



City of Rio Communities Council Regular Business Meeting

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Monday, November 13, 2023, 6:00 PM

Minutes

Please silence all electronic devices.

Mayor - Joshua Ramsell

Mayor Pro Tem - Margaret R. Gutjahr

Council - Arthur Apodaca, Lawrence R. Gordon, Jimmie Winters

Call to Order

Pledge of Allegiance

Roll Call

PRESENT

Governing Body

Mayor Joshua Ramsell

Mayor Pro-Tem Margaret R. Gutjahr

Councilor Arthur Apodaca

Councilor Lawrence Gordon

Councilor Jimmie Winters

Councilor Lawrence Gordon

Staff

Manager Dr. Martin Moore

Deputy Clerk Lalena Aragon

Fire Chief Andrew Tabet

Attorney Randall Van Vleck

Approval of Agenda

Motion made by Councilor Apodaca to approve the agenda as presented. Seconded by Councilor Gordon.

Voting Yea:

Mayor Pro-Tem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

Approval of Consent Agenda

1. Regular Business Meeting Minutes – October 23, 2023

2. Accounts Payable

Amazon Business	976.35	Adelina Benavidez	60.00
Thomas S. Adair	120.00	Wells Fargo Finance Leasing	138.09
Chad Good	90.00	Wilfred O. Chavez, Pharmacy	125.00
Woodland Hardware	191.53	NM Local Government Law	2,810.36
Frontline Uplifting LLC	7,816.53	Wagner Equipment Co.	1,184.41
Andrew J Good	7,350.18	Aqua3 LLC.	75.70
Napa Auto Parts	780.51	Rosemont Services	3,557.01
H&M 116 Rock Products LLC.	1,975.00	Road Safe Traffic Systems	2,759.15
TLC Uniforms	165.96	Sharp Electronics	4,080.24
Home Depot	1,543.78	HEI Inc.	81,708.55

Dova Inc.	450.00	Lalena Aragon	95.52
Construction Coordinators Inc.	11,730.40	Tyler Technologies	519.30
Griffin & Associates	4,038.81	Linde Gas & Equipment	184.96
Stapels Contract & Com. LLC.	65.52	Greg Gallegos	278.00
Melodie Good	90.00	AT&T Mobility	5,999.44
TLC Plumbing	2,141.35	Batteries Plus	137.80
Rentokil North America	466.43	J-H Supply Company	2,092.16
Able & Willies One Stop Shop LLC.	373.00	Emblems Inc.	366.00
Ortega & Son's Propane Service	60.00	Maloy Mobile Storage Inc.	487.36
Ned's Pipe + Steel	142.21	HDR Engineering Inc.	753.11
Garcia & Sons Security	486.28	Bank of America	6,080.84
Comcast business	821.59	NM Gas Co.	117.20
NM Water Services	466.52	Pitney Bowes	175.68
PNM	2,658.03	Verizon Wireless	317.55

Motion made by Councilor Winters to approve the consent agenda as presented. Seconded by Councilor Gutjahr.

Voting Yea:

Mayor Pro-Tem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

Public Comment:

No comments

Manager Report

City Manager Dr. Moore asked Victoria Maestas to speak.

Victoria Maestas introduced herself as the new economic developer for Los Lunas. She explained that she would like to come in and give a more in-depth update of different activities going on in Los Lunas and areas in the County.

City Manager Dr. Moore explained there are a lot of things going on in the city and he will be talking about funding requests that are on the agenda. He then noted that AREA is having a function on the 16th.

Ralph Mimms stated that Clariant will be celebrating their 40th Anniversary and will be having a luncheon Thursday between 11am and 2pm and asked if City Council representatives could attend the event. He then talked about the Regional Economic Alliance on Thursday and asked a member of the City Council to attend the event. He then announced Friday, KRQE will be showcasing Mayor Ramsell and Dr. Marty Moore on New Mexico Living, stating the interview would be good publicity for the city.

City Manager Dr. Moore gave an update on the potholes being filled and the city clean up taking place Saturday, and the continuing progress with the Police Department.

