



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, March 28, 2022 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Joshua Ramsell called to order the City Council Regular Business Meeting 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 Jimmie Winters
ABSENT: Councilor Lawrence Gordon
Present: Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, City Attorney Chris DeFillippo, Economic Development Consultant Ralph Mims, and Valencia County News-Bulletin Editor Clara Garcia.

Approval of Agenda

- Motion made by Councilor Apodaca to approve the agenda from March 28, 2022. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. With a 3-0 vote the agenda for the regular business meeting of March 28, 2022, was approved as presented.

Approval of Minutes City Council Special Business Meeting Minutes (03/09/2022), Minutes for the City Council Workshop & Regular Business Meeting (03/14/2022)

- Motion made by Mayor Pro-tem Gutjahr to approve the minutes for City Councils Special Business Meeting of 03/09/2022, and the City Council workshop and regular business meeting of 03/14/2022. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. With a 3-0 the minutes for the special business meeting held on March 9, 2022, the city council workshop held on March 14, 2022, and the city council regular business meeting held on March 14, 2022, were approved as written.

Public Comment

- Mr. Irvine said he sent an email to the Clerk, and then Dr. Martin responded and began explaining the situation when a pop-up camper appeared between 601 and 603 Western. He further explained the same pop-up camper was at other residences and contacted the authorities but did not contact Mr. Irvine back pertaining to the situation. Approximately from March 19th-21st there were about 5 cars parked around camper. He then said on Monday 3/21 he came to the office and the front desk listened to their concern and one of the clerks called the police and had them come out and check on things, he continued explaining his complaint as to the police checked and no answer but did manage to call him back and let him know the camper was in violation of zoning ordinance and that they will report it to the city. He then further explained his frustration and how during the day there hasn't been any activity but at night is when the camper has lights indicating someone is living there. He then said he and his wife do not feel comfortable and want something done.

Manager Report

a) Dangerous Property

- Manager Dr. Moore started by saying he is coming to Council in April with new resolutions to try resolving dangerous properties. He then stated he has had conversations with the attorney and will make sure to have the proper information written down. He then said he has about 2 or 3 places that are very concerning with public safety. He then said the personnel ordinance policy will be back to Council to review the corrections and he thanks the legal counsel for helping with the documents. He then let Council know about the volunteers at the Fire Department and how they are getting properly trained when citing and where to send the write ups to. He finished by letting Council know that they will be receiving the lighting plan within the next few meetings.

Approval of Accounts Payable

- Councilor Gutjahr said she wanted to remind the public that the accounts payable is available online if anyone has any questions, as well as the minutes are there ahead of time.
- Motion made by Councilor Winters to pay the bills. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. with a 3-0 vote Council approved accounts payable for payment.

Employee Stipend(s)

- Manager Dr. Moore explained with the cost of living going up and behalf of the employees with being modest is they can have \$75 per pay period between now and the final pay period in June 2022. Which will be effective April 15th pay role. He then explained he is asking this on behalf of the employees and knows they have worked hard and knows they would appreciate this.
- Councilor Gutjahr said we do know you work very hard with a small staff, and I agree.
- Motion made by Mayor Pro-tem Gutjahr to approve the employee stipends as presented by Dr. Moore. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. With a 3-0 vote Council approved an employee stipend in the amount of \$75.00 per pay period from April 15th till end of June.

Resolution 2022 - xx Valencia County Mitigation Plan of 2022

- Manager Dr. Moore explained during September 2021, he and the Mayor Pro tem were participating in numerous meetings such as mitigation plan, and the litigation plan. He then explained with the mitigation plan it is a very essential plan for the city when it comes to applying for grants and looking into other cities resolutions and it is required for Council to approve this resolution.
- Motion made by Councilor Apodaca to approve Resolution 2022-06 Valencia County Mitigation Plan of 2022. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. With a 3-0 vote Resolution 2022 – 06 Valencia County Mitigation Plan of 2022 was passed, approved, adopted, and signed.

Court Clerk Position - Hours & Wage rate

- Manager Dr. Moore explained the Municipal Clerk has been doubling up as Court Clerk as well and with talking to the Judge and the Municipal Clerk it is time to separate the position. The position is in the budget which means it has a salary, hourly rate would be \$15-\$20 an hour but

with talking to the Judge she recommended up to 15 hours per pay period. He then explained this position as a on-call as needed position.

