



**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, November 14, 2022 6:00 PM**  
**Minutes**

*Please silence all electronic devices.*

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**Call to Order**

- Mayor Joshua Ramsell called the regular Business meeting to order at 6:00 pm.

**Pledge of Allegiance**

- Councilor Winters 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 Fleck, Valencia County News-Bulletin Editor Clara Garcia.

**Approval of Agenda**

- Mayor Ramsell asked if action item #12 Resolution 2022 - XX Dangerous property - 101 Rio Communities Blvd (property) can be tabled.
- Motion made by Mayor Pro-tem Gutjahr to approve the agenda as amended. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the agenda for the regular business meeting was approved as amended.

**Approval of Minutes: Minutes for the City Council Workshop & Regular Business Meeting (10/24/22), City Council Special Business Meeting Minutes (10/28/2022)**

- Motion made by Councilor Winters to approve the workshop and regular business meeting of 10/24/22 and the special business meeting minutes of 10/28/22. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. with a 4-0 vote the minutes for the workshop & regular business meeting held October 24, 2022 and the city council special business meeting held on October 28, 2022 were approved as written.

**Public Comment**

- No public comments.

**Manager Report**

**a) Public Works Improvements**

- Manager Dr. Moore explained the security improvements are coming along as well as the glass will be delivered tomorrow, and the doors are going to be more secured as well. He continued the explain schedule changes are going to take place in similarity to the code enforcement grid.

**b) Comcast Franchise agreement**

- Manager Dr. Moore said we are working at getting services with comcast, and getting with attorneys, and preliminary drafts have been discussed but with a company that size it may take into January but are pleased they would like to work with us.
- Councilor Apodaca asked if there were any financial benefits for the city from Comcast.
- Manager Dr. Moore explained the agreement in itself has a percentage for the city but currently Comcast is under an agreement with the county, and we had told them we would like to have our own agreement.

**Municipal Court Department**

- See packet for report.

**UWS - Quarterly Report**

- Councilor Gutjahr said there is a listing to credit and going for holding but in our policy, we had a role as a city to follow up with such nuisance since they are violating our ordinance.
- Manager Dr. Moore explained that we have talked with code enforcement as well as the judge generally and haven't specifically gone over cases, but have been setting up cases to be coming forth.

**Approval of Accounts Payable**

- Motion made by Mayor Pro-tem Gutjahr to approve as presented. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved accounts payable as presented.

**Purchase of Executime Time & Attendance and Work Order modules for Incode**

- Manager Dr. Moore explained that in the City of Rio Communities we are continuing to organize our time as well as making sure we know where our employees are and when they are in the buildings or not in the building. In addition, it would tie into our payroll as well as in upgrade from the employee self-service system we have now. Further explained the work order module would help keep us organized as well as having cross training for the programs in the event he is not there someone would be able to understand where everything is at.
- Councilor Gutjahr said she noticed we have touch screen clocks of 7" and 10" and asked what the difference is for those.
- Finance Officer Finch said she was not sure if Dr. Moore wanted to have the kiosks or if he wanted to have people clock in at there desks as well as their cell phones.
- Manager Dr. Moore said this wouldn't be efficient especially if public works is out on a job and cannot make it inside to clock out.
- Mayor Ramsell said overtime we have to replace the units due to technology changes more than the hardware does.
- Councilor Winters said regarding the work order module would allow us to report that back into the system and the resident who informed us on the order can check themselves if it is completed instead of hounding city employees.
- Councilor Gordon asked what is the distance you can sign in outside of City Hall.
- Finance Officer said we can program the geofencing to where it can be accepted in the front as well as the back of the building and the same can happen at the fire department.
- Councilor Apodaca said this is a good addition on how we are communicating with employees.

- Motion made by Councilor Apodaca to approve the purchase of Executime time and attendance and work order modules for Incode. 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 Executime time & attendance and work order modules for Incode.

#### **Police Office Remodel Change Order**

- Manager Dr. Moore said as we are continuing to recruit a police officer, we are also continuing to complete the city hall renovations and the internal staff along with the contractors have looked into what has been done and continue to phase three. He then explained there is a raised platform in the police department that needs to be demolished as well as the sewer lines that need to be redone and the approximate cost will be \$20k-\$35k but may be higher due to electrical.
- Councilor Gutjahr said we have no clue what is under there and it would be interesting to see what the pipes would look like and remembers when the city first incorporated there was septic issues.
- Councilor Apodaca said he thinks these are good additions to the remodel with the extra precautions as well as the restroom septic system.
- Motion made by Mayor Pro-tem Gutjahr to approve the police office remodel change order. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the Police office remodel change order.

#### **Purchase of Backhoe and Skid Steer**

- Manager Dr. Moore said back at the beginning of the year the city ordered a bobcat/skid steer with accessories and were given September/October, then given October/November and now they are stating February/March. He then said since the initial order we have received the grant and fully executed the agreement which the total amount of the grant is \$300,000 and then said the quote is under \$250k. He further said our request is to go with another company who has our equipment.
- Councilor Winters said from the conversation that we had this afternoon with the other company they agree to cancel the purchase order since they cannot deliver the equipment.
- Motion made by Mayor Pro-tem Gutjahr to approve as presented. 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 backhoe and skid steer.

