



**City of Rio Communities Council Special Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, March 06, 2023 6:00 PM**  
**Minutes**

*Please silence all electronic devices.*

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**Call to Order**

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

**Pledge of Allegiance**

- Councilor Apodaca 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, Municipal Clerk Elizabeth Adair, Finance Officer Stephanie Finch, Accounting Specialist Angela Valadez, Fire Chief Andrew Tabet, City Attorney Randy Van Vleck.

**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 meeting was approved as presented.

**Action Items**

**Budget 2024 Fiscal Year Projection Overview (Discussion)**

- Finance Officer Finch began the presentation to the 2024 Fiscal year and review from the previous years of 2021 and 2022, in the general fund starting with licensing and permits it has come down due to the no charge for business licenses, finds and forfeits they are forecasting \$21.50, for miscellaneous revenues \$42k, for grants and distributions as well as other state distributions looking at forecasting about \$1,497,739.41, which was great due to us receiving \$338k in small city assistance as was a surprise since knowing we could only get \$90k. She continued to say for next years small assistance for the courts they are forecasting \$6k, and for the ending revenue that is forecasting is \$1,356,405.
- Finance Officer Finch stated the intergovernmental grants received \$300k in 2022 and not sure how it will fluctuate year after year. Then explained the cost of expenses by class starting with Salaries & Wages being at \$812,613, Employee Benefits at \$308,973, Travel Cost at \$4,800, Purchased Property Services at \$22,250, Contractual Services at \$184k, Supplies at \$79,850, Operation Costs at \$180,402, Capital Purchases at \$0, which leaves the forecast of \$1,592,888 for the 2023-2024 year. She said the expenses are going to exceed the revenues by \$253k. She then said the operation costs are going up because of inflation and will always rise every year.
- Finance Officer Finch continued the presentation by giving a break down of each departments expenses starting with Governing Body at \$2,900, Municipal Court at

\$26,100, Manager at \$193,076, General Administration at \$287,350, Finance at \$219,673, Municipal Clerk at \$123,389, Planning & Zoning at 3,500, Economic Development at \$2,500, Law Enforcement at \$248,436, Fire Protection at \$146,245, Animal Control at \$15,000, Dispatch/E911 at \$31k, Parks & Recs at \$3k, Library at \$32,538, Pubic Works at \$246,181, and Streets at \$12k. She finally said \$236,483 need to be cut from the budget to make it balance out for the year.

- Councilor Gutjahr said unless we increase our revenue, we will have to cut \$236,483 from the budget.
- Finance Officer Finch said as of right now the budget is sound due to not having the positions filled but would like to be proactive and not reactive. She then went over our expense reduction option which would cut positions starting with the finance clerk and this would leave 2 employees in finance office and will absorb the responsibilities with cost saving \$49,873, assistant clerk would be the next with 2 employees taking the responsibilities and saving \$23,487, then 2 code enforcer positions will be on limited terms for 35 hours a week with cost cutting \$61,044, then the librarian position would save \$29,888 but the library would solely work on volunteers, and as for the public works director position this would leave 2 full time employees and would repost to the City Manager but the cost would save \$72,467.16. She continued with expenses by department by non-reduction and reduction starting with Finance office being at \$219,673 to \$169,800, then the Municipal Clerks being at \$123,389 to \$99,902, then the Fire Protection being at \$146,245 to \$85,2201, the library being at \$32,538 to \$2,650, then finally public works starting at \$246,181 to \$173,713.84.
- Councilor Gordon asked how would changing the status of the code enforcers work.
- Finance Officer Finch explained the limited term employees in our personal policies state they are only for a special project then the position would go away.
- She continued the discussion with the budget alternative which is stated the city has .6125% available to enact GRT without referendum and if the governing body wishes to have a librarian and finance clerk then .500% GRT would need to be enacted to be able to pay for those positions which would give \$80k extra each year.
- Councilor Gutjahr wanted to clarify again the limited term employees are still in the building until the project is done, which leaves these two positions for the GRT to be used.
- Finance Officer Finch said depending on what positions they would choose to use it for.
- Councilor Gordon asked if the budgeting is including the opening of the gas station.
- Finance Officer Finch said no we cannot count this until we see revenue from the business.
- Manager Dr. Moore said one of the safety valves you have is the quarterly reports with TFA.
- Finance Officer Finch said they would look at the GRTs and see what has been going up due to construction and make sure it is retainable.
- Councilor Gutjahr asked if they will talk about the mil levy.
- Manager Dr. Moore explained if we had approximately \$250k when looking at adding the police department which would be a 3.5 for the mil levy to be able to fund 2 officers, a police chief and an administrative assistant.