- Councilor Gutjahr said they have been wanting to do this for quite some time and she appreciates the Municipal Clerk for the descriptions and understanding of the position.
- Motion made by Mayor Pro-tem Gutjahr to approve the Court Clerk position and the hour and wage rate as discussed. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. With a 3-0 vote Council approved the hours for the court clerk to increase to 15 hours per pay period as need and pay range to be \$15-\$20 an hour.

Public Works Position - Wage rate

- Manager Dr. Moore explained we have been working since January 2021 trying to recruit help for the public works department. He further explained that at first the pay was from minimum wage to \$15 an hour but then we are now, with the help from the Bill Brown Memorial fund, we are able to get equipment but need someone to be able to use said equipment preferable with a CDL license. He continued by saying with talking to other public works departments \$18-\$22 an hour is a reasonable range for us.
- Motion made by Councilor Winters to approve the new public works wage rate of \$18-\$22 per hour. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. With a 3-0 vote Council approved the rate increase for the public works position of \$18-\$22 per hour.

Grant Writer(s)

- Manager Dr. Moore explained the State of NM and the Federal government are coming down with funds at least from 3 different sources and talking with the Director of the Municipal League, he informed me that they brought in a grant writer but will be assisting Municipalities around the state and talking to the Finance Director, she said there is enough room in the budget to hire someone. He then said he is requesting up to \$50k to hire a grant writer for the city.
- Councilor Winters said grants have been one of our major sources of income since day one, we have been very fortunate without a grant writer, but cannot continue with such a small staff. He also said, it is very prudent for us to get a grant writer due to, if an opportunity is there, we can lose it without a grant writer.
- Councilor Gutjahr said this is not an employee, this is literally paying by the hour, for a project to a grant writer.
- Manager Dr. Moore explained this is money to put aside to hire someone for grant writing.
- Motion made by Councilor Apodaca to approve up to \$50,000 for the purpose to hire 1 or 2 independent contracting grant writers. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. With a 3-0 vote Council approved the hiring of a Grant writer(s) not to exceed \$50,000.

Council Discussion

- Councilor Apodaca had no report.
- Councilor Gutjahr said a couple of things we have a VALEO an actual meeting for the elected officials in the County quarterly and look at issues we have in the county. She then said we have been requesting a separate zip code and part is making a difference in money, GRTs, and

someone the money goes to Belen unless we make sure it comes to us, plus for EMS if they have same names with the same zip code it makes it an issue and further explained she had contacted Crystal Romero and she is setting up a meeting with an Arizona post office and was told they have been aware of the issue and need a mailing list. She then explained that any issue that is presented we give it to the City Manager, and we support him completely and he does keep Council and the Mayor informed.

- Councilor Winters had nothing to report.
- Mayor Ramsell had nothing to report.

Executive Session - For the purpose of Fire Chief Recruitment position pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters; Pending litigation pursuant to NMSA 10-15-1(H)(7) – AC Disposal v. City of Rio Communities 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 Mayor Pro-tem Gutjahr with a roll call vote to go into an executive Session - For the purpose of Fire Chief Recruitment position pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters; Pending litigation pursuant to NMSA 10-15-1(H)(7) – AC Disposal v. City of Rio Communities 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: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. With a 3-0 vote Council went into close session at 6:41 pm.

Motion and roll call vote to go back into the 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: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Winters. With a 4-0 vote Council was back into the regular business meeting session at 7:49 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 28, 2022 a Closed Executive Session was held and the matters discussed were the Fire Chief Recruitment position pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters; Pending litigation pursuant to NMSA 10-15-1(H)(7) – AC Disposal v. City of Rio Communities 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).

Consideration & Decision – Mayor recommendation regarding the Fire Chief Recruitment position (Andrew Tabet); pending litigation AC Disposal v. City of Rio Communities and the purchase, addition or disposal of real property or water rights by the public body

- Mayor Ramsell stated at this time there was no action taken.

Adjourn

- Councilor Winters moved to adjourn. The motion was second by Mayor Pro-tem Gutjahr. With a 3-0 vote the City Council regular business meeting was adjourned at 7:50 pm.

Respectfully submitted,

Elizabeth (Lisa) 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