



**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, August 22, 2022, 6:00 PM**  
**Minutes**

*Please silence all electronic devices.*

**Call to Order**

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

**Pledge of Allegiance**

- Councilor Gutjahr led the Pledge of Allegiance.

**Roll Call**

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.
  - City Manager Dr. Martin Moore, Assistant to the City Manager Amy Lopez, Fire Chief Andrew Tabet.

**Approval of Agenda**

- Mayor Ramsell asked to table action #5 Police loan agreement.
- Motion made by Mayor Pro-tem Gutjahr to approve the agenda as amended. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a unanimous vote the agenda was approved as amended.

**Approval of Minutes: City Council Special Workshop (07/18/2022) and Special Business Meeting Minutes (08/02/2022)**

- Motion made by Councilor Apodaca to approve the minutes of city council special workshop of 07/18/2022 and special business meeting minutes of 08/02/2022. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the minutes for the special workshop of July 18, 2022, and the special business meeting of August 8, 2022, were approved as written.

**Public Hearing - For the purpose of Ordinance 2022-XX LEDA (Local Economic Development Act)**

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

- Motion made by Mayor Pro-tem Gutjahr to go with a roll call vote to recess the regular business meeting session and go into a public hearing for consideration on the Ordinance 2022-XX LEDA. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the regular business meeting was recess to go into a public hearing at 6:05pm.

**Consideration of Ordinance 2022-XX LEDA (Local Economic Development Act)**

- Councilor Winters commented that this is updated for retail and other changes that were made in the state LEDA ordinance.
- Mr. Arturo Sais explained he would like to request the consideration to recognize residents of Rio Communities that have volunteered their efforts and heartfelt work to make our city a positive community since our inception as an incorporated city since

2013. He continued to say he would like to start recognizing our residents with 2 volunteers he would like to bring in and continued to say he would like to see history in the library. He continued to give the names he wants to recognized starting with Elizabeth Sagristano and Mark Gwinn and would like the library council to deliberate and get back with him as he believes the residents make a city

**Motion and roll call vote to go back into Regular Business Meeting session**

- Motion made by Councilor Gordon with a roll call vote to go back into the regular 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 went back into the regular business meeting session at 6:10pm.

**Ordinance 2022-XX LEDA (Local Economic Development Act)**

- Motion made by Councilor Apodaca to approve the discussion, consideration, and decision regarding Ordinance 2022-83 LEDA Economic Development Act. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Ordinance 2022 -83 LEDA (Local Economic Development Act) was passed, approved, and signed.

**Public Comment**

- No public comment

**Manager Report**

**a) Police Department update**

- Manager Dr. Moore said they fully executed the contract shortly after the approval last meeting with the consultant as well as the job description for the Police Chief and have information on the vehicles. He continued by thanking the Mayor and Mayor Pro-tem for meeting with the representatives of the governor's office and talking about specific as well as potential ways that the state can help with grants or hardware to have the Police Department up and running.
- Manager Dr. Moore said the Police Department will be located on the northwest corner of the building and everything has been vacated from that area. He continued by saying they had a meeting with Sharp to go over networking needs and how that needs to be configured.

**b) Potholes update**

- Manager Dr. Moore said there is a temporary stop on potholes due to rain, but he did speak with the field foreman, and he explained they will let it sit for a day or so to see if the weather will stay decent, they will be able to go and continue repairs

**Approval of Accounts Payable**

- Motion made by Councilor Winters to approve accounts payable as presented. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the payment of accounts payable.

**Resolution 2022-XX NMFA Loan Agreement (Police Vehicles)**

- TABLED.

**City Wide Cleanup Operation**

- Manager Dr. Moore said due to the amount of rain the city has received, there has been growth from vegetation and before we have made progress with the fire fuels and we are recommending, out of available cash, for up to \$35k to help with the cleanup. He continued to explain there are types of equipment that we currently still don't have but do have things on order. He explained they are potentially renting equipment as well as talked to Universal Waste to add additional roll offs.
- Councilor Apodaca said he likes the fact the city is doing what it can to help continue beautifying the city and hope the residents are starting to see the efforts we are trying to put out.
- Councilor Gutjahr said it really has been a long time coming and to her having people really see the clean-up and has notice in the desert where people dump it had been cleaned.
- Councilor Gordon said he is glad to see it happen and having people see it cleaned up make them proud about where they live.
- Mr. Mims said he has been around New Mexico and by far Rio Communities is one of the nicest cities.
- Councilor Gutjahr said how are we letting the citizens know we are cleaning up the city.
- Manager Dr. Moore said we are sending out letters to the residents as well as adding it to the electronic sign and Facebook even the website.
- Motion made by Councilor Gutjahr to approve the citywide cleanup operation with a budget of up to \$35k. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the citywide cleanup operation with a budget of up to \$35k.

