



City of Rio Communities Council Special Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, July 31, 2023 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Ramsell called the special business meeting to order at 6:10 pm.

Pledge of Allegiance

- Counselor Gutjahr led the Pledge of Allegiance.

Roll Call

- PRESENT

Governing Body

Mayor Joshua Ramsell
Mayor Pro-tem Margaret R. Gutjahr
Councilor Arthur Apodaca
Councilor (virtual) Lawrence Gordon
Councilor Jimmie Winters

Staff

Manager Dr. Martin Moore
Clerk Elizabeth Adair
Fire Chief Andrew Tabet
Attorney Randy Van Vleck
Press Clara Garcia

Approval of Agenda

- Motion made by Councilor Apodaca to approve the agenda as written. Seconded by Mayor Pro-tem Gutjahr.

Voting Yea:

Mayor Pro-tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

With a 4-0 vote of Council approved the agenda as presented.

Public Hearing

Motion and roll call vote to recess Regular Business Meeting session and to go into Public Hearing

- ❖ Motion made by Mayor Pro-tem Gutjahr with a roll call vote to recess the regular business meeting session and go into the public hearing for consideration of chapter 4 zoning code. Seconded by Councilor Gordon.

- ❖ Voting Yea:

Mayor Pro-tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

With a 4-0 vote Council went into the public hearing at 6:10 pm.

Consideration of Chapter 4 Zoning Code

- ❖ Manager Dr. Moore explained that there are a couple of things, we made presentations several times, we focused on Commercial and industrial we focused on commercial 1 and 2 taken out of zoning code and industrial 3 will be annexed areas outside of the current city

limits. There will be no I1 or I2 zones. The other additions are permitted uses in other parts of the state for commercial and for a new business manufacturing zone. There are a couple of definitions that need to be added before the Council finalizes things one is a definition of fabrication the other is a definition of manufacturing another is a how we will deal with temporary uses. Let's say rail Spur movement of these rail cars we have cars waiting and sitting for delivery on main track they are looking at ways and mechanism to be able to utilize existing spurs to move those cars in and out. Our timing and talking about zoning ordinance talking about how long we want car to sit there will be a good one I strongly recommend the zoning task force sit down and look at it and bring it back to you. Let's say DOT needs to put a mix plant in we will take a look at the length of a job and make it clear that temporary ties to the job and is not excessive in nature. Other than that, I think if we tackle those issues, we will be ok. What do we need to do to be business friendly and let our residents know what is going on.

- ❖ Councilor Gordon said one question I have with the example of the box truck sitting there and they have to take it can we put something in there that they can only be allowed to do this at certain hours because that can be loud when they hook up and we don't need our residents hearing that at 2 in the morning.
- ❖ Manager Dr. Moore said time, place manner those types of things can be put in there. So the short answer is yes.
- ❖ Councilor Gutjahr when we do make the motion, we need to add in there that we will come back and add several definitions in there and then said I hear the coupling so I don't know how much we can restrict them per hour.
- ❖ Manager Dr. Moore said around 12 and 2 in the morning we do hear some of those from across the river and then said we do have noise standards in the zoning code.
- ❖ Chief Tabet said we do have noise ordinance we can revisit and redefine it as what qualifies for the noise ordinance.
- ❖ Councilor Apodaca said I just want to thank everyone on the task force everything they have accomplished has been good and necessary and having new zoning ordinance that are clear cut are going to be good for our residents as well as businesses looking to do business here.
- ❖ Manager Dr. Moore said his recommendation is a continuation of the public hearing until August 14.

Motion and roll call vote to go back into 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:
Mayor Pro-tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters
- With a 4-0 vote Council was back into the regular Business meeting session at 6:25 pm.

Ordinance 2023 - (88) Ch 4 Zoning Code

- Motion made by Mayor Pro-tem Gutjahr continue our public hearing on Ch 4 Zoning Code till August 14, 2023. Seconded by Councilor Gordon.

- Voting Yea:

Mayor Pro-tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

With a 4-0 vote Council will continue the public hearing at the August 14 regular business meeting.

Zia Sports Academy - Joshua Kerns (event planner)

- Manager Dr. Moore updated council said looking over the budget we have, if you went with your consultant there is a limited amount of money, there is going to be a budget for the event, and I will recommend not to go over \$10,000.00 if it goes over, we need to look at other sources to come up with that money. He further explained the core of this event is to announce to the world we have been here for 10 years and to recognize those who have worked hard to get us to where we are at right now and the 2nd that was tied to that to utilize things that a somewhat familiar with us like the health fair or a car show. There was a list of things, you must have a number of people involved and activity committed. The building itself will be ready in time for both outdoor and indoor. As far as the consultant that is something the base amount that was requested was for Zia sports and continued to talk about the things we need to have.
- Councilor Apodaca said one of the things he was concerned about was the cost, we decided to eliminate the fireworks, as for the parade there is no time to plan a parade. So, we decided to not have those two events and we are looking into the cost of a drone show. I am in favor of hiring Josh and letting him coordinate this event and talked about him raising funds for this event as well
- Councilor Gutjahr said another thing that came up is to not to have a spirit tent this year mainly because we would need more police presence, we don't have that right now and the fireworks was the other one. I do think we need the event coordinator. Who would oversee that contract will it be the City Manager.
- Manager Dr. Moore said yes, I will oversee the contract.
- Councilor Apodaca said we want to come up with a name that we will use year after year.
- Attorney Van Vleck said the last drone show I negotiated a contract for was about \$35,000.00 so I don't think you are going to save any money with that. So, I do think that it is a good idea to execute those contracts to not to exceed amount.
- Mayor Ramsell said the recommendation of \$10,000.00 is to include the event coordinator fee.
- Manager Dr. Moore said included and if additional funds are raised then we will come back to council. I think the \$10,000.00 is good.
- Motion made by Councilor Apodaca to approve the Zia Sports company run by Josh Kerns and the terms to be negotiated by Dr. Moore and maximum \$10,000.00. 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 negotiation for Zia Sport company run by Josh Kerns and the terms to be negotiated by Dr. Moore to a maximum of \$10,000.00.

Executive Session - For the purpose of Police Chief Selection and Contract 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 Apodaca with roll call vote to go into close session For the purpose of Police Chief Selection and Contract pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters. Seconded by Councilor Gordon.
 - Voting Yea:
Mayor Pro-tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters
- With a 4-0 vote Council went into executive session at 6:48 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 Mayor Pro-tem Gutjahr.
 - Voting Yea:
Mayor Pro-tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters
- With a 4-0 vote Council went back into the special business meeting session at 8:23 pm.

Welcome everyone back and statement by the Mayor

- See agenda for Statement.

Action Items From Executive Session

Recommendation, Discussion, Consideration, and Decision - For the purpose of Police Chief Selection and Contract pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters

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

Adjourn

- Motion made by Councilor Apodaca to adjourn. Seconded by Mayor Pro-tem Gutjahr.
 - Voting Yea:
Mayor Pro-tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters
- With a 4-0 vote the special business meeting was adjourned at 8:24 pm.

Respectfully submitted,

Elizabeth F. Adair, Municipal Clerk
(Transcribed by Lalena Aragon, Deputy Clerk)

Date: _____

Approved:

Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters,
Councilor