



**City of Rio Communities Council Workshop**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, April 10, 2023 3:00 PM**  
**Minutes**

*Please silence all electronic devices.*

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**Call to Order**

- Mayor Pro tem Peggy Gutjahr called the workshop to order at 3:03 pm.

**Attendees**

- PRESENT: Mayor Pro-tem Margaret R. Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.  
ABSENT: Mayor Joshua Ramsell.
  - City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer Stephanie Finch, Accounting Specialist/CPO Angela Valadez, City Attorney Randy Van Vleck.

**Discussion/Agenda Items**

**Accounts payable report**

- Accounting Specialist/CPO Valadez went over everything over \$500.00; 2 accounts or GSD in the amount of \$9,644.42; Bank of America in the amount of \$539.28; Comcast in the amount of \$2,053.28; NM Gas in the amount of \$656.85; PNM in the amount of \$529.97; Bank of America in the amount of \$2,793.34; NM Local Government in the amount of \$3,585.77; 3 accounts for Bank of America in the amount of \$2,481.12; Valencia County Public Safety in the amount of \$105,000; Albuquerque Publishing in the amount of \$1,178.89; Bank of America in the amount of \$503.52; WEX Bank in the amount of \$541.36; 2 more accounts for Bank of America in the amount of \$2,037.87; Amazon Business in the amount of \$539.90; WEX Bank in the amount of \$1,376.63; PNM in the amount of \$1,070.27; 3 accounts for LN Curtis in the amount of \$20,721.70; Valencia County Public Safety in the amount of \$45,000; Bank of America in the amount of \$927.70; Amazon Business in the amount of \$1,432.67; 14 accounts for HDI in the amount of \$247,260.86; 2 accounts for Sharp in the amount of \$33,529.63; UniqueFleet, LLC in the amount of \$5,442.64; Wagner Equipment in the amount of \$113,550; 2 accounts for Construction Coordinators in the amount of \$12,373.
- Councilor Gordon asked can we get the Bank of America accounts merged to get a better detail on how much it costed.
- Finance Officer Finch explained this is because different items are paid in different departments so with the Go Daddy email renewals they are getting deducted out of multiple departments.
- Mayor Pro tem Gutjahr asked regarding the amount under the attorney is that one month, does that include the attorney for P&Z.
- Finance Officer Finch said its included for the work they have done for P&Z.

**Approval of Fiscal Year 2022-23 Audit Contract between the City of Rio Communities and SJT Group LLC**

- Finance Office Finch explained that the total cost from SJT Group will be \$24,351.50 for 2022-2023 audit.
- Councilor Apodaca asked is this the same as last year or did they price go up.
- Finance Officer Finch explained that it went up a little bit due to more grants we have received as well as other things the city has added and the bigger the city does get the higher the amount will be.

**Purchase of Public Works Pickup**

- Finance Officer Finch explained council have been given a quote for a 2023 Ford F250 Crew Cab XL 8' Bed and said it is very hard to get pickup these days so this one is on order, and further explained the dollar amount of what is left in the grant money for public works vehicles/equipment at \$31,325 and are requesting the general fund carryover monies which is \$35,627. She continued to say the grand total is \$66,952 this will include the trailer brakes, towing package, and the goose neck hitch.
- Manager Dr. Moore said he has talked with the Public Works Department and the one that they have is kinda old and needs to be replaced, He continued to say this new truck is diesel engine can handle the towing capacity but with talking to the finance office diesel is all they have right now to which the fuel mark up will be more than gasoline.
- Finance Officer Finch explained a 3/4-ton gas engine will not pull the skid steer, but a diesel engine will pull it as well as a dump trailer full and is heftier than a regular gas engine.
- Councilor Apodaca said he thinks with the diesel engine you get more mileage so it will be cost effective in the long run.
- Councilor Gordon said a diesel truck is a good truck, but do we need it immediately.
- Finance Officer Finch said we do not need it immediately, but we need to comber the grant immediately.
- Councilor Winters asked if we could get a storage tank since there is not anywhere to get diesel in the city as of right now.
- Manager Dr. Moore explained they have talked about a storage tank, and they have a mobile tank available and said this can be discussed when the new public works yard is being developed.

