



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, April 10, 2023 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Joshua Ramsell called the regular business meeting to order at 6:05 pm.

Pledge of Allegiance

- Councilor Apodaca led the Pledge of Allegiance.

Roll Call

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.
 - Present: City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer Stephanie Finch, Fire Chief Andrew Tabet, City Attorney Randy Van Vleck, Valencia County News-Bulletin Editor Clara Garcia.

Approval of Agenda

- Mayor Ramsell asked if they can table the city council workshop minutes and move them to the next regular business meeting.
- Motion made by Mayor Pro-tem Gutjahr to approve the agenda as amended. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the agenda for the regular city council workshop minutes to the next regular business meeting was approved as amended.

Approval of Consent Agenda Item, Minutes for the City Council Workshop & Regular Business Meeting (03/27/23), Approval of Accounts Payable

- Mayor Ramsell said they will be moving the workshop minutes to the next regular business meeting as stated.
- Motion made by Councilor Apodaca to approve the consent agenda as amended. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the consent agenda was approved as amended.

Public Comment

- Mr. Irvine from 607 Western Dr., said we have a very ongoing situation at 603 Western Dr. with people sleeping in cars, banging on doors and walls. He then asked if he could meet with Dr. Moore and the Fire Chief after the meeting to discuss more depth of they situation.

Manager Report

a) ARPA Funds (American Rescue Plan Act) b) Speed limit & Street signages c) Summer Storm water drainage d) Erosion Control e) Fire Safety

- Manager Dr. Moore said next Thursday will have the economic development group coming to city hall for a tour of the business park and would like a few members of council to be there.
- Manager Dr. Moore said we are intending to come back to them in May with a recommendation on expenditures of the funds and need to approve the sound/video in Council

room which we are getting state pricing as well as getting them ordered and taking care of. He then further said when we get closer with draft plans on other areas, he will let council and the mayor know what is going on.

- Manager Dr. Moore said in relationship to street signs and speed limits as mentioned in the workshop they are looking at more consistent speeds in the city and looking at areas that do not need special speeds and will go out for public review. He continued to say we know there is street signage areas with missing signs or misspelled signs as well as addition children at play signs, but we are working through those. He said he will be coming back to council about this issue soon pertaining to the cleanup but there is a lot of dirt and stabilize it so when spring rain shows up but is important to get on top of it. He continued to say as far as storm water drainage, there are areas that need to be addressed but are waiting to hear the final words from the legislator since putting in 3 requests.
- Manager Dr. Moore further said we have some homeland security funds that are basically ready to go on repairs that will be happening.
- Manager Dr. Moore said there are areas in town that we are looking at for cleanup and fire safety, but if any council members or anyone from the public know of anywhere else that needs to be cleaned, please call the city or talk to him directly.
- Councilor Apodaca said the current speed bumps in the city need to be repainted.
- Manager Dr. Moore said yes and if anything, remind us again and it will be done, but we are close to 500 of people to download our RC assist app store, on apple or google play store RC Assist, you should find the City Logo on it and then download to your phone and there you can inform us on what needs to be done in the city.
- Councilor Gutjahr said it would be helpful for the citizens if there could be a demonstration on how to do it.

Municipal Court Department

- See packet for report.

Action Items

Approval of Fiscal Year 2022-23 Audit Contract between the City of Rio Communities and SJT Group LLC

- Finance Officer Finch explained this is for the next upcoming fiscal year starting at the end of July going through November.
- Councilor Gutjahr said this is the 4th year out of the 8 years we are allowed with the contract.
- Motion made by Councilor Apodaca to approve the fiscal year 2022-23 audit contract between the City of Rio Communities and SJT Group LLC. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the audit contract between the City of Rio Communities and SJT Group LLC.

