cobleigh stated the three criteria for approving or denying a liquor license request to the Council. LUA Cobleigh stated at this time the application meets all City codes.

Councilor Trager questioned how the transfer of license would work going from a Governmental license to a private entity license.

LUA Cobleigh clarified that the license is in fact a transfer of license from one private owner to another. Not a transfer from the Municipality to the private owner.

City Manager Mascaro added that the Municipal license is null and void.

Mayor Pro Tem Skinner closed the public hearing and requested a motion. Mayor Pro Tem Skinner stated that any motion should include that staff prepare the written findings of fact and conclusion of law and the mayor be authorized to sign them as a written decision in this case. Councilor Trager made a motion to approve the transfer of the liquor license from Cocina Azul to NM Golf Properties, LLC dba Sierra del Rio Golf Resort in Elephant Butte. Councilor Atwell seconded the motion. 4-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Atwell – Yes

Councilor Harmon – Yes

Councilor Trager – Yes

Motion Carried.

7. COUNCILOR COMMENTS

Mayor Pro Tem Skinner mentioned that City Council Retreat is set for March 21st and 22nd, 2023, from 9:00am-3:00pm each day.

Councilor Trager stated she is looking forward to the Sierra del Rio Golf Course reopening the restaurant.

Councilor Atwell no comment.

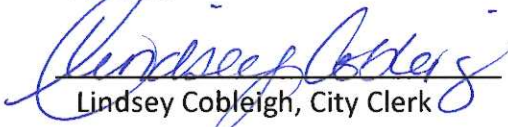
8. ADJOURNMENT

Mayor Pro Tem Skinner adjourned the meeting.

Minutes approved and adopted at the City Council meeting on March 15, 2023.


Phillip Mortensen, Mayor

ATTEST:


Lindsey Cobleigh, City Clerk