#### **Resolution 2023-XX BAR #XX Annual Budget Amendment**

- Finance Officer Finch explained they are increasing small cities assistances by \$136,399 to account for received revenue, other state distributions by \$37,230, transfer ins by \$145,631, transfer outs by \$145,631, travel-elected officials by \$500, employee trainings by \$600 and NMFA loan debt service by \$132,780. She continued to explain last quarter they had to transfer \$145,631 to the state legislative appropriation since it was negative from grant payouts. She further explained the NMFA loan money is not going to be in any of the cities bank accounts as the NMFA has this we just keep it in our records.

#### **Resolution 2023 - XX Third Quarter Financial Report**

- Finance Officer Finch went over the 3rd quarter financial report starting with ending cash at \$3,507,587, investments at \$0, revenues at \$3,173,014.15, transfers at \$0, expenditures at \$2,157,165.29, adjustments at \$11,601.76, balance at \$4,535,037.62, reserves at \$87,159.34, and adjusted balance at \$4,447,878.28. She further said the revenue is currently at 97.19% of the budgeted amount and normally during the 3<sup>rd</sup> quarter it should be at 75% so with the adjusted budget plans this will be getting back on track. Currently our expenses are at 68.8% which is below where we should be as of right now.
- Councilor Gordon asked regarding the law enforcement protection, with getting a Chief and officers will we be getting more money in the future years.
- Finance Officer Finch said with just last year we were only getting \$20k, so per officer they give an amount which is about \$12k or \$15k and so it increased to \$45k for the 2022-2023 budget and starting July 1<sup>st</sup> 2023 it will be increased to \$95k.
- Mayor Pro tem Gutjahr asked if they have seen an increase on the EMS GRT and if we can see the breakdown on the other funds where finance had to combine the amounts.
- Finance Officer Finch said just a little bit has been seen but not a whole lot and explained with the NMFA they have to combined the loans but does have it documented on what is broken down in each loan.

- Mayor Pro tem Gutjahr asked what area are we spending more than the 75% of the budget.
- Finance Officer Finch said the public works department is at 84.13%, Streets are at 68.8%, library is at 35.5%, parks and rec is at 6.3%, dispatch E911 is at 79.13%, animal control is at 98.03%, Fire department is a 77.99%, law enforcement is at 1.3%, planning and zoning is at 27.98% EDC is at 44.23%, municipal clerk is at 63.95%, finance is at 73.17%, general admin is at 82.45%, manager is at 82.45%, court is at 77.11%, governing body is at 121.06%, fire protection is at 99.94%.
- Finance Officer Finch went over the Bill Brown fund has had \$50,502.38 in expenses, \$41,508.52 was for vehicles, and \$9k was for equipment, the county fire excise GRT has brought in 81.22% revenue, the fire protection is at 73.40%, county EMS GRT is at 84.73%, wildland fire is at 99.98%. She continued with the financial report with the pooled cash report starting with Bill Brown being at 275,820.14, county fire excise at \$27,652.57, county EMS at \$95,281.25, wildland fire has \$7,461.45, so these 4 funds are together in the 75% part of the budget.
- Finance Officer Finch continued to go over the non-pooled cash report starting with the general fund of \$200, then NMFA-PPRF-5599 of 30,161.86 and NMFA-PPRF-5912 of \$132,233.87.

**Ordinance 2023 - XX Creating a Police Department, (Creating Certain Appointive Officer, Prescribing the Power, Duties and Salaries of Appointed Officials) 14-day review**

- Manager Dr. Moore explained that we asked our attorneys to go ahead and pull a draft which we were not informed we would need an ordinance for the police department in order to carry on and just would recognize the police chief is part of the municipality and would be hired by council and report to the city manager on a day-to-day basis.
- Councilor Apodaca asked regarding section 3 sentence stating ‘After appointment, the Police Chief may reside outside of the City while in office but must be within a 15-minute response time to the corporate boundary line of the City of Rio Communities’ and section 6 part A sub number 3 ‘Within the City: (a) Suppress all riots, disturbances, and breaches of the peace; (b) Apprehend all disorderly persons; (c) Pursue and arrest any person fleeing from justice; and (d) Apprehend any person in the act of violating the laws of the state or the ordinances of the village and bring him or her before competent authority for examination and trial’ and section 6 part D ‘Directs the development, administration, and review of the departmental annual budget. Forecasts needs, allocates funds to divisions based on departmental goals and priorities, monitors and approves expenditures within the parameters of the approved departmental budget, and recommends adjustments as needed’ which just needs wording to be changed.

