



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, July 12, 2021 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Pro tem Gutjahr called the regular business meeting to order at 6:02 pm.

Pledge of Allegiance

- Councilor Ramsell 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, and Finance Officer Stephanie Finch

Approval of Agenda

- Councilor Ramsell moved to approve the agenda with amendment of moving the Manager's Report before Public Comment. 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 agenda for the City Council regular business meeting was approved as amended.

Approval of Minutes for the Workshop & City Council Minutes for June 28, 2021

- Councilor Brown made a motion to approve the Minutes for the Workshop and City Council Minutes from June 28, 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 Workshop and City Council Minutes from June 28, 2021 were approved.

Manager Report

- Manager Dr. Moore said the incident that occurred here last week, when the community experienced the 100-year rainstorm, resulting in some damage. He then explained the damaged on Western Drive and factors that will be discussed with the engineers. He continued to discuss items for concern including cleaning the silt on roads and culverts to contact, anyone needing flood damage relief can contact the American red Cross. He continued to explain there will be a meeting internally to discuss the Golf Course flooding issue and the Mayor, Chief and himself were in a meeting on Friday and were told the City is included in the disaster declaration and are working with the finance department to put in for the preliminary damages and will be meeting with the Department of Homeland Security to do field inspections for damages. He said here at the City we are working on things behind the scenes, there was significant water infiltration to City Hall and have had a company in to help us, we will be getting some fire department volunteers to help clean the silt off the road. He then explained the storm is holding up road work, but we are working with State and Local governments and with the storm water study that we recently had put in place, we are shovel ready for some of those drainage projects.

- Councilor Ramsell recommend regarding sandbags, unfortunately County decided to go through the City of Belen to stage the sandbags for the public, but we are doing our best to get some here and began a discussion.
- Councilor Winters said that is at the heart of the issue has been the flooding.
- Councilor Brown said wanted to commend, people on the Council, City Manager at being on call, with a quick response time.
- Mayor Pro tem Gutjahr said that Universal Waste System donated the roll offs for the public to dispose of the flood debris. She then said we immediately came into City Hall to get the proclamation in place that we would need to get some help from the State and thanked everyone for their quick response.

Public Comment

- Ronnie White said he lives on Western Drive and would like to congratulate the Council, Pro tem Mayor, City Manager and staff that came in the middle of the night to get things in order; he would also like to give a shout out to Councilor Winters and Councilor Ramsell who personally went door to door to get people at this meeting tonight. He then voiced a concern on Damon Rd and Goodman, saying he almost hit a pedestrian the other night because of the lack of streetlights. He then said he has a plan for City parks.

Commissioner and Board Reports

Economic Development Report

- No report from EDC

Planning and Zoning

- Manager Dr. Moore gave the report: The Commission plans on renewing the Comprehensive Plan sometime during 2021; they will be finishing the Abatement Ordinance to go to Council for approval shortly; they will be reviewing the Animal Control Surveys they sent out; they added RV storage as a topic for discussion and will continue to look at other areas to get information about RV storage; they will continue to look at neighborhoods as far a unique needs, issues, lot sizes, and individual neighborhood identities.
- Councilor Winters asked when the deadline was for the Animal Welfare Survey.
- Manager Dr. Moore said July 15th is the deadline but if we get some after that, we will not turn them down.

Department Reports

Municipal Clerk Department

- Municipal Clerk Lisa Adair gave the Clerks department report: For the month of June, Deputy Clerk and I have working with MuniCode for meeting management software and are working out glitches with the packets, have explained to Commissions how the new software will work and have went live with that software with both Commissions; Amy will be keeping and agenda book for Commissions as she does with Council; she has manually changed more addresses and streets to reflect Rio Communities rather than Belen on Google Maps; meetings scheduled with Incode this month for licensing and permits, helped procurement to get all ITB in the newspaper as well as several job openings, met with the Library Board candidates with the City Manager; attended the hiring committee for the hiring of the Fire Chief; attended the meet and great at the fire house with perspective chief

candidates; Deputy Clerk and I have been laying out our temporary, shared office space on the other side of the building; we have also printed out over 2,500 Animal Surveys and Envelopes and with stuffed about 246 of them, with John Thompson and Lawrence Gordon doing the rest, and when they were ready we mailed them out in two bundles.

Finance Department

- Finance Officer Stephanie Finch gave the Finance Department report: Accounts payable; reconciliation of bank accounts; bi-weekly payroll, payroll reporting, and taxes; grant management and monthly reporting; paperwork for the NMFA loan for the new fire truck; attended the NMFA meeting for the loan for the new fire truck; we held pre-bid conference for invitation to bid for 2021-0105; worked on year end adjustment which include printing out the trial balance, reviewing the numbers to see what adjustments need to be made for the auditors; preparing for end of the year and fiscal year 2021 audit; and working on the finish touches for the final budget that will be presented to Council for approval on July 26.
- Councilor Winters said this has been the busiest summer that we have ever had with 13 grants and a lot of that falls on procurement and the treasure as well as the Clerk because of the paperwork that comes in and we hope to have another one like this next year.
- Councilor Ramsell said thank you to the staff, because without them nothing would get finished; all of this work takes time.

