



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, May 09, 2022 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

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

Pledge of Allegiance

- Arthur Apodaca led the Pledge of Allegiance.

Roll Call

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr (arrived at 6:10 pm), Councilor Arthur Apodaca, Councilor Lawrence Gordon, (virtual) Councilor Jimmie Winters
 - City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer Stephanie Finch, Accounting Specialist Angela Valadez, Fire Chief Andrew Tabet, Valencia County News-bulletin Editor Clara Garcia.

Approval of Agenda

- Motion made by Councilor Gordon to approve the agenda as written. Seconded by Councilor Apodaca. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote the agenda for the regular business meeting was approved as presented.

Approval of Minutes for the City Council Workshop & Regular Business Meeting (04/25/2022)

- Motion made by Councilor Apodaca to approve the workshop and regular business minutes as written. Seconded by Councilor Gordon. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote the minutes for the workshop and regular business meeting held on April 25, 2022 were approved as written.

Appointment of P&Z member

- Mayor Ramsell stated Mr. Ralph Fernandez is here to answer any questions you might have for him and including in the packets is his resume to become a member of the Planning and Zoning Committee.
- Councilor Apodaca thanked Mr. Fernandez for volunteering with the city and also stated Mr. Fernandez will be a real asset for the community.
- Councilor Gordon said thank you and he is glad Mr. Fernandez will be helping on projects.
- Motion made by Councilor Apodaca to approve the appointment of Mr. Ralph Fernandez to the Planning and Zoning Commission. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Council approved the appointment of Ralph Fernandez to the Planning and Zoning Commission.

Swearing in of the Planning and Zoning member

- Municipal Clerk Adair administered the Oath of office to Mr. Ralph Fernandez as the Planning and Zoning Commission.

Public Comment

- Mr Hautzinger said they are continuing the efforts in improving what we can since the Big Hole Fire hit 900 acres and 3/4 of Whitfield was lost beautiful 100-year-old cottonwood trees. He continued by saying he wants to continue partnering with the city and invited Council to do a walk about, then also invited Council to the May 21st session to come and support Whitfield.
- Councilor Gordon asked how the cleanup is coming along.
- Mr. Hautzinger said the understory is invasive and the overstory is the cottonwood trees, which can grow to be 100 years old and trying to come up with a plan to keep them properly managed. He continued by saying no matter if he fixes the damage from the fire there are still going to be setbacks that he must figure out but informed Council within the next month or so he will be bringing paperwork and asking for support for a fire solution.
- Mr. Albert Orientos, moved here in October, questions and concerns about where he lives, had neighbors come to his house stating there was theft such as a boat, a car, as well as street cones and chain from his front lawn. He then said he does not want to live with riff raft or traffic, and he began to state other problems that were of concern such as the streetlights, pavement not being finished down his road, as well as cement trucks just dumping excess everywhere, adding no trespassing signs and continued with owners not taking care of their properties, and continued with his concerns in his neighborhood.
- Mr. Garth Tallman talked about the plan development, kicking off a new development two to three blocks south of Nancy Lopez to the east of Lee Trevino is a very nice development with landscaping, and would like to add landscaping along the curb and sidewalks and in addition to the entrance is to add a very nice high-quality sign, and he's asking Council because it would be placed on city right-of-way.
- Mr. Tallman said he has 2 questions for Council which would be to approve the sign, and for the city to take responsibility of the improvements he is asking for. He then said there is a news release on the groundbreaking for this project as well as a press conference and this would be a tremendous opportunity for good publicity for the city.

Manager Report

- Manager Dr. Moore explained the request that Mr. Tallman and will definitely follow up and bring Council a site plan on where everything will be placed. He then said we are working on a lot of issues regarding roads being fixed and he said he will be presenting a map of the roads and how it all ties together for these residents.
- Manager Dr. Moore reminded that the library is having a soft opening May 21st at 1-3pm and the library board has been working very hard and are in hopes to get the library policy ready for review next meeting. He stated with the maker space, almost all the items have been purchased as well as one of the two rooms have been tiled with commercial tile and now the second room is in progress. He then started to talk about phase 1's demolition and how it is almost complete and now where the conference room was is only one big empty space and began talking about the fully staffed Public Works Department and how they did work on Hwy 304 and continued by giving his gratitude towards the Fire Department for helping with code enforcement around the city.

