



**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, May 22, 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 Gutjahr led the Pledge of Allegiance.

**Roll Call**

- PRESENT: Mayor Joshua Ramsell, Mayor Pro-tem Margaret R. Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, Councilor Jimmie Winters.
  - City Manager Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer 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 Gordon to approve the agenda. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the agenda was approved as presented.

**Approval of Agenda (Minutes for the City Council Workshop & Regular Business Meeting (05/08/23) & Approval of Accounts Payable)**

- Motion made by Mayor Pro-tem Gutjahr to approve the consent agenda as listed. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the consent agenda was approved as written.

**Public Hearing - Continuation from the May 8th public hearing**

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

- Motion made by Mayor Pro-tem Gutjahr to table the public hearing and refer it back to P&Z for a written decision. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the applicant was referred to Planning and Zoning for a written decision.

**Public Hearing**

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

- Motion made by Mayor Pro-tem Gutjahr with a roll call vote to recess the regular business meeting session and go into the public hearing. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the regular business meeting session was recessed and the public hearing began at 6:11 pm.

**Consideration of An Ordinance Implementing a Personnel Ordinance for the City of Rio Communities**

- Manager Dr. Moore said this particular ordinance working together with our Attorney, literally changing the way we are handling the personal ordinance with our Mayor Council form of government and creating a mechanism that is easier for you to be able to make changes if you

need to be able to make changes and what we are saying is currently your process requires an ordinance every time there is a change to anything that is substance in your personal policy period. This new ordinance that we are proposing here provides you with the ability to make those changes by resolution. We also have some changes that would be for existing personnel manual but those will have to be dealt with. We would like to deal with those after we make sure we have our process fixed.

#### **Motion and roll call vote to go back into Regular Business Meeting session**

- Motion made by Councilor Gordon 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 Gordon, Councilor Winters. With a 4-0 vote Council went back into the regular business meeting session at 6:13 pm.

#### **Ordinance 2023 - XX An Ordinance Implementing a Personnel Ordinance for the City of Rio Communities**

- Motion made by Mayor Pro-tem Gutjahr to approve Ordinance 2023 - 86 an ordinance implementing a personnel ordinance for the City of Rio Communities. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Ordinance 2023 - 86 an ordinance implementing a personnel ordinance for the City of Rio Communities passed, approved, adopted, and signed.

#### **Public Comment**

- No public comments.

#### **Manager Report**

##### **Snow Runoff update**

- Manager Dr. Moore said the agenda is related to the snow runoff at the Rio Grande River the latest word we have is they are working together with the Army Core of engineers in Cochiti lake they are going to increase the amount of water released into the Rio Grande river. He further said that one area of concern is the crossing here at Highway 47 and Highway 309. We have three crossings of concern, the one on our side, the one in Belen and the river itself. The main concern is the one on the Belen side. We are watching it very closely along with the Fire Department and the Conservancy. There is a course ICS 700 or 701, it is open to council members as well. We think our fire station would be a grate place to host that. The county is looking at the Emergency plan. Our Chief has been working with the County Emergency Manager. We just want to be ready.

#### **Zoning Ordinance Amendments for a 15-day review**

- Manager Dr. Moore said there was some issues that came up at the rezoning hearings one was a substantive issue many, many people concerned about the potential for petroleum-type use happening. The second issue that came up was the confusion over the process of who is holding the hearing and when and how many meeting before it gets to Council. The planning and zoning commission held a public hearing and there were no issues.
- Councilor Apodaca said I think these changes are good and will move the city in a positive way. Everything will be more defined moving forward and the less
- Motion made by Councilor Apodaca to approve the zoning ordinance amendments for a 15-day review. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. with a 4-0 vote Council approved a 15-day public review of Zoning Ordinance Amendments.

### **Greater Valencia County Chamber of Commerce membership**

- Manager Dr. Moore recommended this be continued until the next meeting and we will have the Director of Greater Valencia County Chambers of Commerce here.
- Motion made by Mayor Pro-tem Gutjahr to move the greater Valencia county chamber of commerce membership discussion and action until the next city council meeting. Seconded by Councilor Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the greater Valencia county chamber of commerce membership discussion and action until the next city council meeting.