Code Enforcement Department & Public Works Department

- Manager Dr. Moore gave the report for both the code enforcement and public works department: the backfill of Code Enforcement cases that are coming up while we are in the process of hiring another Code Enforcer; we would like to thank the fire department too for handling some of the Code Enforcing as well; Public works has had a few applications turned in as well as a few for the Code Enforcer position and we will be reviewing them soon; Golf Course Lane is having preliminary work done on it, including the removal of a dead tree, before the contractors come in; new flags have been ordered for the fire department and City Hall; there is an area of the community that has been stockpiled with more than 200 tires and will take 3 three roll-offs to take those out of here and might take some volunteers to help with those; the library materials have come in and has been cut to size to make the shelving; the large room for a shared office for the clerks is being prepared for them to move over; there is more that is not included in the report.
- Councilor Ramsell said the tires, trash, the couches, and illegal dumping does not seem to be coming from Rio Communities residents but other people who see it as a dirt road and not as part of the City, and with the gracious donation of the dumpsters we are welcoming people to use them to dump their items. A discussion began regarding dumping.
- Councilor Brown said not sure how active the fire personnel were over the fourth of July weekend, not so much as he can remember in the past several years, although there were several complaints on social media, but he appreciates how much better the ordinance was enforced this year.
- Mayor Pro Tem Gutjahr said she walks around the eastside it has been spotless since Code Enforcement started cleaning up out there and since they have been gone it is getting bad out there. She then reminded the public that Universal Waste will pick up large items four times a year, yard waste twice a year, and tires twice a year. She then said she is excited about the library which will have a doorway into the Clerk's office for checkout out and explained the plans for library expansion and indoor recreation.

Fire Department

- Chief Tabet started with the 4th of July was quieter than in the past, with 8 calls in a 6 hour span, did patrols intermediately and negate those issues; July 6th at 8:30 in the evening hit with a rainstorm and we got together with other departments to help Belen and activated the County protocols for emergency action, and was told to get Council together to create a proclamation, which is what we did at midnight; he explained the areas that they assessed and the meeting with the State about damage; we do have 200 sandbags that will be at the old station eight to keep them dry and will start keeping our own when we have proper storage; we working with the will be working with FEMA to see what kind of site we need to build so that we can house our own; we had 46 calls in the month with 13 being mutual aide, 15 were EMS, and the rest were fire; the fire calls have tapered off since we have had the moisture.
- Councilor Brown asked of the 15 EMS calls, how many of the calls did RGEFD respond to?
- Chief Tabet said those were the calls that RGEFD did go on and began a discussion.
- Mayor Pro tem Gutjahr said we are in the process of hiring 2 EMT's that will have 4 ten hour shifts during the week that will help cover Rio Communities through the week when volunteers are most likely working and continued the discussion.

Municipal Court Department

- Court Clerk Lisa Adair gave the Court report: For the month of June 2 traffic violations were filed, with corrections fees of \$180, court automation fees of \$54, judicial education fees of \$27, Court fines of \$215, with a total of \$476 collected in the courts.

Discussion, Consideration, and Decision – Approval of Accounts Payable

- Finance Officer Finch went briefly over the accounts payable cost over \$500.00: PNM for streetlights in the amount of \$935.77; PNM for electricity for both Fire Departments in the amount of \$1,714.40; WEX Bank for fuel for the fire department in the amount of \$994.51.
- Councilor Ramsell said roll-off container from Universal for \$362.17 and explained that every month the City offers two roll-off containers for residents to use, and one is donated from Universal Waste and the other the City pays for and began a discussion.
- Mayor Pro Tem Gutjahr explained the process of accounts payable and check signing, including going through each invoice before signing off on the check.
- Councilor Winters moved to pay the bills. The motion was second by Councilor Ramsell. 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 - Contract for ITB #2021-0105

- Finance Officer Stephanie Finch explained we received a grant in the amount of \$160,000 from NMDOT, there portion was \$120,000 with a match from the City in the amount of \$40,000; we went out for bid and explained the scope of work on Suncrest, Sombrero Loop, Gorman Ave to the end of Pageant Drive, Plunket Court, Unitas Court, and Guapo Drive. She then explained GM Emulsions came in with the lowest at \$145,925 plus gross receipts tax with a total of \$157,507.80. The bid included the base bid and the option which came in right under budget, with the grand total being \$160,000 including our 25%, and the contract is just the normal contract.

- Councilor Ramsell said chip and seal is a good way to keep roads in traverse conditions and is glad we able to get this done very quickly.
- Councilor Winters explained that chip and seal is basically extending the road life another 5 – 7 years and although we would like to cut and replace all the roads, we don't have that kind of money.
- Councilor Brown said this is our tax dollars at work and a grant that we do not pay the full price ourselves, but a percentage of the price, and are able to do the roads in an efficient manner.
- Mayor Pro tem said we do have a road plan, which includes assessment and when we do apply the NMDOT we already know we have a list of where they are planned; we pay 25% matching out of general fund on this grant.
- Councilor Ramsell moved to approve Contract for ITB #2021-0105. 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 contract for ITB #2021-0105 was passed, approved.

