



City of Rio Communities Council Workshop
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, March 27, 2023 1:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Joshua Ramsell called to order the city council regular workshop at 1:05 pm.

Attendees

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr (virtual), Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.
 - Present: City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Deputy Clerk Lalena Aragon, Accounting Specialist CPO Angela Valadez, Fire Chief Andrew Tabet, City Attorney Randy Van Vleck.

Accounts payable report

- Accounting Specialist Valadez went over everything over \$500.00; Tyler Technologies in the amount of \$1,298.25; Wells Fargo Leasing in the amount of \$2,497.73; H&E in the amount of \$3,585.02; SJT Group in the amount of \$11,960.25, Sharp in the amount of \$549.12; Palmetto in the amount of \$3,227.33; Village of Los Lunas in the amount of \$8,176.75; TLC Uniforms in the amount of \$1,391.26; PNM in the amount of \$563.80; Chalmers Ford in the amount of \$41,502.38; eSchedule in the amount of \$2,268; Amazon in the amount of \$5,636.03; US Chess in the amount of \$821.25; School's In LLC 5,998.60; 11 accounts for HDR in the amount of \$53,891.91; Neds Pipe & Steel in the amount of \$930; Chalmers Ford in the amount of \$9,694.40; Green Light Depot in the amount of \$2,519.60; 5 accounts for Construction Coordinator in the amount of \$20,387.58.

Memorandum of Understanding (MOU) City of Belen & the City of Rio Communities Summer Recreation program

- Josh Kerns, who is the Community and Economics Director for the City of Belen, introduced Frank Gallegos who will be taking over the summer recreation program this year.
- Mr. Kerns said he gave council a breakdown of the summer program payment analysis with the last few years the MOU has been approximately \$3k and is coming to them to see if we can raise the amount to \$5,000 and explained the cost breakdown starting with the cost of minimum wage going up, and with two supervisors at \$13 an hour brings them to about \$9k for the 9 weeks. He said for 2 weeks they have training for CPR as well as other necessary training needed and in between sections they sanitize as well as reorganize everything.
- Mr. Kerns further said they have 8 fulltime staff members, which is 2 full time staff per each age group, and this equals to \$34k and then have 4 part time staff members who help during lunch as well as field trips so this equals to \$8k so staffing costs \$52k just for the summer.
- Mr. Kern continued the breakdown by explaining the cost for snacks comes to about \$400 for the whole duration of the program. He said they spend about \$1,500 for art supplies, and \$4k for busses for the field trips and the ending cost is approximately \$58k for the whole summer program.

- Mr. Kern stated with about 150 kids at \$150 a session is roughly \$37k and then adding the MOU at \$5k as well as Valencia Counties MOU at \$5k would bring the cost to \$47k which would make the summer program short \$11k but they have other programs they have to help with funding.
- Mayor Ramsell said he was really impressed with what was done last year and heard nothing but good things and a worth it investment.
- Mr. Kerns further explained Franky as well as Amy have been in contact and have talked about having Wednesday here at City Hall just like last year, but only having the older kids since most things are set for older children.
- Mr. Gallegos explained that some of the younger kids have ADHD, or Autism or a special need which the programs Amy has planned isn't good for them mentally as well as physically so having the older kids come is a better plan.
- Mr. Kern said they are working on getting the calendars done and set in place.
- Manager Dr. Moore said last year they discovered that the kids need more space for the kids to have a place to sit and eat, and then further explained that with councils' approval they did the demolition for the summer programs designated area for lunches and have restrooms set up in the back as well and finished by saying they know about the cost and do not see an issue.
- Mr. Kerns gave the dates of the two sessions, which are June 12th-28th and July 10th-28th.

Sunny505 Contract renewal for Public Communications

- Manager Dr. Moore said there is a contract for approximately \$10k with Sunny505 and the contract is up for renewal and explained Sunny505 is taking over the internet as well as pictures will be taken for the economic development website and then stated they have been doing a great job so far as the cities name has been getting out to the public. He further said they are not asking for any additions to the contract just to renew for another year and as a City Manager he is very grateful they have a professional that can help since they have no time to do it in-house right now.

