



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, May 23, 2022 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Joshua Ramsell called to order the City of Rio Communities regular business meeting 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, (virtual) Councilor Lawrence Gordon, Councilor Jimmie Winters
- City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Fire Chief/Code Enforcement Officer Andrew Tabet and Valencia County News-Bulletin Editor Clara Garcia.

Approval of Agenda

- Motion made by Councilor Winters to approve the agenda as written. Seconded by Councilor Apodaca. With a 4-0 vote the agenda for the regular business meeting was approved as presented.

Approval of Minutes for the City Council Workshop & Regular Business Meeting Minutes (05/09/2022)

- Motion made by Mayor Pro-tem Gutjahr to approve the workshop and city council meeting of 5/9/2022. Seconded by Councilor Winters. with a 4-0 vote the minutes for the workshop and city council regular meeting held on May 9, 2022 were approved as written.

Public Comment

- No public comment.

Manager Report

a) Fire Fuels Mitigation

- Manager Dr. Moore explained we have a portion of Hwy 304 taken care of behind Western Drives and two of the floodwater drain ways cleaned out but we are also moving to Hwy 47 southern part where the block wall and fencing are. He continued by saying we have several fuel mitigations in town and goal is to hit ultimately every place we have a public right away or property we own. He finished by saying with talking to the Fire Department we have individuals who are already in our system to come out and help us get these taken care of.

b) Summer Youth Programs

- Manager Dr. Moore reminded the summer youth program is coming up and, reminding the City of Belen that Rio Communities is partnering with them for the children ages 5 to 12 who live in Rio Communities to be a part of the program as well as start to use the Makerspace. He continued by saying the program will last 3 weeks in June then 3 weeks in July, but they will only be using the facility once a week.

c) Planning for Grand Opening of the Library & Maker Space

- Manager Dr. Moore said we had a successful soft opening of the library last Saturday, but we are only opened Tuesdays and Thursdays 10am to 3pm and are working out the glitches. He continued by saying there are about 3 to 4 applications for the librarian and hope to be doing interviews the week after Memorial Day.
- Manager Dr. Moore said the city did pass a ban on open fire for good reason and it is fire season we ask everyone to be cautious and safe.

Approval of Accounts Payable

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

Resolution 2022 - XX NMDOT FTP Grant

- Manager Dr. Moore explained the Transportation Project Fund is a fund the state puts out every year, and with this grant it is a little different with it being a 5% match instead of the usual 25% match we see. He continued by saying with this project we are asking City Council to approve a resolution that the total project cost calls for which would go from Goodman Street to Damon Street up to Warner Street. He continued by saying we are not going all the way down to the Hwy due to few issues such as flood drain, flood drainage improvement and possible street alignment on the last segment, this would be a reconstruction of the whole road. He finished by saying if approved, myself and HDR Engineering will finalize all the paperwork and submit to the Department of Transportation and then we will present to the Department of Transportation on June 8th.
- Councilor Gutjahr said her understanding there will be an arterial road Damon to Horner. She then asked the road itself the sides of that is where the asphalt will be it will be interesting how that will be cleaned up.
- Manager Dr. Moore stated that he forgot to mention the grant wavier which they would pay the 5% match and if they do not like the presentation then we would have to pay the 5% instead.
- Municipal Clerk Adair read into the resolution.
- Motion made by Mayor Pro-tem Gutjahr to approve Resolution 2022 - 13 NMDOT FTP grant. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 13 NMDOT Transportation Project Fund grant was passed, approved, adopted, and signed.

Resolution 2022 - XX Dangerous property

- Manager Dr. Moore explained that the nuisances and dangerous property ordinance was adopted last year, and the purpose was to put the city in a position to address the abatement of significant health or safety risks, and with help from our Fire Department they will be taking over our Compliance Department for our city and he continued with a breakdown of how things move forward when dealing with a dangerous property.
- Manager Dr. Moore started to describe how the property on 94 Olson Street is being considered a dangerous property and would like council to approve moving forward.

- Municipal Clerk Adair read into the resolution.
- Motion made by Councilor Apodaca to approve Resolution 2022-14 dangerous property. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 14 Dangerous Property was passed, approved, adopted, and signed.

Discussion, Consideration, and Decision – Resolution 2022 - XX Dangerous property

- Manager Dr. Moore explained this particular area is a significant property where there has been determination after inspection that it is a threat to health and safety so with recommendation from the Fire Chief/Code Enforcer we approve this resolution to move forward.
- Municipal Clerk Adair read into the resolution.
- Motion made by Councilor Apodaca to approve resolution 2022-15 dangerous property. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 15 Dangerous Property was passed, approved, adopted, and signed.

Library Policy

- Manager Dr. Moore said the Library Board worked hard to get the policy together and with assistance from the Library of Belen and appreciate our Legal Counsel for taking a look at areas where there are questions making sure things tied in correctly with New Mexico law. He continued by saying we feel like this is a solid policy and recommend an approval.
- Councilor Gutjahr said since it is for public use that the staff gets CPR/First Aid certified.
- Councilor Winters thanked the Library Board and said they have worked very hard to help put this together.
- Motion made by Mayor Pro-tem Gutjahr to approve the library policy 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 Library Policy.

MOA Rio Communities Sheriff Department Agreement

- Manager Dr. Moore explained this MOA is almost identical to the last one we had with exception that we included the language about \$45k for the Law Enforcement Protection Funds being utilized to help pay for qualifying expenses under the agreement.
- Motion made by Mayor Pro-tem Gutjahr approve the MOA as presented. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the MOA with Valencia County and the Sheriff's Department was passed, approved, adopted, and signed.

PGV Proposal of contingency services

- Mayor Ramsell asked to table the agenda item and have further review of contract.
- Motion made by Mayor Pro-tem Gutjahr to table the PGV proposal of contingency services until further review of the contract. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the proposal from PGV was tabled until further review.

Council Discussion

- Councilor Gordon nothing at this time.
- Councilor Winters said with the road projects, we have done a lot of road projects over the years, and this is the most complete road rebuild that we have ever done. He then said we've had frequent complaints on the dangerous building and property clean ups and just want the public to know we are following through with these. He also thanked the Sheriff, Under Sheriff and the assigned officers when we have had issues or problems, they have been willing to help, and we appreciate everything.
- Councilor Gutjahr echoed what Councilor Winters and then said she has kept track of the monthly total of calls, and it would be good for the citizens to see what the Sheriffs are dealing with. She then said that it is the same for the Fire Department and it shows, how many are mental health issues and thinks we need to look at a different way to handle mental health as a city, county and state.
- Councilor Apodaca said he needs to find out the correct process of joining the Water Board.
- Mayor Ramsell said we have been very happy with the service we have had with the Sheriff Department, and they have worked very hard to dedicate resources within our city and target our problem areas.

Executive Session - 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 executive session, 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), Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. with a 4-0 vote Council went into executive session at 6:44 pm.
- **Motion and roll call vote to go back into the regular business meeting session**
 - Motion made by Mayor Pro-tem Gutjahr, Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. Council went back into the regular business meeting session at 8:00 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 May 23, 2022 a Closed Executive Session was held and the matters discussed was 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 - Consideration & Decision – Mayor recommendation regarding 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 was no recommendations coming out of the executive session.

Adjourn

- Motion made by Mayor Pro-tem Gutjahr to adjourn. Seconded by Councilor Winters. With a unanimous yes vote the regular business meeting was adjourned at 8:00 pm.

Respectfully submitted,

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

Date: _____

Approved:

Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters,
Councilor