



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, July 25, 2022 6:00 PM
Minutes

Please silence all electronic devices.

Call to Order

- Mayor Joshua Ramsell called the Council 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
 - Present: City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Fire Chief Andrew Tabet, Code Enforcer Greg Gallegos, Valencia County News-Bulletin Editor Clara Garcia.

Approval of Agenda

- Motion made by Councilor Winters to approve the agenda as written. Seconded by Councilor Apodaca. With a unanimous vote the agenda for the Regular Business meeting was approved as presented.

City Council Special Business Meeting Minutes (07/08/2022), Minutes for the City Council Workshop & Regular Business Meeting (06/27/22 & 7/11/22)

- Motion made by Councilor Winters of the special business minutes of 7/8/22 and of the city council workshop and regular business minutes of 6/27/22 & 7/11/22. Seconded by Councilor Gordon. With a unanimous vote the minutes for the special business meeting of July 8th, 2022, and the regular workshop and business meeting of June 27, 2022, and July 11, 2022 were approved as written.

Public Comment

- No public comments.

Manager Report

a) Fire Fuels cleanup – updates, b) Compliance - updates

- Manager Dr. Moore said compliance is making progress there are still challenges but are getting it done. He continued by saying we are working with MyCivic which is the company that helps track concerns and complaints that happen around the city. As far as our parks and trails, he did receive a verbal from the State that the capital outlay has sold the bonds, includes the ability to purchase property and said we cleaned out the area of fuels reduction, so we are starting to move some dirt and clean some weeds. He then said the city has purchased a tractor and brush hog now. He further explained the Jr. appropriations grant at \$50k for community programs as well as fixing the makerspace and library should be coming in the fall.
- Councilor Apodaca said it will be nice to have the tractor and brush hog now. He then said as far as the park grant is it to where it can only be used for the development stages.

- Manager Dr. Moore said yes.

Approval of Accounts Payable

- Motion made by Councilor Apodaca to approve accounts payable as presented. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote accounts payable was approved for payment.

Resolution 202X - XX BAR #4

- Municipal Clerk Adair read Resolution 2022 – 16 BAR #4 into the minutes. Please see agenda packet.
- Motion made by Councilor Winters to approve Resolution 2022-16 BAR #4, Seconded by Councilor Apodaca. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Resolution 2022 – 16 BAR #4 was passed, approved, adopted, and signed.

Resolution 2022 - XX Fourth Quarter Financial Report

- Municipal Clerk Adair read resolution 2022 - 17 fourth quarter financial report. Please see agenda packet.
- Motion made by Councilor Apodaca to approve resolution 2022-17 4th quarter financial report. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Resolution 2022 – 17 Fourth Quarter Financial Report was passed, approved, adopted, and signed.

Resolution 2022 - XX Imposing a Mil Levy Tax for the benefit of Public Safety

- Municipal Clerk Adair read Resolution 2022 – imposing a Mil Levy Tax for the benefit of Public Safety. Please see agenda packet.
- Motion made by Councilor Apodaca 2022-18 imposing a mil levy tax for the benefit of public safety. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Resolution 2022 – 18 Imposing a mil Levy Tax was passed, approved, adopted, and signed.
- Mayor Ramsell read a statement from Councilor Gutjahr which stated “I fully support raising out mill levy by 3.5 on residential property for the purpose of public safety, as we full council Mayor and city staff has discussed establishing our police department has been a goal since we incorporated and been a request from the community as well. Having adequate funding has been the issue for our finances to continue to improve and with this increase in revenue, we can move forward.”

Discussion, Consideration, and Decision – Consultant to Startup a Police Department

- Manager Dr. Moore explained that at the workshop we had Mr. Larry Curley here discussing having him here with his police experiences to be our consultant for up to \$35k contract.
- Motion made by Councilor Winters for the approval of letting Dr. Moore negotiate the contract for the consultant for a startup police department. Seconded by Councilor Apodaca. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Council approved with moving forward with the City Manager to enter into a contract for up to \$35k for our police department consultant.

Resolution 2022 - XX Local Government Road Fund/Municipal Arterial Road Program

- Manager Dr. Moore explained this was actually for design, planning, design work on Horner Street for almost its entire lane. He continued by saying it also encompasses a small piece of Hillandale where Horner Street intersects then heading down towards Manzano Street and ultimately ties back into Hwy 309 and Hwy 47. He finishes by saying he is pleased they received the recommendation from both DOT and our engineers, and this road has significant traffic as well as residents utilize this road for walking trails.
- Motion made by Councilor Apodaca to move forward with Resolution 2022-19 Local Government Road Fund/Municipal Arterial Road Program. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Resolution 2022 – 19 Local Government Road Fund/Municipal Arterial Road program was passed, approved, adopted, and signed.