Municipal Court Department Report

- See agenda packet for report.

Universal Waste Systems Quarterly Report

- Councilor Gutjahr asked about the credit holds and if they don't pay what happens.

- Municipal Clerk Adair said they will be working with the Code Compliance Office but there will be a letter stating the holds are out of compliance, then it will be handed to Code Compliance and then they will issue residents to court.
- Councilor Gutjahr said she has noticed there have been more people but asked if it has been steady.
- Municipal Clerk Adair said it has dropped quite a bit and have a steady number as of right now.

Approval of Accounts Payable

- Councilor Winters said there is extensive list for the Fire Department but its that time of they year where they start using up all the retaining money and we have caught a lot of animals this last month but I think it's just the time of the year.
- Councilor Gutjahr complemented the fire department on what they have instituted on prevented maintenance.
- Motion made by Mayor Pro-tem Gutjahr to approve accounts payable as presented. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved accounts payable for payment.

FY 2023 Interim Budget

- Finance Officer Finch said they went over the budget, and nothing has changed, but then asked if there was any questions or comments and for the approval.
- Motion made by Mayor Pro-tem Gutjahr to approve the interim budget for fiscal year 2023. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the interim budget for fiscal year 2023 was approved.
- **Resolution 2022 - XX Time Extension and CO-OP Contract Funding to NM DOT**
- Manager Dr. Moore said we strongly recommend the approval of this resolution request in the time extension. He stated this for the San Lucas project and have 2 sources of funding, but this is the second piece we need for improvement after we return it to pre-flood conditions.
- Motion made by Mayor Pro-tem Gutjahr to approve Resolution 2022-11 Time Extension and Co-op contract funding to NM DOT, Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 11 Time Extension and CO-OP Contract Funding to NM DOT was passed, approved, adopted, and signed.

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

- Finance Officer Finch explained this will be our 3rd year with SJT, explained we are going to be doing the field work in mid-August and asked for approval.
- Councilor Gutjahr said they have done a great job
- Motion made by Councilor Apodaca to move forward with the fiscal year 2022. 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.

Resolution 2022 - XX Dangerous property

- Fire Chief Tabet asked if there were any further questions and then asked for the approval due to the hazardous the property is to the community.
- Councilor Apodaca stated that it will be at the cost to the city but hiring a company to go in and clean plus removal of hazardous waste.
- Fire Chief Tabet said he does not believe it will get better.
- Councilor Gutjahr said this is a great start.
- Motion made by Councilor Gordon to approved Resolution 2022-10 Dangerous Property. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 10 Dangerous Property was passed, approved, adopted, and signed.

City Attorney Contract

- Motion made by Mayor Pro-tem Gutjahr to approve the GAP contract with the attorneys until the fiscal year. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the GAP Contract with Robles, Rael and Anaya PC.

Council Discussion

- Councilor Winters no report.
- Councilor Gordon nothing new to report.
- Councilor Gutjahr said she has noticed the ATV signs and reminded that ATVs are not allowed on those streets with the sign.
- Councilor Apodaca said he would like to see the beatification of signs and little bit goes a long way in showing the community we are making changes.
- Mayor Ramsell had no comment.

Executive Session - For the purpose 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 to go into close session For the purpose 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 Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into executive session at 6:57 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 Gordon. 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 7:36 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 May 9, 2022 a Closed Executive Session was held and the matters discussed was 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 - Consideration & Decision – Mayor recommendation regarding the purchase, addition or disposal of real property or water rights by the public body

- Mayor Ramsell had no recommendations at this time.

Adjourn

- Motion made by Councilor Apodaca to adjourn. Seconded by Councilor Gordon. With a 4-0 vote the regular business meeting was adjourned at 7:37 pm.

Respectfully submitted,

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

Date: _____

Approved:

Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters,
Councilor