Goodman Avenue improvements 30% design direction from Council

- Manager Dr. Moore went over the estimate of the 30% level from HDR which is called a probably cost and is coming in at \$1,650,042. He further explained on the upstream there is a fence that sits a few feet in the right a way and HDR wants to know what they or the city should do about this problem. He stated the risk versus the reward for doing anything makes a risk because of the property owner and the reward for doing anything would be avoidance. He then said the downstream part past the Damon Road and there isn't vegetation due to the clean up or a walking path. He finished by saying HDR is talking with the head person over at DOT about the situation and further explained that if the DOT does not agree on the change of scope of work, then there may be a request in the future and continued with the discussion.
- Manager Dr. Moore said his personal recommendation is to avoid the fence, move things over a bit and move forward with the design.
- Councilor Gordon said what he is concerned about is the president due to people building things on there own we are going to have to accept it.
- Manager Dr. Moore said the concern is there are several as some that have been there and some that are starting to pop up places but with talking to the attorneys they will have to be dealt with on a case by case process, and decided there will be cataloging in those particular areas and new ones we are going to have a game plan especially since we are going to have

subdivisions and are defiantly on our minds. He continued to say we will have to figure out where to put this on the priority list and have someone designated to look at the hot spot areas.

- Councilor Gordon said if we are going to do the project and work around the fence, what if later there is a problem with their fence whose problem is it going to be.
- Manager Dr. Moore said the homeowner has responsibility beyond their property line, according to our ordinance, and they have responsibilities to the end of the sidewalk or up to the pavement so just because they put a fence there doesn't mean they gave the city responsibilities to maintain the sidewalk.
- Councilor Apodaca said his understanding is they are leaving the fence where it is for now.
- Councilor Gutjahr said she is concerned whatever president we set at this time and to make sure to talk to the attorneys as well because in the future there may be a problem. She continued to state this is an ongoing issue in Rio Communities and really needs to be enforced.
- Mayor Ramsell said at a later point and time if the property owner states they do not want this anymore they would have to take it out on their own expense not ours.
- Councilor Gordon asked if they go back to the property line if they have to take it down.
- Manager Dr. Moore explained the property lines are recorded as well as dated and due to this it never changes the easements and if someone tries to add a fence the city will have to say no and continued with the discussion.
- Councilor Apodaca asked if we have done a cost analysis to take the fence down and asked if they should figure out costs for future references.
- Manager Dr. Moore said we have not, but the only challenge we are going to have is with the property owners and continued with the discussion.

Second Amendment to the Joint Powers Agreement Between the City of Belen, Village of Los Lunas, Village of Bosque Farms, City of Rio Communities, and Valencia County, New Mexico

- Manager Dr. Moore explained he and the fire chief sit on the board and what is going on here is they are changing the fiscal agent where there was discussion and a vote for Bosque Farms to become a new agent. He continued to say with budget season, there is a concern for them to put an amendment together for the new fiscal year. He stated this is more of a house keeping type of thing for them as well as the whole Valencia County.
- Councilor Gutjahr asked if this was clarification about switching from Los Lunas to Bosque Farms.
- Manager Dr. Moore said yes it will rest there but also it will take off the burden from municipalities by bringing in an indoor finance director.
- Councilor Gutjahr asked if they have hired a finance director.
- Manager Dr. Moore said yes, they have, and this will be their first time dealing with their internal budget.

Wildfire Coordinator Term Limit Contract

- Manager Dr. Moore explained that we have talked with our attorney about either doing a w2 form or a 1099 with this grant money the fire chief was granted. He continued to say the grant contract is limited by time and funds which is \$25k and with agreement the wildlife coordinator will be under a 1099 contract and wanted to bring it to councils' knowledge.
- Fire Chief Tabet explained last year we put in the grant to seek a wildland coordinator for the extensive heat fires and to encourage wildlife volunteers as well as help with federal and state

grants and further explained in this grant they gave them 17 pages of work scope in which the state would accept which he would like to use. He continued to say with talking to Valencia County Fire Chief and Wildlife Coordinator Rob Barr, he asked to partner with him since he is familiar with Rio Communities as well as helped co-write the grant but would like to have him as the coordinator for now unless we find someone else who is qualified.

