

City of Rio Communities Council Minutes  
Regular Business Meeting  
December 11, 2018

**Call to Order**

- Mayor Gwinn called to order the city council regular business meeting at 6:00 pm.

**Pledge of Allegiance**

- Jody Skelton led the Pledge of Allegiance.

**Roll Call**

- Present: Mayor Mark Gwinn, Councilors; Bill Brown, Peggy Gutjahr, Arturo Sais and Joshua Ramsell.  
Present: Finance Officer/Treasurer Celina Benavidez and Municipal Clerk Lisa Adair.

**Approval of Agenda**

- Councilor Ramsell moved to approve the agenda for December 11, 2018. The motion was second by Councilor Gutjahr. With a 4-0 vote the agenda for the regular business meeting was approved as presented.

**Approval of Workshop Minutes**

- Councilor Gutjahr moved to approve the workshop minutes of 10/23/18 and 11/13/18. The motion was second by Councilor Brown. With a 4-0 vote the workshop minutes of October 23, 2018 and November 13, 2018 were approved as written.

**Approval of City Council Minutes**

- Councilor Brown moved to approve the city council minutes of October 23 and November 13 of the year 2018 as presented. The motion was second by Councilor Sais. With a 4-0 vote the minutes of October 23, 2018 and November 13, 2018 were approved as written.

**Public Hearing**

- Mayor Gwinn asked for a motion to go into the public hearing regarding the personnel policy manual.
- **Motion and roll call vote to recess Regular Business Meeting session and to go into Public Hearing:**
  - Councilor Gutjahr made a motion with a roll call vote to recess the regular business meeting session and go into a public hearing. The motion was second by Councilor Sais. Vote: Councilor Ramsell-yes; Councilor Brown-yes; Councilor Sais-yes and Councilor Gutjahr-yes. With a 4-0 vote Council recessed the regular business meeting session and went into public hearing at 6:05 pm
    - **Ordinance 2019-\_\_ Personnel Policy Manual**
      - Mayor Gwinn explained we have been working on our personnel policy manual and asked Councilor Gutjahr to update on what those changes are.
      - Councilor Gutjahr explained that the first change was the definition of exit interview and further explained that it would also include all areas where the attempt to get the exit interview.

- Councilor Gutjahr said in area 4 was the notification of an applicant, setting up a process regarding hiring and interviews.
- Councilor Gutjahr explained the other was in section 8, clarifying if the grievance should be with the City Manager what the process would be and section 9 regarding the personnel board putting the same language as in the grievance section regarding the City Manager.
  - Resident asked who would head that committee if it was against the City Manager.
- Mayor Gwinn explained the committee selects the Chairperson and the City Manager is just there to oversee and also Councilor Brown is assigned as well and will conduct meetings from time to time, but they do have a chairperson that will run the whole meeting.
- Councilor Brown stated that they did have a meeting with the personnel board and specifically section 8 appointing a chairman.
- **Motion and roll call to go back into Regular Business Meeting session**
  - Councilor Sais moved to go back into the regular business meeting session with a roll call vote. The motion was second by Councilor Ramsell. Vote: Councilor Gutjahr-yes; Councilor Brown-yes; Councilor Ramsell-yes and Councilor Sais-yes. With a 4-0 vote Council went back into the regular business meeting session at 6:11 pm

#### **Public Comment**

- Jody Skelton, Rio Communities; said several months ago it was asked when will the street signs around Western would be fixed.
- Mayor Gwinn said he will cover that in his report and give an update because the pole will have to be changed out.
- Jody Skelton asked about the car is there any word regarding the patrol car and then said she was surprised it was not on tonight's agenda.
- Councilor Gutjahr said she will be addressing that during her Council report.

#### **Economic Development**

- Mayor Gwinn explained Frank Logan is in Edgewood and unable to be here tonight. He then said the main area that they are talking about is the 501c3 and hopefully next month they will have more information for everyone.
- Councilor Sais asked regarding the 501c3 who is going to designate it and will it be a totally separate entity.
- Mayor Gwinn said he is not sure how they are working it and explained that Frank and Kuan are spearheading it and hopefully they will know more soon

#### **Planning and Zoning**

- Mayor Gwinn said Tom from Planning and Zoning is not here tonight and then explained that they met with the attorney regarding the solid waste and P&Z will be meeting in January and will be going over the findings from the attorney.

#### **Rio Grande Estates Fire Department**

- Mayor Gwinn introduced the newly elected Fire Chief Nathan Gonzales and the Assistant Fire Chief Andrew Tabot for the Rio Grande Estates Fire Department.