**Speed Limit Ordinance**

- Manager Dr. Moore began a discussion on the different speed limits around the city and felt it very important to move forward with this issue in 2 aspects one being residential streets in a unison speed and two a speed for children at play as well as school bus stop speeds normally at 15 miles per hour and continued to say regular city speed recommended be 20 miles per hour. He proceeded to say 20 miles seems reasonable for residents to be able to commute to and from in a timely manner and on the state highways he suggested making these 35 instead of 40 or 45 miles per hour. He continued to say they have an attorney who has worked on such language before and would like direction from council to start writing up a draft to present to them soon.
- Councilor Winters said this gives a helping hand to the police department in traffic control.
- Councilor Gordon said he agrees with 15 miles per hour for the school bus stops, but the 20 is very slow for overall areas and would make it hard on the police officers. He continued to say 25 is more reasonable for the area.
- Councilor Apodaca said it is a good idea to have this conversation.

- Mayor Pro tem Gutjahr said she agrees with Councilor Gordon on making the limit 25.
- Manager Dr. Moore continued the discussion by saying they will run with 25 as well as come to council with different suggestions for other stop signs and are working on street signs as some have been ordered.
- Mayor Pro tem Gutjahr said we have had many conversations regarding speeding in front of City Hall but is that something they need to address as well.
- Manager Dr. Moore explained if they would like a certain speed, we are concerned on how fast traffic is going or not going due to the senior center.
- Councilor Apodaca said we have talked about speed bumps to slow down traffic and asked if we will be moving forward with something as well.
- Manager Dr. Moore said we have put in orders for speed bumps and the initial speed bumps are coming in 6-foot segments.
- Councilor Apodaca said the ones we do have need to be repainted.
- Manager Dr. Moore asked if some can login to the RC assist app and add it in so public works can have it assigned to them.
- Councilor Gordon said regarding the anchors in the speed bump, they can come up so caution is key.
- Manager Dr. Moore said if they are not properly anchored then they can come up.
- Mayor Pro tem Gutjahr asked do we have a list of where they are going to have the speed bumps as well if this is a citizen request.
- Manager Dr. Moore said honestly, he has received citizen requests as well as council and mayor requests and recommend putting a map out in the next workshop to show where they will be installed.
- Mayor Pro tem Gutjahr said in the past we were told we need to get permission from the residents.
- Manager Dr. Moore said no he is not aware of such a requirement.
- Attorney Van Vleck said they may be in the state traffic control manual but not that he is aware of.

### **Road Repair**

- Manager Dr. Moore said on the application for the redesign of Don Deigo, we did receive from our engineers the DOT have provided further clarification on the transportation project fund and since we received the grant, they would like to see progress before submitting for another. He then went over the grants that we have received which are the legislation appropriation and is being used for the design portion of Don Deigo and for the construction grant will be kicking in once construction has taken off and continued with the discussion.
- Manager Dr. Moore said another one we are dealing with is the MAP grant for the design on Horner Street as this one is well on the way and have probably heard some rumors going around from the residents about the engineers' drones and continued with the discussion.
- Councilor Winters said we have a lot more walkers than we do bicyclists or ATVs.

### **Personnel Position(s) & Job Description(s) – a) Public works Supervisor, b) Librarian/Community Program Coordinator c) Law Enforcement Office Clerk**

- Manager Dr. Moore said under the current personnel ordinance himself as the city manager takes care of the job preparations, and began a discussion on the supervisor position which is generally the supervision of the people on the field but main responsibilities of the public works director will fall on his (city managers) shoulders, as far as the others we are moving forward with them and will be bringing them forward within the next meeting or so.