- Manager Dr. Moore said this is a term limited, and once the funds run out then the agreement is over.
- Councilor Gordon asked if they will be educating the public.
- Fire Chief Tabet said yes and will be part of the open houses for the public to learn house safety.
- Councilor Gutjahr congratulated Fire Chief Tabet for receiving the grant.

Ordinance 2023 - xx GRT Chapter 3 Rev & Finance Article 5 Municipal GRT (.6125)

- Manager Dr. Moore explained the purpose for the .6125 increase is not to fill holes because we are losing money, but to cover services we need in the building due to budgets. He continued to say the .6125 will bring about \$100k in revenue and then explained what the city can expect to receive with the money starting with the library and makerspace and are pushing \$160k in equipment just for the two as well as having a library open more for the public and for us to utilize both we are looking into adding a position. He explained Amy has been working on community programs and have been working with the City of Belen recreation coordinator for summer programs. He continued to explain the 2nd position we are looking for which is an administrator/records clerk for the police department who can take care of the paperwork and the police chief will be a working chief so he/she will be out on the field so someone needs to be in office. He further explained some of the changes we are going to be looking at is the personnel changes and changing the code enforcement department to limited term positions but extending the positions in the near future. He stated with the public works director for the last few months he has taken over but have had tested out a public works supervisor and has been working so his recommends not to fill the public works director position. He finished by saying they will be trimming some other positions such as the clerks office and the finance office as well as Amy and himself will be providing assistance. He further explained there are two ways to go since the rising change in the economy and said they could either change the property tax or raise the GRT if they want the programs to go further in the next fiscal year.
- Manager Dr. Moore further explained there are 2 areas of security we are doing, and the finance office are working through the State to get an ORI number. He finished by saying they have received about 11 more applications for the police chief and will be getting out packets for the additional received.
- Councilor Apodaca asked if these positions talked about will be budgeted year after year.
- Manager Dr. Moore said yes, that is the intention.
- Councilor Gutjahr said she is grateful that we will be moving forward with the library and the makerspace since 2 junior bills were given to the city by Rep. McQueen.

Resolution 2022 - XX Dangerous property (2292 Highway 304)

- Manager Dr. Moore explained with the direction from the attorney, this was brought back to council for a declaration with updated information.

- Fire Chief Tabet explained this is being brought forward again from direction of the attorney and are working with multiple agencies to stop the problems since they are progressing, they will be having meetings with state and federal law enforcement in order to resolve these issues. He continued to explain some issues such as medical calls and in order to move forward this resolution needs to take effect.
- Manager Dr. Moore explained once passed they will follow up 3 methods of posting which are posting on the property, then send a letter, then finally a publication in the newspaper. He continued to say they will follow all protocols and presidents with the court as well and only have a select number of days to give an appeal and if not then they will take whatever means necessary.
- Councilor Apodaca asked if they will be working with state and federal agencies as things progress.
- Manager Dr. Moore said yes.
- Clerk Adair explained the rescinding of the resolution which means since the resolution was not passed on May 23, 2022 they will be passing the new resolution for this property.
- Manager Dr. Moore said the attorneys strongly want the city to follow protocols.
- Councilor Gordon said he was glad they are covering all the basics since when it comes to court it needs to be complete.
- Councilor Gutjahr said hopefully we can move forward with this and it well aware of outcomes since it has happened in the past.

Resolution 2022 - XX Dangerous property (407 Horner ST)

- Manager Dr. Moore said those who can see purple know exactly what property they are talking about. He said the addition recoil on this is ownership since it was up for a tax sale.
- Fire Chief Tabet said we are finding these are places people are doing illegal drugs as well as fires in the building even just a place for shelter and in doing so this is making the place unsafe.
- Councilor Apodaca said as he understands this place has a new owner since it was placed in the auction recently.
- Manager Dr. Moore said as to our understanding but no confirmation yet.