- Finance Officer Finch explained it would have been \$273,567 and explained the items that had been cut when they rescinded the property tax starting with the police chief's salary in half, special code enforcement program, librarian, city hall improvements, street repairs/street lights, and police department start up.
- Councilor Gutjahr said and that's \$289k to add in but now we are talking GRT and the mil levy.
- Finance Officer Finch said what they had cut last budget hearing was not recurring costs so they knew they would have to go back and revisit this situation.
- Manager Dr. Moore said the numbers aren't far off from the \$80k.
- Finance Officer Finch said we did not have to look at cutting positions before due to having capital to cut to be able to keep the other positions.
- Councilor Gutjahr asked if we decide on a mil levy and GRT, is there a time we can enact it.
- Manager Dr. Moore said sometime in March to give a clearance to the state but the property tax we would like to notify everyone before jumping into the April budget and will not take effect until July 1<sup>st</sup>.
- Clerk Adair said the GRT will not be enacted right away due to the ordinance.
- Councilor Apodaca said if they decided to go this way, we are talking about businesses as well.
- Finance Officer Finch reassured council what happens to one side has to happen to the other side as well.
- Manager Dr. Moore explained this is so council has time to think on what they would like to move forward with and would like them to come back at the next meeting to discuss what they would like for staff to do.

#### **Construction Coordinators - Proposal (Court room)**

- Manager Dr. Moore explained that we have had this company working on the police department and asked if they could look at other things we are in need of updating, but then explained the changes that is needed for security to the court room such as the glass windows, as well as moving the court around to engage safety for the judge, but as well as secured walls and have an exit door.
- Manager Dr. Moore said due to more code violations there has been more court cases which means less space in the court room and having these modifications this ensures people have a waiting area instead of waiting in the cold or in their vehicles. He further explained the reason he is coming to council is the cost for all the upgrades and modifications are over the \$20k limit and this has been needing to get down for the court room.
- Motion made by Councilor Gordon to approve the Construction Coordinators proposal for the court room. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the proposal from Construction Coordinators for the Courtroom.

#### **Construction Coordinators - Proposal (sub floor demolition)**

- Manager Dr. Moore continued to explain that where the sub floor is in the library storage room are in need of a remodel, and this extra room, library storage room, will become the makerspace lunch room as well as the other storage room will become the makerspace overflow room, and with talks with the staff and the fire department for

\$27k might as well fix the whole area all at once and will block off this area from the children for safety. He continued to say if we could get these started, we are confident they can get these parts done before phase 1 is completed and is very thankful they contractors did not charge for the consultation.

- Councilor Apodaca asked what is the cost for the sub floor demolition.
- Manager Dr. Moore said it was almost the same but \$27k and the court room was \$26k.
- Councilor Gordon asked when removing the sub floor does, this include the stairs as well.
- Manager Dr. Moore said when the sub floors are out then the stairs will no longer be necessary.
- Motion made by Mayor Pro-tem Gutjahr to approve the construction coordinators proposal for the sub floor demolition. Seconded by Councilor Apodaca.  
Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the Construction Coordinators- Proposal for the sub floor demolition has been approved.

**Executive Session - For the purpose of a) the Public works Director separation agreement and release pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and b) for 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 close session as stated. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into closed session at 6:39 pm.

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

- Motion made by Mayor Pro-tem Gutjahr with a roll call vote to go back into the special 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 went back into the special business meeting session at 7:03 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 March 6, 2023 a Closed Executive Session was held and the matters discussed were for the purpose of the Public works Director separation agreement and release pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and for 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)

**Action Items from Executive Session**

**a) Public works Director separation agreement and release b) 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 the recommendations is to approve the separation agreement and release.

- Motion made by Mayor Pro-tem Gutjahr to approve the recommendation as stated. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the public works director separation agreement and release.
- Mayor Ramsell said there are no recommendations for item B.

### Adjourn

- Motion made by Councilor Gordon to adjourn. Seconded by Councilor Apodaca. With an unanimous vote the special business meeting was adjourned at 7:05 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

\_\_\_\_\_  
 Margaret R. Gutjahr,  
 Mayor Pro-tem/Councilor

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

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

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