#### **Purchase of a Flat Bed Trailer**

- Manager Dr. Moore said with the saving of time and fuel it would be efficient if we get a flatbed trailer that can haul around the backhoe. He then said we do have a truck that council agreed on purchasing to haul around the trailer and then said the approximate cost is \$16,500.00.
- Councilor Apodaca asked for clarification is this trailer a goose neck or bumper pull.
- Manager Dr. Moore said it is a goose neck.
- Motion made by Councilor Apodaca to approve as presented. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the purchase of a flat bed trailer.

#### **Re-Obligate Public Works - Bill Brown Fund**

- Manager Dr. Moore said the bobcat we are purchase we had Bill Brown memorial funds that are strictly for the parks and public works we are asking for the \$150,000 we had allocated for

the bobcat that is not coming in and are reallocating these funds be used towards a new public works yard that will be brought to your attention in December.

- Motion made by Mayor Pro-tem Gutjahr to re-obligate the public works funds from the Bill Brown fund. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the re-obligation to public works – Bill Brown memorial funds.

#### **Safety Street Light Plan**

- Councilor Winters said the only comment he has is this is an excellent plan and it is a pick and choose as well as a cost breakdown.
- Councilor Gutjahr said since she wasn't here when it was presented but had time to review and found it was very impressive as well as it was readable.
- Councilor Apodaca said wherever we decide that safety lights be placed it is going to be a great addition to the city.
- Councilor Gordon said he has been waiting for this since he was in planning and zoning and happy it is moving forward.
- Motion made by Councilor Winters to approve the safety street light plan. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the Safety Street Light plan from HDR Engineering firm.

#### **Resolution 2022 - XX Dangerous property - 101 Rio Communities Blvd (property)**

- Tabled.

#### **Canceling the 11/28/2022 Workshop and Council Meeting**

- Mayor Ramsell said the consensus the last time spoken about this was to cancel but would like to hear from council as to what they would like to do.
- Councilor Gutjahr said it is a good idea due to people traveling and there was a discussion on accounts payable, but they would be paid and then discussed in the Decembers meeting.
- Councilor Winters had no comments.
- Councilor Apodaca agreed this is a great idea considering holidays and for emergency matters he will still be available.
- Councilor Gordon said he is in agreement and noting that day as an emergency meeting if necessary.
- Motion made by Councilor Winters to cancel the 11/28.2022 workshop and regular business meetings. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the cancelation of the workshop and regular business meeting for November 28, 2022.

#### **Personnel - Buy Back Vacation Leave**

- Manager Dr. Moore said in the 2022 version of the Personnel Policy that annually during the first council meeting in December that the council offer to buy back unused vacation time employees have. He further explained this is for council to let staff know so they can be ready with a proposal and continued to say the reason to do buy back is for the payroll to go down to a reasonable amount of money.
- Councilor Gordon asked how many times a year and when would the payment be issued.
- Manager Dr. Moore explained the buy backs are once annually and the payments are brought to council the first regular meeting in December.

- Motion made by Mayor Pro-tem Gutjahr to proceed with the Personnel buy back vacation leave to be presented at the December 12th meeting. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved Personnel-buy back vacation leave for approval at the December 12<sup>th</sup> meeting.

#### **Council Discussion**

- Councilor Apodaca had nothing to report.
- Councilor Gordon had nothing to report.
- Councilor Winters said we seem to be moving forward with cleaning up the streets and public works have been busy where several areas in town he has seen are looking great.
- Councilor Gutjahr reminded the accounts payable accounts are posted on the website and if the public has any questions, they can all city hall. She continued to thank the staff and council for a kind jester they had done for her.
- Mayor Ramsell gave a big thanks to the fire department and the fire department community as the past week there was a funeral for former fire chief Ruben and was a very good display as a community.

#### **Executive Session - For the purpose of 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) and for the purpose of Limited Personnel Matters – Public Works Director and Finance Clerk pursuant to NMSA 10-15-1(H)(2)**

##### **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 close session for the purpose of 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) and for the purpose of Limited Personnel Matters – Public Works Director and Finance Clerk pursuant to NMSA 10-15-1(H)(2). Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into closed session at 6:45 pm.

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

- Motion made by Mayor Pro-tem Gutjahr with a roll call vote to go back into the regular business meeting session. 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 7:56 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 November 14, 2022 Closed Executive Session was held and the matters discussed were for the purpose of 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) and for the purpose of Limited Personnel Matters – Public Works Director and Finance Clerk pursuant to NMSA 10-15-1(H)(2).

**Action Items - Consideration & Decision – Mayor recommendation regarding the purpose of 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) and for the purpose of Limited Personnel Matters – Public Works Director and Finance Clerk pursuant to NMSA 10-15-1(H)(2)**

- Mayor Ramsell said there were no recommendations at this time.

**Adjourn**

- Motion made by Councilor Winters to adjourn. Seconded by Mayor Pro-tem Gutjahr. With a unanimous vote the city council regular business meeting was adjourned at 7:58 pm.

Respectfully submitted,

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

Date: \_\_\_\_\_

Approved:

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Joshua Ramsell,  
Mayor

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Margaret R. Gutjahr,  
Mayor Pro-tem/Councilor

\_\_\_\_\_  
Arthur Apodaca,  
Councilor

\_\_\_\_\_  
Lawrence R. Gordon,  
Councilor

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Jimmie Winters,  
Councilor