



**City of Rio Communities Council Special Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Tuesday, December 20, 2022 6:00 PM**  
**Minutes**

*Please silence all electronic devices.*

**Call to Order**

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

**Pledge of Allegiance**

- Councilor Lawrence Gordon led the Pledge of Allegiance.

**Roll Call**

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr (virtual), Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.
  - City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair.

**Approval of Agenda**

- Motion made by Councilor Gordon to approve the agenda. 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 special business meeting was approved as presented.

**Review the language of the approval letter for the rezoning and special use permit for the solar overlay**

- Manager Dr. Moore explained the letter for the rezoning and special use permit coming from the planning and zoning and subject to the following conditions for approval are the company is allowed to determine their visibility with either chain link fence, plastic slats or vegetation with an openness of 80% and will be maintained by the company during the duration of time.
- Clerk Adair stated there were 3 other items added as well and stated what they were starting by the council found 230 single family homes located across the road, council found there are concerns and what extent the project will be visible for the residential properties and some sort of shielding or buffer between the project and proposed residential development would make for a more appropriate transition from the residential properties to the proposed solar project.
- Councilor Winters asked if they are not approved by the PRC, do they want to keep the solar overlay in place.
- Manager Dr. Moore explained that they did not say what would happen if they were turned down but do understand that if the development doesn't happen the underlying zoning is still good.
- Motion made by Councilor Winters to approve the approval letter with the changes made of the solar overlay zone. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the approval letter has been approved.

**Capital Outlay (priorities)**

- Manager Dr. Moore said in relationship to the priorities for capital outlay there has been discussions of major issues, and one was the City Hall multi purpose complex, Parks and Open Spaces as well as public safety equipment and streetlights. He continued to explain he recommends council to pick the major 3 they would like to see move forward.

- Manager Dr. Moore went back to past conversations and recalls one thing that was mentioned was the legislators requested if a project was close to finished make sure to have it on the outlay.
- Manager Dr. Moore further said the City Hall is definitely a project we need to finish, as far as the streetlights we know what the costs are and relationship to those are, the fire station has gone so long before we became a city, so we are trying to catch up to things that have been left.
- Manager Dr. Moore said if they do decide to ask for money for unfinished projects he recommends no more than less than \$500k due to zoning for the next part as well as electrical and fire inspections.
- Councilor Gordon asked if the design was already done for the project.
- Manager Dr. Moore said the master plan is completed but the initial demolition is not complete.
- Councilor Apodaca asked if this is a wish list or a limit to the funding that we can request.
- Manager Dr. Moore said we can request as much as we want but the question is how much we are going to get. He continued to say part of phase two has been done which is the maintenance part of the project.
- Councilor Apodaca asked should we ask for what we think we need for completion plus a little
- Manager Dr. Moore said definitely and if you want to ask for more you are more than welcome to.
- Councilor Apodaca asked if he knew what they could ask for.
- Manager Dr. Moore said right now it's hard to tell.
- Councilor Gutjahr said she is wondering if this is going to be a conversation with the legislators plus they have the initial ICIP and continued to say what if council asked, in a list, for what needs to be completed in the city hall complex and then asked with all the stuff with the American rescue would any of these things would be covered and 2nd in the past we have asked for a fire department master plan on the equipment so that we know long term what needs to be replaced she thinks this is important as well and knows since taking on the fire department there was going to be a lot of catching up to do but if stating in depth in things that need to be completed would help them.
- Manager Dr. Moore said the building cost estimate is somewhat skewed and explained what the rescue plan pay for in relation to fire protection and building security and the answer was probably not but to continue and the council room the answer was probably so and continued with the discussion on the priorities.
- Manager Dr. Moore went back to the city hall complex and stated if they bring this up to the legislators by saying we are asking \$600k for the substantial completion of phase 2 this is a good idea as well as having a copy of the master plan and identify what we have done and what is left to complete.
- Councilor Apodaca said he thinks it would behoove to go after the whole enchilada as they might turn them down as well as cut back what they are asking for but says this might be the perfect time to ask for the whole enchilada and continued with the discussion.
- Manager Dr. Moore explained we have 4 new legislators and giving them our request may lead to questions as to why they haven't been able to finish but can give them all the documents and state this is all we need to finish and see where it goes.