Discussion, Consideration, and Decision - Resolution 2021-xx NMDOT Cooperative Agreement

- Manager Dr. Moore explained the grant: We have added something different to previous agreements and that is we have included project/construction management; this project is in the amount of \$186,472 with 25% of that a match from the City at \$46,618, with the State paying \$139,854. He explained the scope of work which includes a properly engineered project to deal with the drainage/erosion problem on Chamartin and San Lucas Roads. The State will come and see that area in the assessment of the flood damage, and we might be able to dovetail money into that project. This project does need to be done as it is a major safety issue.
- Municipal clerk Adair read into the minutes Resolution 2021-15.
- Councilor Ramsell said that area has been an area of concern for a while now, we have fenced it off, filled it with rip rap, asked NMDOT for funding and now it looks like we might be able to get additional funding.
- Councilor Winters said the other grant to do the drainage study has really paid off for us and adding the engineering study will allow us to apply for other grants.
- Mayor Pro tem said hiring the engineering company was a real plus.
- Councilor Ramsell moved to approve Resolution 2021-15 NMDOT Cooperative Agreement. The motion was second by Councilor Winters to approve Resolution 2021-15 NMDOT Cooperative Agreement Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote Resolution 2021-15 NMDOT Cooperative Agreement was passed, approved, adopted, and signed.

Discussion, Consideration, and Decision – Appointment of Library Board Members

- Mayor Pro Tem Gutjahr said this is an exciting moment for all of us and listed the library board members: Deborah Benavidez, Bobby Caldwell, Lisa LaManna, Lisa Tabet-Chavez, Carolina Rita White & Merita Wilson.
- Councilor Ramsell moved to approve the Appointment of Library Board Members read. The motion was second by Councilor Brown. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote the Appointment of Library Board Members as being Deborah Benavidez, Bobby Caldwell, Lisa LaManna, Lisa Tabet-Chavez, Carolina Rita White & Merita Wilson was approved.

Swearing in of Library Board Members

-  The new library Board Members were sworn in by Judge Noelle Chavez.

Council Discussion

- Councilor Brown nothing at this time.
- Councilor Winters said the library has quite a history, that started with Bobby Caldwell and the founders group starting the little library that is a free standing box outside that people park at and people get books and exchange books for different ones, then they collected a lot of books to keep it stocked, and then, with the help of Legislature Mathew McQueen, Rio Communities received a Junior Grant and that is what has built the room and provided furnishings and computers, and since then we have received an additional \$10,000 for the library. He then said he feels there are plenty of grants out there to apply for more grants.
- Councilor Ramsell thanked everyone for expressing their interest in the community and being involved in many different aspects. He then said the library has been a long time coming and thanked the Board.
- Mayor Pro tem Gutjahr said she has been in touch with the Belen Librarian, who is excited for us and is willing to help in any way she can and at some time will come and talk to us about more funding and other things. She then said she would like to put out a reminder that tomorrow night is a neighborhood forum at 6 pm for the residents of Western Drive. She then said we will be having other forums this summer on different topics and also we are going out for quotes on our electric sign on the big sign in the parking lot.

Executive Session - For the purpose of the City Manager 6-month evaluation, review, and the purpose of discussing the hiring of a Fire Chief & limited personnel matters. NM Section 10-15-1 (H)(2)

- **Motion and roll call vote to go into close session**
 - Councilor Ramsell moved with a roll call to go into executive session for the purpose of the City Manager 6-month evaluation, review, and the purpose of discussing the hiring of a Fire Chief & limited personnel matters. The motion was second by Councilor Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote council went into executive closed session at 7:22 pm.
- **Motion and roll call to go back into regular business meeting session**
 - Councilor Ramsell motioned to go back into the regular business session. The motion was second by Winters. Voting Yea: Mayor Pro Tem Gutjahr, Councilor Brown, Councilor Ramsell, Councilor Winters. With a 4-0 vote council was back into the regular business session at 8:25 pm.
- **Welcome everyone back and statement by the Mayor:** The Governing Body of the City of Rio Communities, New Mexico, hereby states that on July 12, 2021 a Closed Executive Session was held and the matters discussed were limited only to the City Managers evaluation, review, and the purpose of discussing the hiring of a Fire Chief limited personnel matters as posted on the agenda.

Action Items - Consideration & Decision – Mayor Pro-tem recommendation regarding the City Manager 6-month evaluation, review, and the purpose of discussing the hiring of a Fire Chief & limited personnel matters.

- No action was taken.

Adjourn

Councilor Ramsell moved to adjourn. The motion was second by Councilor Winter. With a 4-0 vote the City Council regular business meeting was adjourned at 8:26 pm

Respectfully submitted,

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

Date: _____

Approved:

Mark Gwinn,
Mayor

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

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Jim Winters,
Councilor