Discussion, Consideration, and Decision – Authorizing payment of Temporary Wildland Fire Assignments from the State

- Manager Dr. Moore explained that our fire fighters did a valiant effort to fight the Big Hole Fire and the Simona Fire, and two of our fire fighters were put on command staff portion with the state. He also stated a few more received their red cards and had assisted the state in another fire for the wildland forestry and do to this they were promised pay in April but have not received this and we are now in July. He finished by saying other communities are waiting as well and with talking to the other communities we are asking council an amount not to exceed \$25k to take care of actual wages and payroll tax portions and will have reimbursements that will be submitted with full documentation provide both to the state and our finance director.
- Motion made by Councilor Apodaca to authorize payment up to \$25,000 to temporary wildlife fire assignments from the state. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Council Authorized payment of temporary wildland fire assignment from the State to be paid.

Discussion, Consideration, and Decision - Resolution 202X - XX FY 202X Final Budget

- Motion made by Councilor Winters Resolution 2022-20 2023 fiscal year final budget. Seconded by Councilor Apodaca. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Resolution 2022-20 Fiscal Year 2023 Final Budget was passed, approved, adopted, and signed.

Discussion, Consideration, and Decision – Resolution 2022 - XX Dangerous property (86 Horizon Vista Blvd)

- Fire Chief Tabet explained as discussed earlier we have been working with this property and the courts but has come to no avail and after avoiding us doing failures to appear it has become a pain and he feels with this team they had no other choice but to come to council to get this taken care of.
- Mayor Ramsell said it has become more of a health and safety hazard.
- Fire Chief Tabet said a fire hazard also.
- Municipal Clerk Adair read into Resolution 2022 – 21. Please see agenda packet.
- Motion made by Councilor Apodaca to pass resolution 2022-21 dangerous property located at 86 Horizon Vista Blvd. Seconded by Councilor Winters. Voting Yea: Councilor Apodaca,

Councilor Gordon, Councilor Winters. With a 3-0 vote Resolution 2022 – 21 Dangerous Property (86 Horizon Vista Blvd) was passed, approved, adopted, and signed.

Council Discussion

- Councilor Apodaca had nothing to report.
- Councilor Winters had nothing tonight to report.
- Councilor Gordon nothing to report.
- Mayor Ramsell said the only thing he had to mention was the mill levy being a benefit public safety, He continued by saying the action items were considering a consultant for starting up a police department and our budget also includes moving forward with the beginning of a police department.

Executive Session - For the purpose of Threatened/Pending litigation pursuant to NMSA 10-15-1(H)(7) – Comcast and of 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 the executive Session, for the purpose of threatened/pending litigation pursuant to NMSA 10-15-1(H)(7) – Comcast and of 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. Council went into a closed 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 Gordon. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the regular business meeting session was resumed at 7:11 pm.
- **Welcome everyone back and statement by the Mayor:**
 - Mayor Ramsell said that the Governing Body of the City of Rio Communities, New Mexico, hereby states that on July 25, 2022, a Closed Executive Session was held and the matters discussed were for the purpose of Threatened/Pending litigation pursuant to NMSA 10-15-1(H)(7) – Comcast 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 - Consideration & Decision – Mayor recommendation regarding the purpose of Threatened/Pending litigation pursuant to NMSA 10-15-1(H)(7) – Comcast and the purchase, addition or disposal of real property or water rights by the public body

- Mayor Ramsell recommends regarding the threatening pending litigation pursuing to NMSA 10-15-1(H)(7) for comcast which that we pay the demand letter and was in the dollar amount of \$894.48 to repair damaged lines while doing some work within the city.
- Motion made by Councilor Apodaca to move forward with the recommendation to pay the amount of \$894.48 based on the demand letter from comcast NMSA 10-15-1(H)(7).

Seconded by Councilor Winters. Voting Yea: Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 3-0 vote Council approved to make payment to Comcast.

Adjourn

- Motion made by Councilor Winters to adjourn. Seconded by Councilor Apodaca. With a unanimous vote the City Council regular business meeting was adjourned at 7:14 pm.

Respectfully submitted,

Elizabeth F. 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