Manager Report

a) Zoning Task Force

- Manager Dr. Moore explained we are going to be looking at the Zoning Code with planning and zoning as far as what is permitted especially with commercial and industrial zoning as far as if it this the proper zonings or if it is proper for it to be in the city at all and are currently going through the language and finding the trouble spots as well as the issues. He continued to say petroleum is a big issue as well as figuring out different buffers and what days a manufacture can make noise but are having 2 meetings a week or as permitted but himself and Amy are working on things around the clock. He explained if they do certain limitations there may be impacts of processes and once everything is looked over it will be brought forth to the public, but we recommend a joint meeting with council and planning and zoning to talk about the task force as well as the comprehensive plan.

b) AMR Contract

- Fire Chief Tabet said regarding AMR, they have talked with the reginal manager who overseas the southwest. He stated AMR is not only in Los Lunas but now in Socorro, Belen

and Rio Communities. This was a trial basis to see if it can help with call/transport volume which has significantly. He continued to say when speaking with the local manager for the southwest division and came to an agreement to look for a contract as to what we expect from them at our station. He explained this has significantly reduced the transport from us doing 3-4 a week to only 1-2 a week and as more people pass their classes AMR will have 2 trucks at each post.

- Councilor Gutjahr congratulated the chief.
- Mayor Ramsell said this is a very big win for the community.

City Priorities

- Manager Dr. Moore began a discussion on the top priorities that we had from the retreat that were talked about with a few of these priorities being on going as well as business relations and now are building more relations with the citizens. He explained they are seeing results with business growth, but most are home based businesses. He continued by saying there is a zip code issue as well as the annex issue stating there is a bump in the road with moving forward but are trying to fix these. He continued to say with the annexation issue its more of a tax situation and raising them would bring more money in but will be a continuous issue with the city. He followed up with the zip code issue being they have stayed in contact with Senator Henricks office, and they have mentioned they are working with the postal service to set up a meeting, but the city has sent in all the right paperwork they have asked for. He started to explain the other priorities such as the building renovations as well as the other areas in the building the council has approved and went over the specifications on the ongoing construction.
- Manager Dr. Moore explained the employees will be starting the evaluations and started to explain about company training but haven't been in contact with a certain company who would be able to come down to the city themselves. He mentioned that while talking to the Fire Chief CPR training will be coming up as well as First Aid then AED training to follow so they will be training staff accordingly. He further explained the personal policy is 90% done and will be ready for a quick preview with the attorneys and then will be done but stated due to the retreat they had. He finished by saying they hope to have the policy done and ready for a 14-day review by April 10th, 2023, but if not then April 24th, 2023.
- Manager Dr. Moore continued with the priority list with an amendment change to the personal policy by resolution instead of going though the whole ordinance in order to make it easier for council.
- Clerk Adair explained that the building use policy should be added to the priorities as well.
- Manager Dr. Moore continued with the discussion stating this will be in relation to the renovations as well as other significant priorities the council should be aware of but stated the building use policy has never been an issue before but since there are more things the residents are able to use now as well as businesses showing interests in the makerspace the policy needs to be addressed. He said the three reasons are for the protection of the city and the convenience of the public and the last is cover charges for space rentals.
- Manager Dr. Moore began to recognize the other priorities such as wage scale, which is only for department heads but is thankful they received something from the Municipal League and a few of the positions are doubled so they are looking to see what they can pursue. He continued to explain the economic ordinance which they have had discussion with Jill Sweeny on

specifications such as bonding for economic development as well as local and state LEDA, and requested to bring her back to council for a meeting and continued the discussion.