#### **Job Description - Police Chief**

- Councilor Gutjahr mentioned the description will be posted for everyone to see as well as the Police Chief will report to the City Manager.
- Motion made by Councilor Apodaca to approve the job description of the Police Chief. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approves the job description of the police chief.

#### **Resolution 2022 - XX Dangerous property (1703 Zamora)**

- Fire Chief Tabet explained the property was brought to their attention by VCSO in reference to a welfare check as to where the 911 call for medical was asked due to children on the property. He continued stating it was medicals instincts to call for the code enforcement as well as the fire department with finding the house was without water, gas, electricity and flooring as well as fecal matter in and around the house.
- Fire Chief Tabet stated CYFD was involved and removed the children as well as the parents were under arrest. He continued by saying upon their assessment of the property it is deemed dangerous in both fire code and code enforcement as well as deemed unlivable. He explained he is still working with VCSO to see who owns the property due to not knowing if the people who were under arrest owned said property but once the information is found he will come to council.
- Motion made by Councilor Gordon to approve Resolution 2022-24 Dangerous Property (1703 Zamora Ct.). Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approves Resolution 2022-24 Dangerous Property 1703 Zamora Court.

### **Re-appointment of Library Board member(s)**

- Mayor Ramsell explained Rita White, Lisa LaManna and Lisa Tabet-Chavez have been on the Library Board before and express interest in staying on the board.
- Councilor Winters expressed his gratitude for having them on the board and for helping get the library started.
- Mayor Ramsell said the Library Board have taken on a very big task of setting up the library and one year later we have had the grand opening.
- Motion made by Councilor Gutjahr to re-appoint Rita White, Lisa LaManna and Lisa Tabet-Chavez as library board members. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approves the Re-appointment of Rita White, Lisa LaManna and Lisa Tabet-Chavez as library board members.

### **Council Discussion**

- Councilor Apodaca said he had mentioned the piece of triangle property at the workshop but that there is a flagpole without a flag as well as private property and the owner does not want to sell but are willing to partner with the city. He continued by saying he is going to be contacting the VFW as well as the American Legion and have the veterans get involved in the landscaping as well as any ideas they might have.
- Councilor Gutjahr said Councilor Apodaca has always wanted something in the city for veterans. She continued to say it is a great idea to start honoring the people who have been volunteering and thanked Mr. Sais for bringing that forward.
- Councilor Gordon nothing to report.
- Councilor Winters nothing to report.
- Mayor Ramsell said that the governor's conference is September 26<sup>th</sup> and the 27<sup>th</sup>.

### **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) and for the purpose of Limited Personnel Matters – Evaluation of the Finance Officer and Public Works Director pursuant to NMSA 10-15-1(H)(2)**

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

- Motion made by Councilor Gutjahr with a roll call vote to go into close session 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) and for the purpose of Limited Personnel Matters – Evaluation of the Finance Officer and Public Works Director pursuant to NMSA 10-15-1(H)(2). Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went in closed executive session at 6:40 pm.

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

- Motion made by Councilor Apodaca 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 was 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 August 22, 2022 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) and for the purpose of Limited Personnel Matters – Evaluation of the Finance Officer and Public Works Director pursuant to NMSA 10-15-1(H)(2).

**Action Items - Consideration & Decision – 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) and for the purpose of Limited Personnel Matters – Evaluation of the Finance Officer and Public Works Director pursuant to NMSA 10-15-1(H)(2)**

- Mayor Ramsell said there are no recommendations coming out of the executive session.

**Adjourn**

Motion made by Councilor Winters to adjourn. Seconded by Councilor Gordon. With a unanimous vote the city council regular business meeting was adjourned at 7:38 pm.

Respectfully submitted,

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

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

Approved:

\_\_\_\_\_  
 Joshua Ramsell,  
 Mayor

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 Margaret R. Gutjahr,  
 Mayor Pro-tem/Councilor

\_\_\_\_\_  
 Arthur Apodaca,  
 Councilor

\_\_\_\_\_  
 Lawrence R. Gordon,  
 Councilor

\_\_\_\_\_  
 Jimmie Winters,  
 Councilor