



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, June 12, 2023 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 Apodaca led the Pledge of Allegiance.

Roll Call

- PRESENT: Mayor Joshua Ramsell, Councilor Arthur Apodaca, Councilor (virtual) Lawrence Gordon, Councilor Jimmie Winters.
ABSENT: Mayor Pro-tem Margaret R. Gutjahr.
 - City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer (virtual) Stephanie Finch, Fire Chief Andrew Tabet, City Attorney Randall Van Vleck, Valencia County News-Bulletin Editor Clara Garcia.

Approval of Agenda

- Motion made by Councilor Apodaca to approve the agenda as presented. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote the city council regular workshop agenda was approved as presented.

Approval of Consent Agenda (City Council Special Workshop with Planning and Zoning Commission Minutes (05/18/2023), Minutes for the City Council Workshop & Regular Business Meeting (05/22/23), and Approval of Accounts Payable)

- Motion made by Councilor Apodaca to approve the consent agenda of the City Council Special Workshop with Planning and Zoning Commission Minutes (05/18/2023), Minutes for the City Council Workshop & Regular Business Meeting (05/22/23) and Approval of Accounts Payable. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. with a 3-0 vote the consent agenda items were approved as written.

Proclamations

Thomas Scroggins Day

- ✚ Mayor Ramsell read the proclamation naming June 13, 2023 Thomas Scroggins Day.
- ✚ Councilor Apodaca thanked him for the many years of service to the City we thank you very much.
- ✚ Councilor Gordon said it was a pleasure working with you, you will truly be missed.
- ✚ Councilor Winters said I appreciate the time you spent on Planning and Zoning I know how hard it can be.
- ✚ Mayor Ramsell said thank you I really appreciate the work that you put into the community people don't realize the countless hours that you put in with Planning and Zoning do what you do the behind the scene work that people don't see.
- ✚ Presentation of the Proclamation to Tom Scroggins

Public Hearing

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

- Motion made by Councilor Apodaca with a roll call vote to go into the public hearing in consideration of the zoning ordinance amendments. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote the regular business meeting session was recessed and the public hearing began at 6:06 pm.

Consideration of Zoning Ordinance Amendments

- Manager Dr. Moore said there are two different areas specific in the zoning code that are in front of you. One has to do with areas that are related to petroleum, hydrocarbons, geothermal that were allowed use in the I3 zone that are now going to be prohibited uses. He said the second thing is the processes. The way the process is right now a little unique with planning and zoning even with the ordinance. It is a 15-day notice and a 14-day review and our internal process duplicated the public hearing process which created challenges for the applicant, the planning and zoning commission, city council. The new amendments are more streamlined. He gave a summation. He further said I highly recommends moving forward with this.
- Councilor Apodaca said he is glad we are moving forward. This is a great idea.
- Councilor Winters said the ordinance is over 9 years old and so It needs to be modified and upgraded I am glad we are doing that.
- Mayor Ramsell said the other important thing is that this solidifies some of the issues we had previously and clarified those and reinforces them and streamlines the process that is good for everyone.

Motion and roll call vote to go back into 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 Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Council went back into the regular business meeting session at 6:13 pm.

Ordinance 2023 - (87) Zoning Amendments

- Motion made by Councilor Apodaca to approve Ordinance 2023 - 87 Zoning Amendments. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. with a 3-0 vote Ordinance 2023 - 87 Zoning Amendments was passed, approved, adopted, and signed.

Public Comment

- There were no public comments.

Manager Report

Speed Bumps

- Manager Dr. Moore explained that they had a meeting this morning with HDI that work with state contract pricing. They recommended that we get everything set up first then bring the monitors in and that way everything is tied in the way it needs to be. He further explained the set up for the monitors and mics. He then explained that there have been issues with the fire alarm system other than that he is very pleased with the work of the contractors.