- Mayor Ramsell said that is the impression that he has gotten from council.
- Manager Dr. Moore said the State has put together a group for the Rio Grande Trail which happened to have the same architects we have used for the parks and trails master plan and continued with the discussion. He said they are thinking of adding a trail in Rio Communities and with this it will add grant money for the city. He started to talk about the police chief hiring which is the top priority and have several more applications that came in on top of the 11 which have been viewed so far, then proceeded to ask council for the go ahead to review the ones that have been received.
- Councilor Apodaca said as a city we are going to be following up with a letter of thanks for the applicants who have submitted their applications.
- Manager Dr. Moore said yes and is surprised to see this many applicants, then continued to say on the state of the city we have provided updates to the citizens as well as our 10th anniversary so this would be a good area to talk about timing and talking about events, he recommends doing something in the fall when it isn't so hot outside and thinks it's a good idea to bring the state of the city for the first 10 years for a little background about the city and then show then what we have planned for the next 10 years in the future.
- Manager Dr. Moore said a huge issue is City Road Bonding, then said is this something we need to be talking about right now or is this something down the road. He stated we have about 40 miles of road and out of the 40 miles at least 25% needs extreme road repairs and he recommended to hold off on this and thinks the city needs to be in a better revenue wise, but budget wise we are doing fine since expenses are being met so the challenge is having enough money to pay for these to be done and continued the discussion.
- Manager Dr. Moore said the Launch of MyCivic is already partially launched with 440 citizens who downloaded the app and are planning on doing a major launch but are working on software issues at the moment. He started to talk about the Finance Policy and next series of SOP's (standard operations procedures) that needs to be updated and said there has been issues with the fire departments SOPs and have been working with by laws as well as talking with the attorneys to make sure everything is up to date as well as everyone knows the procedures.
- Councilor Gutjahr said before there is an ongoing conflict with the SOPs of the fire department, and one of the key things is to be in alignment due to legal issues.
- Manager Dr. Moore said that is exactly right, ultimate what we want is to have standard operating procedures so go in with the personnel policy so there aren't conflicts.
- Manager Dr. Moore said with the comprehensive plan and in the zoning taskforce, we have has brought this to our attention and is top priority of the city priorities list and with doing so we need to look at the positive and negative impacts and continued the discussion.
- Manager Dr. Moore said we have been doing a better job at recognition, but Councilor Apodaca brought it out saying thank you is a good thing to do.
- Councilor Winters said under plan for future growth we need to define the obstacles and figure out how to proceed and continued the discussion.
- Councilor Gutjahr asked if under recognition during the 10th anniversary they should recognize the people who started the city and such, and then asked if the Senator or Representative have sent the resolution back.

- Manager Dr. Moore said yes and have received 6 copies congratulating the city.
- Councilor Gutjahr said she was pleased to hear the standard operation procedures for the 4 departments because it can become very difficult especially when we grow.
- Manager Dr. Moore said we have gotten significant things done such as street lighting, trainings for the budget, audit, debris removal, travel policy, potholes.
- Manager Dr. Moore continued the discussion on the rest of the priorities that are in progress starting with sight and sound improvements and said monitors will be issued for council for visuals on presentations, then started to talk about city fees for building usage as well as others but mainly to make sure we are not in violation with the anti-donation law.
- Clerk Adair explained some of the fees that we are requesting are for IPRA requests as well as others that take time for research of our own, and in some findings that our building permits are not the same as other cities as well as animal housing fees are different since we are only charging what our ordinance had us charging since 2014 even though we are being charged \$30 a day.
- Manager Dr. Moore continued the discussion by saying part of these will have to do with the county but what has been difficult is most animals being picked up here are either being adopted or euthanized so residents are not being charged the fees.
- Manager Dr. Moore said we have talked about the P & Z ordinance already and are conversing with the zoning taskforce. He then went on about the public works facility and said council has seen the draft/site plans but are thinking about bringing in a construction portable for restrooms and water source or now. He continued to say in relation, the fire department needs to separate the equipment as well as wildlife equipment and the medical side as well so there can be more room in at the station for the bigger tender. He then said he is requesting to use the 3 acres for public works and the fire department and has looked at all the specifics.
- Manager Dr. Moore said in the future he would like to look at having a separate police department and courtroom from City Hall as a stand-alone facility for public safety as well as safety for staff.
- Mayor Ramsell said he agreed with the City Manager, since having this building is for community involvement and having youth programs as well as other things for the public, he doesn't see the need to have a holding cell in the same building.
- Councilor Apodaca said he agreed, and they would just have to find a source of revenue to establish this.
- Councilor Gutjahr said the sooner we can get something, but in the meantime, we have an MOU with the county since they will be transported to the detention center anyway but agrees.
- Manager Dr. Moore said we are going into an area where we are in our Grant projects and are now down to two projects but as of right now all the others are in process and continued the discussion.
- Manager Dr. Moore continued to explain the street repairs are ongoing and then said they are starting to put the park in Chemesa is starting to come together. He then said we have the 2 junior bills with almost everything spent thanks to Amy and then 2 renovations for city hall have been fully obligated with the state. He then said the 3 projects we have requested from the legislation which are the streetlights, stormwater drainage, and phase two for renovations have been recommended to the governor's office. He finished by saying at the beginning of the year we had 22 projects and it dropped down to 15, we are hoping to have it to 9 by June and continued the discussion.