Police Chief Nunez said the City of Rio Communities now has an official Police Department, has received official badges, and have been patrolling the streets since last Wednesday. He then explained the amount of calls the Police Department gets in a month and how vital it is to continue to work with the Valencia County Sheriff's Department to cover those calls. He continued to explain the department is 80% to 85% ready to open the office to the public and has achieved the milestone of hiring an officer that lives here in Rio Communities, who will be sworn in soon.

City Manager Dr. Moore said the Police Department has a policy book of over 700 pages, which Police Chief Nunez has been putting together and will soon be ready for City Council to review. He then gave an update on the reorganization of the Clerk's office and city maps. He gave an update on the work Dessert Fox has started on San Lucas and Chamartín and that they will be completing the parking lot in the back of City Hall as well.

Discussion, Consideration, and Decision – first consideration of Ordinance 2023-92, AN ORDINANCE SUPERSEDING OR REPEALING ORDINANCE NO. 2023-88, Chapter 04 zoning code – 15-day review

City Manager Dr. Moore explained that there have been some questions and confusion in relation to the zoning ordinance documents on the website. He continued to explain the language in the ordinance is being cleaned up to be clear and easy to understand, and the changes will come before City Council in a public hearing and will be presenting it to Planning and Zoning also.

Motion made by Councilor Apodaca for first consideration of Ordinance 2023-92, an ordinance superseding or repealing ordinance NO. 2023-88, Chapter 04 zoning code – 15-day review. Seconded by Mayor Pro-tem Gutjahr.

Voting Yea:

Mayor Pro-Teem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Discussion, Consideration, and Decision – Approval of memorandum of understanding between the city of Rio Communities and the Valencia County Sheriff Department

City Manager Dr. Moore recommended approval to move forward to complete negotiations and bring a final document back, taking a calculated amount flat fee from July to October and run with a pay as you go for the remainder of the fiscal year, keeping everything standard and straightforward.

Motion made by Councilor Gordon for approval of memorandum of understanding between the city of Rio Communities and the Valencia County Sheriff Department. Seconded by Councilor Apodaca.

Voting Yea:

Mayor Pro-Teem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Discussion, Consideration, and Decision – Approval to Reauthorize \$300,000.00 Budget in Capital Project Fund to Include Use for Public Works Yard

City Manager Dr. Moore explained in City Council approved authorization for \$300,00.00 from available cash for capital expenditures here at the city complex and is requesting that be amended to utilize that money to be spent on the public works yard.

Motion made by Councilor Apodaca to approve to reauthorize \$300,000.00 budget in capital project fund to include use for public works yard. Seconded by Councilor Gordon.

Voting Yea:

Mayor Pro-Teem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Discussion, Consideration, and Decision – Legislative Capital Outlay Priorities

City Manager Dr. Moore explained he put together a memo in the funding request, with a few different areas, one is using junior bills so what we are suggesting on either one or two bills. He further explained the cost would be broken down \$100,000 for dangerous/nuisance property clean up and \$500,000 for Police and Fire for public safety needs.

Councilor Gutjahr said the city would be looking at two different requests.

City Manager Dr. Moore agreed and noted that if they want to notate it differently that is fine, but wanted the Council to know the dollar amount and how it has been broken down.

Councilor Gordon asked when the request needed to be submitted by.

City Manager Dr. Moore explained the deadline is in January, before the end of the month, and he will be asking the Council for dates to put forward to our legislator. He then explained the Capital Appropriation back-fill request, requesting for City Complex \$750,000 for additional Phase 2 demolition, electrical, fire suppression, framing, plumbing, flooring, and/or audio/visual. He further explained the city would be asking \$1,000,000 for the design, construction and equipping of community parks, particularly for vegetation, shade structures, electrical, water distribution, drainage, dirt work, and park equipment. He then explained the city would be asking for \$250,000 for new streetlights on 1-2 additional intersections on Horner Street \$1,00,000 to plan, design and construct stormwater drainage improvements in the city, \$1,350,000 to acquire real property, plan, design and construct phase one of a police/fire Public Safety Complex in the city and we will be come back for a

phase 2 request for construction, furnishing, and equipping the public safety complex, with the amount of the request to be determined by and estimate of probable cost from an architectural firm.