Purchase of Public Works Pickup

- Manager Dr. Moore said we are requesting a 2023 Ford F250 Crew Cab XL 8' Bed for the public works department to replace and the f250 pickup that is aging out, the total cost is \$66,952.00 of which \$31,325 will be coming from out of grant #G3072 and the remaining will come out of the general fund being at \$35,627. He then went over the features of the pickup such as a ¾ ton, 4X4 and will be diesel which would help with the towing capacity. He then said this will help us to haul things around the city since we have a dump trailer and hauling the skidster and

are working to get a few temporary people to help with our public works crew. He finished by saying this truck will not arrive till late fall or spring of next year.

- Councilor Apodaca said at the workshop we discussed the diesel engine vs the gas engine as you will get more miles to a gallon with the diesel than the gas.
- Motion made by Councilor Gordon to approve the purchase of a public works pickup. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the purchase of a public works pickup.

Resolution 202X – XX BAR #

- Finance Officer Finch went over BAR #4, we are going to increase the small city assistance by \$136,399, other state distributions by \$37,230, the general operating fund for the transfer in and transfer out by \$145,631, as well as the same for the state legislative appropriation which had to be transferred so the account would not be negative and increasing the NMFA loan debt by \$132,780.
- Motion made by Councilor Apodaca to approve Resolution 2023 – 11 BAR #4. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2023 – 11 BAR #4 was passed, approved, adopted, and signed.

Resolution 202X-XX 3rd Quarter Financial Report

- Finance Officer Finch went over the 3rd quarter finance report starting with the general operating fund ending cash balance of \$2,273,903.83, the revenues are \$1,307,515.37, transfer outs are at -\$384,326.67, and the expenses are at \$1,045,912.06. She then explained Fire department fund revenues are at \$333,200.85, transfer outs are at -\$30,180.19, the expenses are at \$217,652.21, and ending cash is at \$95,907. She further explained the funds that are still in the other special revenues such as Bill Brown, Fire GRT, EMS GRT, and Wildland.
- Finance Officer Finch began a discussion on the percentages for the 3rd quarter starting with revenues being at 97.19%, expenditures at 68.08%, fire department is at 99.94% and expenses as 75.60%. She explained that \$50,502.38 has been spent out of the Bill Brown Fund, County Fire has brought in \$36,548.31, EMS GRT brought in \$131,336.96 and Wildland fire has brought in \$38,490.53. She further explained the pooled cash report stating this is all the money that is in the bank as of right now starting with the Bill Brown account with \$275,820.14, County Fire GRT is at \$27,652.57, County EMS is at \$95,281.25, and Wildland is at \$7,461.45. She said the non-pulled cash is petty cash in the clerks and court office coming out to \$200, and 2 NMFA loans which are not in an account in the city but stays with NMFA but is shown for reference on how much we do have in the loans.
- Motion made by Mayor Pro-tem Gutjahr to approve Resolution 2023 - 12 3rd Quarter Financial Report. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2023 - 12 3rd Quarter Financial Report was passed, approved, adopted, and signed.

Ordinance 2023 - XX Creating a Police Department, (Creating Certain Appointive Officer, Prescribing the Power, Duties and Salaries of Appointed Officials) 14-day review

- Manager Dr. Moore said we thank very much to the staff who have been working on this as well as our attorney and state dispatch. He explained they have been reviewing the second batch of applications and right now they need to make a formal ordinance. He continued to say we in need this to state basic duties, responsibilities and tethered with other municipalities

around New Mexico. He further said as we did this with the Fire Department to formally recognize the existence of the police department.

- Motion made by Councilor Gordon to approve Ordinance 2023 - XX Creating a Police Department (Creating Certain Appointive Officer, Prescribing the Power, Duties and Salaries of Appointed Officials) for a 14-day review. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the 14-day review of Ordinance 2023 – XX Creating a Police Department.