- Manager Dr. Moore said since the ladder truck will be coming, and we will be coming to City Council for permission at the next meeting for the remodeling of the fire station to be able to fit it length wise and further explained the Courtroom and police station we have total glass coming in to put in harden radian glass for both the court and police department in the interior and the police department exterior doors are already in place.
- Manager Dr. Moore said they are continuing to move along with speed bumps we have some money coming to continue to get the speed bumps in.
- Councilor Apodaca asked what we budgeted for speed bumps and how many.
- Manager Dr. Moore said what we did was utilize the existing budget to do that. I can't give you an exact dollar amount. He did explain that we do have speed humps, but they are not as affected as speed bumps.
- Councilor Winters asked in the first phase of audio equipment if we are doing something in the overflow room.
- Manager Dr. Moore said we will have to come back to that separate.
- Mayor Ramsell said he and Dr. Moore have looked at streets that have had issues in the past that you would not considered a raceway, but it can happen. So, we are working on getting them phased in on those roads.

Municipal Clerk Department - Letter to County Clerk regarding upcoming Election

- Clerk Adair read her letter to the County Clerk into the minutes. (See packet).

Municipal Court Department

- See agenda packet for report.

Action Items

Resolution 2023 – (13) BAR #5

- Motion made by Councilor Apodaca to approve Resolution 2023 – 13 BAR #5. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. with a 3-0 vote Resolution 2023 – 13 Bar #5 was passed, approved, adopted, and signed.

Resolution 2023 - (14) NMDOT Cooperative Agreement

- Mayor Ramsell explained that this agreement has to do with Don Diego road that needs some help we did apply for a grant and DOT suggested that we use that for the design, the total estimate is \$138,667.00 the city is responsible for 25% so we will be paying \$34,606.70.
- Councilor Apodaca said if the cost should go over the city will be responsible for the difference.
- Councilor Winters said this is one of the worst streets in the city and the expensive to redo this whole street was so high it is good that we are able to do it.
- Motion made by Councilor Apodaca to approve Resolution 2023 - 14 NMDOT Cooperative Agreement. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Resolution 2023 – 14 NMDOT Cooperative agreement was passed, approved, adopted, and signed.

Resolution 2023 - (15) Personnel Policies and Procedures

- Mayor Ramsell said there has been one recommendation to be added and read the amendment into the minutes.
- Councilor Winters said this clarifies the whole situation.

- Motion made by Councilor Apodaca to approve Resolution 2023 - 15 Personnel Policies and Procedures with the additions as presented by the Mayor. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Resolution 2023 – 15 personnel policies and procedures was passed, approved, adopted, and signed.

Greater Valencia County Chamber of Commerce membership

- Manager Dr. Moore explained that if you have a \$140.00 and then the \$1,000.00 there is a possibility that we need to pay both. In the letter they said they will offer us a seat on the board.
- Councilor Winters said we have long needed the activity of a chamber, and it is a good move.
- Motion made by Councilor Apodaca to approve the Greater Valencia County Chamber of Commerce membership. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Council approved the membership to the Greater Valencia County Chamber of Commerce.

Council Discussion

- No comments from Council.

Executive Session - For the purpose of selecting finalists for the Police Chief Position 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)

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 purpose of selecting finalists for the Police Chief Position 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), Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Council went into executive session at 6:45 pm.

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

- Motion made by Councilor Apodaca, Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Council went back into the regular business meeting session at 7:32 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 June 12, 2023 a Closed Executive Session was held and the matters discussed were For the purpose of selecting finalists for the Police Chief Position 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

Recommendation, Discussion, Consideration, and Decision - For selecting finalists for the Police Chief Position and the purchase, addition or disposal of real property or water rights by the public body

- Mayor Ramsell recommended selecting finalist for Police Chief position. The recommendation is to bring in William Cutshall and Nunez Felix Jr. for in-person interviews and to pay for travel expenses not to exceed \$2,000.00.
- Motion made by Councilor Apodaca to approve the recommendation for Mr. Cutshall and Mr. Nunez and for the travel expenses not to exceed over \$2,000.00. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Council approved bringing in the finalist for police chief in person interviews with travel expenses to not exceed \$2,000.00.
- Mayor Ramsell stated there are no recommendations regarding the purchase, addition or disposal of real property or water rights by the public body.

Adjourn

- Motion made by Councilor Winters to adjourn, Seconded by Councilor Gordon. With a unanimous vote the regular business meeting was adjourned at 7:34 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