- Councilor Gordon asked if you asked for everything will they tell you no you are not getting the amount or do they cut it down to a certain price.
- Manager Dr. Moore said they will say they think we are far out of range and wont look at the proposal.
- Councilor Gutjahr said they might not say anything and said her feeling is that we need to get ahold of legislatures and be able to talk to them at length about where we are at and what we need to do at this point in time and continued the discussion.
- Manager Dr. Moore further said if we can get their feedback in a timely manner then we will be able to move forward but have been trying and expect the holidays are playing a role with this.
- Councilor Winters said we need to be careful how we word the requests and then asked are we going to ask similar amounts for the top 6 items or just 3 and continued with the discussion.
- Manager Dr. Moore said 2 but can choose 3.
- Councilor Winters asked if these are the only priorities we are going to choose from and explained other priorities that are an issue as well as asked if this was it for the police department.
- Manager Dr. Moore said as for the \$300k it is for the initial plan for the police department.
- Mayor Ramsell asked Manager Dr. Moore to go over what we have in funds for parks currently.
- Manager Dr. Moore explained we have a grant for \$250k as well as \$390k and still have the Bill Browns memorial fund with \$180k.
- Mayor Ramell said he just wanted to remind everyone what funds we have for land acquisitions and continued the discussion.
- Councilor Winders explained there will be a plan for the fire department, but the plan needs approval from the state fire department as well.
- Manager Dr. Moore said he strongly agrees with Councilor Winters.
- Councilor Apodaca said he feels they need to focus on 2 then 3 and explained they know what 2 should be but they need to discuss what the 3<sup>rd</sup> will be.
- Councilor Gutjahr said she agreed and said she is in more favor of finishing off City Hall and would rely on conversations on the storm water as well as the lights and continued the discussion.
- Manager Dr. Moore said the area of town that has not been planned for storm water drainage is the section of town where the golf course is and did receive word from the New Mexico Finance Authority that we are able to apply for a grant for up to \$50k for planning in that area.
- Councilor Winters said if that is attached to the storm water and were lucky enough to get some of the designs done.
- Mayor Ramsell said the police department complex is not for right now but for a stand-alone building in the future and continued the discussion.
- Councilor Winters asked if the police department will be off the list.
- Mayor Ramsell said as for as requesting for the top 3, yes.
- Manager Dr. Moore continued the discussion on the projects from the drainage master plan that the engineer had made back in 2021.
- Councilor Winters said if we chose Storm water/drainage we can get plenty of projects ranging from \$300k-\$500k.
- Mayor Ramsell said completely this project, city hall, and with storm water it has really hurt our infrastructure and then the 3<sup>rd</sup> possibly streetlights if we are looking for another project and continued the discussion.

- Councilor Winters said with drainage what would leave a bad taste in their mouths is the fact that they would approve a lot of money but not coming back to them and asking for more.
- Mayor Ramsell agreed with Councilor Winters and said with funds he likes it's a great idea to put all these plans ahead and start knocking them all out and be ready to move on to other projects ahead. He further recapped the top 3 projects would be City Hall, Storm Water and Streetlights.
- Mayor Ramsell said dollar amounts for City Hall \$600k, Storm Water \$300k, Streetlights \$350k.
- Councilor Gutjahr said it is good for us to have a bottom line and does think as talking with them numbers might not be set in stone, but we need to figure out what we would tolerate.
- Manager Dr. Moore said in 2021 we have received \$720k and in 2022 we have received \$900k in capital appropriation.
- Motion made by Mayor Pro-tem Gutjahr to approve the capital outlay priorities as discussed and finances as stated. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the top 3 capital outlay priorities and requested amount to be submitted to the legislature were approved by Council.

#### **Setup date for Special Workshop with Legislator(s)**

- Council had a discussion on dates and Manager Dr. Moore stated what dates the legislators will be busy and said June will be a good time to set up a date.
- Clerk Adair said on the request forms it states any requests should be made by Thursday January 12<sup>th</sup>, 2023.
- Councilor Gutjahr asked if they are supposed to give idea dates of if anyone can send anything to them.
- Manager Dr. Moore said they can come up with 3 dates and times to be able to meet with the legislators and have them pick what works for everyone and continued the discussion.
- Councilor Gordon asked how the wording would be for the paperwork.
- Manager Dr. Moore explained how it will be said and continued the discussion.
- Motion made by Councilor Winters to table item #3 setup date for special workshop with legislators. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote date for a special workshop with legislators have been tabled.
- Manager Dr. Moore asked for clarification if this will give staff direction to move forward.
- Mayor Ramsell said yes.

#### **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)**

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

- Motion made by Councilor Apodaca with a roll call vote to go into 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). Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into a close session at 7:22 pm.

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

- Motion made by Councilor Gordon with a roll call vote to go back into the special business meeting session. Seconded by Councilor Apodaca. Voting Yea: Councilor Apodaca, Councilor

Gordon, Councilor Winters. With a 3-0 vote council was back into the regular business at 7:43 pm.

**Welcome everyone back and statement by the Mayor**

- Mayor Joshua Ramsell stated: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on December 20, 2022, a 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).

**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)**

- Mayor Ramsell said there are no recommendations.

**Adjourn**

Respectfully submitted,

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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