



**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, July 26, 2021 6:00 PM**  
**Minutes**

*Please silence all electronic devices.*

### **Call to Order**

- Mayor Pro tem Peggy Gutjahr called to order at 6:00 pm.

### **Pledge of Allegiance**

- Councilor Winters led the Pledge of Allegiance.

### **Roll Call**

- PRESENT: Mayor Pro Tem Peggy Gutjahr, (virtual) Councilor Bill Brown, Councilor Joshua Ramsell and Councilor Jim Winters.  
Present: City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer Stephanie Finch, Finance Clerk Angela Valadez, (virtual) City Attorney Chris DeFillippo, and Valencia County News-bulletin Editor Clara Garcia.

### **Approval of Agenda**

- Councilor Winters moved to approve the agenda as written. The motion was second by Councilor Ramsell. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote the agenda for the City Council regular business meeting was approved as written.

### **Approval of Minutes: City Council Special Business Meeting Minutes 7/07/2021 & City Council Regular Workshop & Business Meeting Minutes 7/12/2021**

- Councilor Ramsell moved to approve the City Council Special Business Meeting Minutes 7/07/2021 & City Council Regular Workshop & Business Meeting Minutes 7/12/2021. The motion was second by Councilor Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote the minutes for the special business meeting held on July 7, 2021 and the city council regular workshop and business meeting held on July 12, 2021 were approved as written.

### **Presentations**

- ❖ Jeremy from FBT gave a presentation to Council, highlighting of City Hall Phase I office and storage space and Phase II recreation and public space including the existing multi-purpose room.
- ❖ Mayor Pro tem Gutjahr said we have been working with FBT for a while now to fit the needs of the building into our budget.
- ❖ Councilor Brown said he thinks it is a comprehensive plan that meets our needs and those who have put it together have done a good job.

### **Public Comment**

- No public comments. There were 3 residents present at the City Council meeting.

▪ **Manager Report**

- Manager Dr. Martin Moore said 2 issues that are out in the community right now, there have been rains and floods and we the engineers will be doing assessments on the damage; he received a call from the fire chief that there are sandbags and the public can call City Hall or the Fire station if they need some; we have been working on getting the roads cleaned; there are a lot of weeds coming up and we are in the review process of the public works applications so that we can start to handle these issues; talked with Public Works director to talk to some contractors to help with the weeds .
- Mayor Pro tem Gutjahr asked about contacting the fire department for sandbags.
- Manager Dr. Moore explained the process.
- Mayor Pro tem Gutjahr said that maybe we should have a number to call non-emergency number 505-865-9130 after hours and call City Hall during the day. The discussion continued.
- Manager Dr. Moore said we will be working directly with the US department of treasure on the American Rescue Plan funds so we will continue to pass information on to Council and the public as we get it.

**Discussion, Consideration, and Decision – Approval of Accounts Payable**

- Finance Officer Finch asked if there were any questions or do you wish to touch on anything for the public.
- Mayor Pro tem Gutjahr said something she would like the public to know that at the beginning of the Fiscal Year we have a lot of renewals for the entire year, such as maintenance for the server and the building, subscriptions to different companies and yearly contracts.
- Motion made by Councilor Winters to pay our bills, Seconded by Councilor Brown.  
Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters.  
With a 4-0 vote accounts payable was approved for payment.

**Discussion, Consideration, and Decision - Resolution 2021-16 NMFA Loan Agreement**

- Finance Office Finch explained at the end of May/June that we applied to the NMFA for a loan to pay for a fire truck and explained the loan is for 10 years the fire protection will be paying for it, we are currently paying for some other fire trucks in the amount of \$54,000 and those will be paid off in 2022 and the first payment for the new fire truck will take place after that loan is paid for.
- Councilor Winters said this is a continued effort to upgrade the fire department equipment, explained some of the expenses working on old equipment which was just not feasible and began a discussion.
- Councilor Ramsell said since the City has had a fire department in 2014, we have added one apparatus per year and we also have to have maintenance schedule on the existing equipment.
- Mayor Pro tem Gutjahr said our district is not just the City, but also covers the Tierra Grande and that fire station belongs to us as well, so new equipment is shared between stations
- Motion made by Councilor Ramsell to approve Resolution 2021-16 NMFA Loan Agreement.  
Seconded by Councilor Winters.  
Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters.  
With a 4-0 vote Resolution 2021-16 NMFA Loan Agreement was passed, approved, adopted, and signed.

#### **Discussion, Consideration, and Decision - Resolution 2021-17 BAR #4**

- Finance Officer Finch explained the adjustment was to approve some budget adjustments and read the resolution into the minutes.
- Motion made by Councilor Ramsell to approve Resolution 2021-17 BAR #4. Seconded by Councilor Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote Resolution 2021-17 BAR #4 was passed, approved, adopted, and signed.