Road Repair

- Manager Dr. Moore said we felt this was important to bring up, and doing things differently this time by being more assertive with the repairs of potholes as we have changed the repair process and in doing so the repairs are much better. He continued to say with difficult repairs they have been looking into ways to fill them but parts that are completely unrepairable are bringing millings in and level out the road. He finished by stating there are grants that will be strictly for design and construction on Don Deigo but have not heard back as of yet. He then stated the 8-foot road on Horner is now going to be a walking path for safety for citizens and school children.
- Councilor Winters said this is the most road work we have had underway before.
- Motion made by Councilor Winters to move forward with the plan Manager Dr. Moore has presented. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote council approved Manager Dr. Moore to move forward with the plan on road repairs.

Personnel Position(s) & Job Description(s) – a) Public works Supervisor, b) Librarian/Community Program Coordinator c) Law Enforcement Office Clerk

- Manager Dr. Moore explained there are 3 positions listed under item number 11 being a) Public Works Supervisor, b) Librarian/Community Program Coordinator and c) Law Enforcement Office Clerk. He said he is requesting that the move forward with the public works supervisor at the end of the presentation and said the public works supervisor will be in charge of employees on the field as well as managing the contractors and will reporting back to the city manager. He further said as far as the librarian/community program coordinator there is enough going on and getting enough over tension and feel they move forward with this position and will be coming to council no later than the May 8th meeting with a job description.
- Manager Dr. Moore said the law enforcement office clerk and will not be at the full administrative level but will be dealing with office paperwork/office duties as well as working with the police chief but will be full time and further explained he also looked at the salary range of \$26-\$32 an hour for the public works supervisor.
- Councilor Gutjahr asked when looking at the Librarian she thinks talking with the Belen librarian who oversees community programs for suggestions.
- Motion made by Councilor Apodaca to approve the personnel position and job description of the public works supervisor and to come back at a later with the librarian/communities' program coordinator and law enforcement office clerk. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the personnel position and job descriptions of the public works supervisor and to comeback at a later time with the librarian/communities' program coordinator.

Salary & Wage Scale(s)

- Manager Dr. Moore said there is only one coming in front of them at this time as we have received wage scale information from the NMML, and we will be coming back with the budget overall dealing with position wages. He continued to say he is asking for \$26-\$32 an hour for the public works supervisor position.
- Motion made by Mayor Pro-tem Gutjahr to approve the salary and wage scale as described by Manager Dr. Moore for the range of \$26-\$32 an hour for the public works supervisor. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote council approves the salary and wage scale of \$26-\$32 an hour for the public works supervisor position.

Council Discussion

- Council did not have any comments.

Executive Session - For the purpose of a) the discussion of the annual Performance Evaluation and contract of the City Manager b) the Public works Supervisor position pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and c) the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)

Motion and roll call vote to go into close session

- Motion made by Mayor Pro-tem Gutjahr with a roll call vote to go into the close session for the purpose of a) the discussion of the annual Performance Evaluation and contract of the City Manager b) the Public works Supervisor position pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and c) the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8). Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into executive session at 6:58 pm.

Motion and roll call vote to go back into the regular business meeting session

- Motion made by Councilor Gordon, Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went back into the regular business meeting session at 7:59 pm.

Welcome everyone back and statement by the Mayor

- Mayor Ramsell stated the Governing Body of the City of Rio Communities, New Mexico, hereby states that on April 10, 2023 a Closed Executive Session was held and the matters discussed were for the purpose of the purchase a) the discussion of the annual Performance Evaluation and contract of the City Manager b) the Public works Supervisor position pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and c) the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)

Action Items

Recommendations, Discussion, Consideration, and Decision - a) the discussion of the annual Performance Evaluation and contract of the City Manager, b) the Public works Supervisor position c) the discussion of the purchase, addition or disposal of real property or water rights by the public body

- Mayor Ramsell said there are no recommendations coming out of executive session.

Adjourn

- Motion made by Councilor Winters to adjourn. Seconded by Councilor Apodaca. with a unanimous vote the regular business meeting was adjourned at 8:00 pm.

Respectfully submitted,

Elizabeth F. Adair, Municipal Clerk
(Transcribed by Cheyenne Sullivan, Assistant to the Municipal Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters,
Councilor