- Councilor Winters said he appreciates the updates on the projects.
- Councilor Gordon said the projects he was wondering about are already priorities.
- Councilor Apodaca said he would like to agree, and the big top priorities that we hear from the community are the police department, parks and recreation, as well as economic development and all of these are on the priority list, so he thinks they are moving in the right direction.
- Councilor Gutjahr said she appreciates the update and stated when we start on a project something else happens but thinks the City Manager is doing very well keeping the major priorities in line and as a council knowing where we are is an important obligation.
- Mayor Ramsell said he has the privilege to see what priorities are being accomplished since the list is in Dr. Moore's office when talking to him about important things happening in the city and then said he thinks having this on a spreadsheet for council and the public would be a good idea. He continued to say the one thing they need to discuss is the 10-year anniversary for the city but they are headed in the right direction.
- Manager Dr. Moore said on the issue for the 10th anniversary we need a block of time we want to do this event and stated he was thinking a 1-to-6-week block but wants direction from council to see what plans they would like to see.
- Councilor Winters said when it is moderately cooler in September or October but recommends the car show again since it was a huge success.
- Clerk Adair said when they had founders' day, they would have parades on the second or third weekend before fall, it was perfect weather as well as the state fair is over, the balloon fiesta isn't for a few more weeks.
- Councilor Gutjahr suggested a committee for the planning.
- Clerk Adair said they should get a few members from the economic development since some are part of the founders' group and continued the discussion.
- Manager Dr. Moore asked for volunteers for the planning committee from council and Councilor Apodaca as well as Councilor Gutjahr agreed to volunteer.

Public Comment

- Marsha Walton, to Council and Mayor said she knows they are getting a letter from planning and zoning regarding the I3 zoning, then asked council to read all written comments that were given to planning and zoning with almost 300 people were in attendance for the public hearings as well as all the speakers stating they do not want this in the community. She then said in closing the vision statement will be true which is 'The city of Rio Communities is a progressive community with a diverse history and culture striving for a clean, safe and productive city though dedicated leadership. The city will partner with citizens and businesses to make this a quality choice for living, working and leger activity.'
- Helen Smith, 952 Frederico said the people of Rio Communities is frightened that they are going to dump heavy industry within 200 feet of our doors and said it is scary to know what it can do to our health and lives. She continued to say if we are going to diversify this community, please do not bring the C3 and I3 in the city. She then said we could profit from those outside the city boundaries, the same as others, in the growth, development and the annexation do not bring in heavy industry. She finished by saying you are going to receive a letter from planning and zoning to deny the I3 and C3 zoning on the basis that the application did not have enough information but not this it isn't a good plan for Rio Communities and 300 people gave letters, 2 5-hour hearings, 100% apposed for I3 and C3 then she read the letter.

Council General Discussion & Future Agenda Items

- The council had nothing to report or discuss.

Adjourn

- The City Council regular workshop was adjourned at 3:49 pm.

Respectfully submitted,

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

Date: _____

Approved:

Joshua Ramsell,
Mayor

Margaret R. Gutjahr,
Mayor Pro-tem/Councilor

Arthur Apodaca,
Councilor

Lawrence R. Gordon,
Councilor

Jimmie Winters,
Councilor