#### **Discussion, Consideration, and Decision - Resolution 2021-18 Final Quarter**

- Finance Officer Finch read the resolution for the final quarter into the minutes.
- Motion made by Councilor Ramsell Resolution 2021- 18 Final Quarter. Seconded by Councilor Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote Resolution 2021-18 Final Quarter was passed, approved, adopted, and signed.

#### **Discussion, Consideration, and Decision - Resolution 2021-19 FY 2022 Final Budget**

- Finance Officer Finch read into the minutes FY 2022 final budget.
- Council began a discussion on the final budget.
- Motion made by Councilor Ramsell Resolution 2021-19 FY 2022 Final Budget. Seconded by Councilor Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote Resolution 2021-19 NMFA FY 2022 Final Budget was passed, approved, adopted, and signed.

#### **Discussion, Consideration, and Decision – Approval of Rio Communities City Complex Master Plan Including Phase II**

- Motion made by Councilor Ramsell to approve Approval of Rio Communities City Complex Master Plan Including Phase II. Seconded by Councilor Brown. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote Phase II of Rio Communities City Complex Master Plan was approved to move forward.

#### **Professions Service agreement for Legal Services: Between the City of Rio Communities and Robles, Rael & Anaya, P.C.**

- Councilor Ramsell explained this a continuation of the contract that we have between the City and the attorney.
- Attorney Chris DeFillippo said there was no change to the contract except for travel, mileage reimbursement that was not in the last contract because there was not much travel with Covid.
- Mayor Pro tem Gutjahr also stated that was changed to include who within the City can contact the attorneys.
- Motion made by Councilor Ramsell to approve Professions Service agreement for Legal Services: Between the City of Rio Communities and Robles, Rael & Anaya, P.C. Seconded by Councilor Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote Council approved the professional service agreement for Legal Services agreement between the City or Rio Communities and Robles, Rael & Anaya, P.C. The contract was then signed by Mayor Pro tem Peggy Gutjahr.

## **Council Discussion**

- Councilor Brown had no report.
- Councilor Winters said we have had discussions on how to elect information from citizens of the City, have had a forum regarding the flooding, but would like to have more forums to discuss issues that the residents feel are important.
- Councilor Ramsell said at the workshop we had discussion on the ICIP new listing of our priorities, and we would like the residents to be able to contact us with items they feel are important as well.
- Mayor Pro Tem the message board is going out for written quotes, we are working on a combined meeting with P&Z on the cannabis ordinance within the City, regarding where and what conditions it can be sold. She then said the library is almost finished are we are meeting with the board and meeting with the librarian of Belen, and our goal is to have a ribbon cutting soon.

## **Executive Session - For the purpose of 6-month Evaluation of the City Manager pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters**

### **Motion and roll call vote to go into close session**

- Motion made by Councilor Ramsell by roll call vote to go into executive session for the purpose of 6-month Evaluation of the City Manager pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters. Seconded by Councilor Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote Council went into closed executive session at 7:04 pm.

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

- Motion made by Councilor Ramsell by roll call vote to go back into the regular business meeting, Seconded by Councilor Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote Council returned to the regular business meeting at 8:16 pm.

### **Welcome everyone back and statement by the Mayor Pro-tem**

- The Governing Body of the City of Rio Communities, New Mexico, hereby states that on July 26, 2021 a Closed Executive Session was held and the matters discussed were limited only to the City Manager's 6-month evaluation and limited personnel matters as posted on the agenda.

## **Action Items - Consideration & Decision – Mayor Pro-tem recommendation regarding the 6-month Evaluation of the City Manager pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters**

- Mayor Pro tem Gutjahr stated the evaluation was excellent, recommendations were made, and we set goals.
- Motion made by Councilor Ramsell to accept the recommendation and keep Dr. Moore as the City Manager. Seconded by Councilor Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote Council concluded the evaluation and approved the continuation with Dr. Martin Moore as the City Manager.

**Adjourn**

Councilor Winters moved to adjourn. The motion was second by Councilor Ramsell. With a 4-0 vote the City Council regular business meeting was adjourned at 8:18 pm.

Respectfully submitted,

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Elizabeth (Lisa) Adair, Municipal Clerk  
(Transcribed by Amy L. Lopez, Deputy Clerk)

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

Approved:

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Mark Gwinn,  
Mayor

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Margaret (Peggy) Gutjahr,  
Mayor Pro-tem/Councilor

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Bill Brown,  
Councilor

\_\_\_\_\_  
Joshua Ramsell,  
Councilor

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Jim Winters,  
Councilor