



**NOTICE OF CITY OF ELEPHANT BUTTE
SPECIAL CITY COUNCIL MEETING
103 Water Avenue, Elephant Butte, NM 87935
Tuesday, January 30, 2024 – 10:00AM**

Minutes*

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Mortensen called the meeting to order and led the pledge of allegiance.

2. ROLL CALL

Mayor Phillip Mortensen – Present
Mayor Pro Tem Kim Skinner – Present
Councilor Cathy Harmon – Present
Councilor Michael Williams – Present

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

Mayor Pro Tem Skinner made a motion to approve the agenda as submitted. Councilor Williams seconded the motion, 3-0.

City Clerk Cobleigh conducted a roll call vote.

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

Motion Carried.

4. PUBLIC COMMENT

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

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

Kent Dalman 904 Highway 195 – Dalman voiced his concerns on domestic nuisance concerns that become excessive. Dalman provided City Clerk Cobleigh with a written statement of his comment. Dalman requested that the City Council consider amendments to the current nuisance code, 173.5 and 173.3.c. Dalman stated that the council needed to be aware of the nuisance and hazard of excessive dog waste.

*Agendas are subject to revision up to 72hrs before the scheduled meeting date and time (NMSA 10-15-1 (f)). Agendas are available at City Hall, 103 Water Ave., Elephant Butte, NM 87935. If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter or any other form of auxiliary aid or service to attend or take part in the meeting, please contact the City Clerk at 575-744-4892 at least one week before the meeting or as soon as possible.

5. CONSENT ITEMS

- a. Regular City Council Meeting Minutes January 17, 2024

Councilor Harmon made a motion to approve the minutes with one correction on page 7, correcting SCOOG to SCCOG. Mayor Pro Tem Skinner seconded the motion and amendment. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams – No

Councilor Williams questioned the term “iWorqs” in the Land Use Field Assistant report. City Clerk Cobleigh stated this is the reporting software that has been used for approximately 8 years by land use and code enforcement.

Councilor Williams modified his vote to – Yes.

Motion Carried.

6. REGULAR ITEMS

- a. Discussion/Possible Action: Resolution 23-24-122 Second Quarter Report to DFA
Mayor Pro Tem Skinner made a motion to approve Resolution 23-24-122 Second Quarter Report to DFA. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams – Yes

Motion Carried.

- b. Discussion/Possible Action: Resolution 23-24-123 Annual Per Diem Rates
City Clerk introduced this subject matter and informed council this resolution will typically take place in July at the beginning of the fiscal year.

Councilor Williams made a motion to approve Resolution 23-24-123 Annual Per Diem Rates. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams – Yes

Motion Carried.

7. EXECUTIVE SESSION

- a. Discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) – *Manager's Office, Fire Chief's Office, Treasurer's Office.*

Mayor Pro Tem Skinner made a motion to enter into executive session for the Discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) – *Manager's Office, Fire Chief's Office, Treasurer's Office.* Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams – Yes

Motion Carried.

Mayor Pro Tem Skinner made a disclosure statement that there was no discussion of items other than the discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) – *Manager's Office, Fire Chief's Office, Treasurer's Office.*

8. ANY ACTION

- a. Action required following discussion of limited personnel matters –pursuant to NMSA 1978, Section 10-15-1(H)(2) *Manager's Office, Fire Chief's Office, Treasurer's Office.*

Mayor Mortensen thanked everyone for their continued patience throughout the past few weeks and mentioned the letters of support, offers of assistance and understandable criticism. Mayor Mortensen stated he is encouraged by the citizens' care and concern for our city. He hopes that we will continue into the future rebuilding the trust and confidence in our city. Mayor Mortensen also personally thanked each member of the staff for all the added responsibility. Mayor Mortensen also thanked his fellow members of the council for their added support and help. Unfortunately, the investigations that began a little over two weeks ago are not yet completed and do not have a timeline for the completion of the investigation. However, the City cannot remain without critical staff and leadership. It has become apparent that in rebuilding trust the city cannot continue with John Mascaro and Kristin Saavedra in their positions with the city. As appointed, at will employees, Mayor Mortensen recommended their termination of employment with the City of Elephant Butte.

Mayor Pro Tem Skinner made a motion to approve the recommendation to terminate the employment of both John Mascaro and Kristin Saavedra. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams – Yes with the reservations that were had in executive session.

Motion Carried.

Mayor Mortensen asked for the motion to allow him the authority to hire professional consulting services.

Mayor Pro Tem Skinner made a motion to authorize Mayor Mortensen to hire professional consulting services. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams – Yes

Motion Carried.

Mayor Mortensen made the recommendation to remove City Manager and City Treasurer from signatory authority on all accounts.

Mayor Pro Tem Skinner made a motion on the Mayor's recommendation to remove City Manager and City Treasurer from signatory authority on all accounts. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams – Yes

Motion Carried.

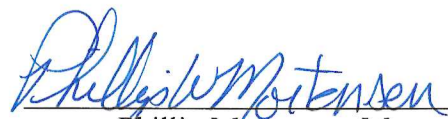
9. MAYOR AND COUNCIL REPORTS/COMMENTS

No Reports or Comments.

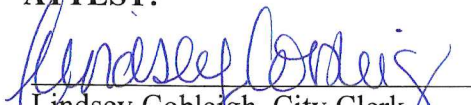
10. ADJOURNMENT

Mayor Mortensen adjourned the meeting.

Minutes approved and adopted at the City Council meeting on February 21, 2024.


Phillip Mortensen, Mayor

ATTEST:


Lindsey Cobleigh, City Clerk