### **Once a Day Marketing - Outdoor Recreation Economy**

- Manager Dr. Moore said we had a presentation with Mr. James Glover and explained we have a master plan for parks and trails this is looking at the economic side of outside recreation we have a lot of opportunities we would recommend approval of this proposal and to move forward utilizing rescue plan funds.
- Councilor Apodaca said he thinks this is a good idea and good for the city.
  - Motion made by Councilor Gordon to approve Once a Day Marketing - Outdoor Recreation Economy using the ARPA funds. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved to Once a Day Marketing - Outdoor Recreation Economy using American Rescue Plan Act funds.

### **Medical Service Provider Letter**

- Manager Dr. Moore said medical services are short on this side of the river. We see this as an opportunity and concerns for a fire and EMS are medical calls are going up
- Councilor Gutjahr said we have been looking forward to this for a long time.
- Motion made by Mayor Pro-tem Gutjahr to approve the medical service provider letter as stated. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved and signed the letter to the medical service providers.

### **Mosquito Pest Control**

- Manager Dr. Moore explained we put this on the agenda for a potential for action if the cost would come in for under \$20,000.00, we got one quote in for under that we are waiting for another quote. We have been getting numerous calls.
- Motion made by Mayor Pro-tem Gutjahr that we postpone voting on mosquito pest control until finance has everything they need to move forward. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the Mosquito Pest Control was postponed.

### **Authorize purchase of fire apparatus / Service Truck for Fire Department**

- Mayor Ramsell said we will be able to use ARPA funds for emergency vehicles including these two apparatuses that we have discussed.
- Finance Officer Finch said after confirming with our attorney and looking over things yes, we can use the ARP funds and further said would like you to authorize but not exceed the \$150,000.00 in case we may have some other services come up.
- Mayor Ramsell asked if his would be excluding GRT.
- Finance Officer Finch explained for the fire truck and the equipment we won't have to pay GRT we are tax exempt but as far as services we would.

- Motion made by Mayor Pro-tem Gutjahr to authorize the purchase of fire apparatus / Service Truck for Fire Department using ARPA funds to not exceed \$150,000. Seconded by Councilor Winters. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 Council authorized the purchase of a service truck for the fire department utilizing ARPA funds.

#### **Authorize purchase of fire apparatus / Ladder Truck for Fire Department**

- Fire Chief Tabet said this is something we need for the industrial park to be able to adequately serve it and it will be something we can use for the foreseeable future.
- Councilor Gutjahr said this has been very helpful to listen to what is happening. I appreciate the work and care of our vehicle in the station.
- Motion made by Councilor Apodaca to authorize the purchase of a fire apparatus ladder truck for the fire department utilizing ARPA funds not to exceed \$500,000. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council authorized the purchase of a ladder truck for the fire department utilizing ARPA funds.

#### **Council Discussion**

- Councilor Apodaca updated on the triangle piece of land I contacted the tenant, and he is working with the owner and he promised last year to get a new flag and fix the lighting. I haven't heard back but I will reach out again and we can complete it now the weather is nice.
- Councilor Gutjahr asked when they can get together for a meeting on the use of ARPA funds other than what we are doing now.
- Councilor Gordon had no comments.
- Councilor Winters had no comments.
- Mayor Ramsell said we will be having a special meeting this coming Tuesday to discuss the ARPA funds and the plans we have. It will be on May 30<sup>th</sup> at 6pm.

#### **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 closed session. Seconded by Mayor Pro-tem Gutjahr. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into executive session at 6:52 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 Gordon. Voting Yea: Mayor Pro-tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went back into the regular business meeting session at 7:28 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 22, 2023 a Closed Executive Session was held and the matters discussed were 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)

#### **Recommendation, Discussion, Consideration, and Decision - Of the purchase, addition or disposal of real property or water rights by the public body**

- Mayor Ramsell said there were no recommendations at this time.

## Adjourn

- Motion made by Mayor Pro-tem Gutjahr to adjourn. Seconded by Councilor Apodaca. With a unanimous vote the regular business meeting was adjourned at 7:29 pm.

Respectfully submitted,

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Elizabeth F. Adair, Municipal Clerk  
(Transcribed by Lalena Aragon, Deputy Clerk)

Date: \_\_\_\_\_

Approved:

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Joshua Ramsell,  
Mayor

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Margaret R. Gutjahr,  
Mayor Pro-tem/Councilor

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Arthur Apodaca,  
Councilor

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Lawrence R. Gordon,  
Councilor

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Jimmie Winters,  
Councilor