Councilor Gutjahr asked if the city complex is going to be right next to each other.

Chief Tabet said we will have shared bays and the current station will be a fire barn and the second one we are requesting will be shared with the Police Department.

Chief Nunez said this is a common thing across the states for smaller cities like us we have a lot in play in this building to have a police department in it and we would have to amp up security it will also make the city look good to come into a city with a public safety building as soon as you come in. Councilor Gutjahr asked will we keep the administration office for the fire department here in City Hall.

Chief Tabet explained yes, we will still have the administration building here what we will do is either expand it in City Hall or get us a piece of property to build a bigger one. Councilor Winter stated we need a place for public health it is crazy the older folks have to go all over to give vaccinations.

Chief Tabet said that we would like to build a place for the residents to get band aids or cleaning up of wounds, vaccinations and a vet for the animals as well.

Motion made by Councilor Gutjahr for legislative Capital outlay priorities. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodaca

Councilor Gordon

Councilor Winters

Motion passed with a 4-0 vote.

Discussion, Consideration, and Decision – Payout of vacation and compensatory time

Dr. Moore stated we have some staff that have built up their compensatory time and in addition we have some employees that have built up their vacation time it will help bring some of that time down as far as liability on the books and help the employees a little bit with inflationary pressures this time of year. As far as financial we have the available money to do it. Dr. Moore stated that every employee has stepped up the past few months with all that has been going on.

Mayor Ramsell said I think it is a good idea it is time that will be paid out at one time or another.

Motion made by Councilor Apodaca for payout of vacation and compensatory time. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Teem Gutjahr

Councilor Apodaca

Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – AUTHORIZATION OF POLICE CHIEF’S REQUEST FOR SALARIES FOR ADMINISTRATIVE ASSISTANT AND POLICE OFFICER

Dr. Moore explained that the Police Chief and working on the contract agreements and the grants we have received this year is fiscal year and need to be spent.

Chief Nunez explained that he had hired Ms. Sanchez, who had previously gone to school for criminology, feeling she was the right fit for the position. He then explained that he carefully selected an officer, who happens to be a Rio Communities resident, pending a background check and continued to explain salaries for the positions hired.

Dr. Moore explained the current budgetary amounts that were set in July and how there would have to be a budget adjustment resolution to address adjustments with salaries and some other operational expenses we will need to look at. He then explained the need to spend that grant money awarded to the city before June 30th.

Councilor Apodaca thanked the Chief for helping the city access state funding.

Councilor Gutjahr explained the grant money makes a difference, allowing us to hire up to six, but the city needs to make sure we can afford to keep them.

Mayor Ramsell thanked Chief Nunez and noted that one of the concerns is how to absorb the cost down the road. He then thanked Chief Nunez for being selective in hiring officers for this community.

Motion made by Councilor Gordon for authorization of Police Chiefs’ request for salaries for administrative assistant and police officer. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Discussion, Consideration, and Decision – Cancelling of November 27, 2023, meeting

Mayor Ramsell explained the meeting in question is the Monday after Thanksgiving and Councilors may not be able to attend.

Councilor Gutjahr stated there is a lot going on in the city and canceling the meeting would add complications.

Dr. Moore stated there would be a special meeting on the 29th or the 30th of November and an additional meeting at the end of December.

Motion made by Gorden for the cancellation of the November 27, 2023, meeting. Seconded by Councilor Apodaca.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Discussion, Consideration, and Decision – Cancelling of December 25, 2023, Meeting

Mayor Ramsell explained the meeting in question is Christmas day.

Motion by Councilor Apodaca for the cancellation of the December 25, 2023, meeting. Seconded by Councilor Gutjahr.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Council Discussion

Councilor Apodaca said the city should start a pictiroal history to have in City Hall, the Fire Department, and the Police Department, and felt like it was overdue as the city is already 10 years old.