- Councilor Gordon asked is the public works director part on the city managers plate.
- Manager Dr. Moore said a lot but with the team we have we are doing good.

### **Salary & Wage Scale(s)**

- Manager Dr. Moore said the NMML came up with wage study information on department heads and began a discussion. He continued to say they will be putting numbers together for the new budget and will be bringing them in front of council at the budget meeting for them to look over. He further explained the NMML broken down the wage scale by how big each city is and Rio Communities is right between the medium and small scale but will be leaning more towards the medium scale.

### **Public Comment**

- There were no public comments.

### **Manager Report**

#### **a) ARPA Funds (American Rescue Plan Act) b) Speed limit & Street signages c) Summer Storm water drainage d) Erosion Control e) Fire Safety**

- Manager Dr. Moore said he talked with the Fire Chief this morning but will not be joining due to a mutual aid call for Belen who is battling a fire right now.
- Manager Dr. Moore began a discussion about audio/visual in the council chambers and stated we are looking at \$50,000 to use but have some funds left over and are looking at other issues we have and we thought we might have to use some fire department apparatus, but with the service truck we have to it responding to every service call so we just cant say we have one we have to use it every time. He continued to say our leftover funds can help us out and have this designated as a COVID response vehicle. He further explained the fire department is currently on septic but are concerned about septic issues with the new services and if so, we may have to look into wastewater lines to move forward. He said he has talked to the engineers to look at all the specifications but will be coming to council in May with the plans.
- Councilor Apodaca asked when Als Mini Mart was open, the septic was functioning, is this non-conforming use.
- Manager Dr. Moore said existing but non-conforming use but will investigate it further and continued the discussion.
- Councilor Winters said there is a regulation that is true for housing and commercial, if it has been shut off for an amount of time then it must go through a full inspection.
- Manager Dr. Moore said he is fully aware and gave an example of a place where they did this.
- Councilor Gordon asked about the lift station, can it be used with the COVID funds.
- Manager Dr. Moore said yes that is the funds we are talking about using and continued the discussion.
- Mayor Pro tem Gutjahr said we have such a large volunteer staff at the fire department, and it is critical that we have a septic system.
- Manager Dr. Moore said we do not have a main wastewater main on the west side of 304.
- Councilor Apodaca asked if the system needs to be up to code, are the new owners aware they are responsible for part of the cost.
- Manager Dr. Moore said yes, they are aware of this.

### **Council General Discussion & Future Agenda Items**

- Councilor Apodaca said he went out with the Fire Chief a week ago to look at the depress properties within the city and with looking at the car wash property, a gentleman drove up explaining he was hired to clean up the property, but as he drove past this weekend nothing has been done.
- Councilor Gordon had no comments.
- Councilor Winters had no comments.

- Mayor Pro tem Gutjahr asked on our animal control she noticed it increasing and some out of the animals out of yards are viscous and thinks we need to have a conversation about what the city can do about this situation as well as what our contract says.
- Manager Dr. Moore said there is a number of issues coming up such as, increase of drop off animals, as well as the animal shelter is full or nearly full almost all the time, also their cost as to our cost plus the citizen cost, and finally the staff turnover at the county level.
- Attorney Van Vleck said he knows best friend animal society is working with Valencia County animal shelter to set up a relook at their animal control to alleviate shelter overflow.
- Mayor Pro tem Gutjahr said we should all have the same animal control ordinance due to the animals all going to one shelter.
- Attorney Van Vleck said a long term thin about a community cap program because it helps with feline population in shelters as well as declines feline populations out in the community.
- Clerk Adair explained the date for a joint council with P&Z meeting May 18

**Adjourn**

- The regular City Council workshop adjourned at 4:27 pm.

Respectfully submitted,

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

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

Approved:

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Joshua Ramsell,  
 Mayor

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Margaret R. Gutjahr,  
 Mayor Pro-tem/Councilor

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Arthur Apodaca,  
 Councilor

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Lawrence R. Gordon,  
 Councilor

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Jimmie Winters,  
 Councilor