Councilor Gutjahr congratulated the Valencia County News Bulletin and its staff, who have received awards for the paper, and then she recognized Sandy Batten. She then announced the VIA offered the city the original city maps and books that contain the news and other information regarding the city.

Councilor Winters did not have a report.

Councilor Gorden did not have a report.

Mayor Ramsell said he would like to have some city traditions, turning the 10-year celebration into an annual event with hopes of it growing. He then explained he would like to have an annual Christmas tree that will be planted at City Hall, that would be decorated every year.

Executive Session – The following matters will be discussed in closed session: motion and roll call vote to go into executive session and that, pursuant to New Mexico State Statutes Section 10-15-1, only the following matters will be discussed in closed session:

- a. **NMSA 10-15-1(h)(2) Limited personnel matters**
 - i. **Municipal clerk resignation**
- b. **NMSA 10-15-1(h)(7) Threatened litigation.**
 - i. **eeoc claim – former public works employee**

c. NMSA 10-15-1(h)(8) real property & water rights

- i. drainage easement
- ii. acquisition of property
- iii. roadway easement
- iv. water rights

• **Motion and roll call vote to go into closed session.**

Motion made by Councilor Apodaca to go into closed session at 7:14pm for the following matters to be discussed in closed session: NMSA 10-15-1(h)(2) Limited personnel matters Municipal Clerk Resignation NMSA 10-15-1(h)(7) Threatened litigation. EEOC claim – former public works employee NMSA 10-15-1(h)(8) real property & water rights drainage easement, acquisition of property, roadway easement, water rights.

Seconded by Councilor Gordon @ 7:14

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

• **Motion and Roll Call Vote that Matters Discussed in Closed Session Were Limited to Those Specified in Motion for Closure, and that no final action was taken, as per New Mexico State Statutes Section 10-15-1**

Motion made by Councilor Gutjahr to return to regular business meeting at 8:16 pm and stated that only the items on the agenda were discussed and no decisions were made. Seconded by Councilor Gordon.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Discussion, Consideration, and Decision – Municipal Clerk Recruitment

Mayor Ramsell said the recommendation is to post internally for recruitment for 5 days, and after 5 days the posting would go out publicly for a Municipal Clerk.

Motion made by Councilor Gutjahr to approve as stated by Mayor Ramsell. Seconded by Councilor Winters.

Voting Yea:

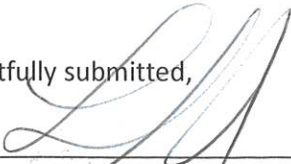
Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Adjourn

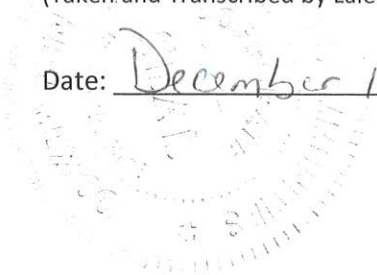
Councilor Winters motioned to adjourn the meeting at 8:18 pm, seconded by Councilor Gordon. The motion carried unanimously.

Respectfully submitted,

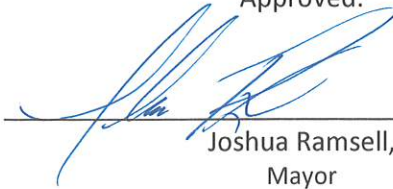


Lalena Aragon, Deputy Clerk
(Taken and Transcribed by Lalena Aragon, Deputy Clerk)

Date: December 11, 2023

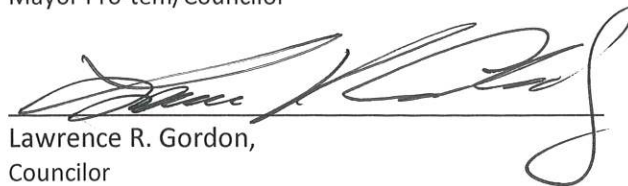


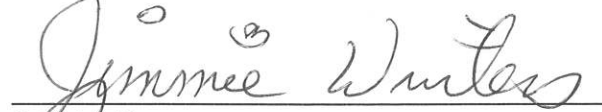
Approved:



Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters,
Councilor