- Fire Chief Gonzales thanked everyone for the opportunity to help serve the community said he has been a resident of Rio Communities all of his life and he is excited to moving forward.
- Assistant Fire Chief Tabot thanked also for the opportunity and looks forward to great things for our City and our station.

**Municipal Court**

- Court Clerk Lisa Adair gave the court report for the month of November: 1 code violation was filled in the courts; amounts collected are: Correction fees \$20; Court Automation fees \$6; Judicial Education fees \$3; Court Fines of \$25 giving a total of \$54 was collected in the courts for the month of November.
- Mayor Gwinn explained Officer Cole is out on medical leave.

**Ordinance 2018 - \_\_ Personnel Policy Manual**

- Councilor Gutjahr moved to approve Ordinance 2018-65 Personnel Policy Manual. The motion was second by Councilor Brown. Vote: Councilor Sais-yes; Councilor Ramsell-yes; Councilor Gutjahr-yes and Councilor Brown-yes. With a 4-0 vote Ordinance 2018-65 Personnel Policy Manual was passed, approved, adopted and signed.

**Accounts Payable**

- Treasurer Benavidez gave the Fire Department’s accounts payable report.

Summit Truck Group	\$	2,861.73	Summit Truck Group	\$19,768.59
Staples	\$	477.89	Plateau	\$ 468.22
Plateau	\$	449.54	Century Link	\$ 59.80
Chief Supply Corporation, Inc	\$	115.00	Card Service Center	\$ 798.65

- Councilor Sais asked if the charge for Century Link is that a landline.
- Treasurer Benavidez said the phone line is through Century Link and the internet is with Plateau.
- Fire Chief Gonzales asked would it be possible to switch from Plateau.
- Mayor Gwinn explained that Comcast is not on the side of the road from the fire department and there is no plans of extending it.
- Treasurer Benavidez gave the City’s accounts payable report.

Gusto Payroll (extra)	\$	7.79	Universal Constructors	\$ 1,930.20
CES (building)	\$	48,311.31	Gusto Payroll (extra)	\$ 44.33
Gusto (WK 22 reg payroll)	\$	4,785.30	Gusto (WK 22 reg payroll)	\$ 1,453.74
Gusto (WK 24 reg payroll)	\$	1,443.40	Gusto (WK 24 reg payroll)	\$ 4,722.05
Heather Benavidez (Judge-Dec)	\$	300.00	NM Self Insurers’ Fund	\$ 3,468.00
Number Nine Media	\$	12.54	MuniCode	\$ 3,725.00
CES (building)	\$	53,679.24	Card Service Center	\$ 300.88

- Mayor Gwinn explained the work that was done by Universal Constructors was repair from the rains that created erosion from the asphalt and concrete on a ravine.
- Mayor Gwinn explained the CES payment was a change order on the columns.
- Councilor Gutjahr asked regarding the fire department said on Wednesday’s they are fueling up the vehicles has there been a difference in the amount of usage.

- Treasurer Benavidez said it has dropped.
- Councilor Sais asked regarding paying Judge Benavidez, would it be more efficient to pay it quarterly.
- Treasurer Benavidez said the Judge was not interested in getting paid quarterly.
- Mayor Gwinn said when we approved the payment for the Judge we stated it would be monthly.
- Councilor Sais moved to pay the bills as describe by the Treasurer. The motion was second by Councilor Ramsell. Vote: Councilor Gutjahr-yes; Councilor Sais-yes; Councilor Brown-yes and Councilor Ramsell-yes. With a 4-0 vote the Fire Department and City's accounts payable and journal entries were approved for payment.

#### **Cancel December 25<sup>th</sup> Workshop and City Council Regular Business meeting.**

- Mayor Gwinn explained that December 25 is when our next regular scheduled business meeting and asked Council to consider canceling the second business meeting in December.
- Councilor Gutjahr moved to cancel the December 25 workshop and regular council business meeting. The motion was second by Councilor Brown. Vote: Councilor Ramsell-yes; Councilor Sais-yes; Councilor Gutjahr-yes and Councilor Brown-yes. With a 4-0 vote the December 25, 2018 Workshop and Regular City Council meeting was canceled.

#### **Holiday Resolution**

- Clerk Adair read into the minutes Resolution 2018-xxx official holidays with the addendum attached listing the holidays.
- Councilor Sais asked if we were following the State's holiday'.
- Mayor Gwinn said yes.
- Councilor Sais asked regarding Columbus Day isn't that normally observed as the day after Thanksgiving.
- Clerk Adair explained what has been changed by the State is the observance of Presidents Day in February has been taken to observe as the day after Thanksgiving.
- Councilor Sais asked if Veterans Day is observed on the day or on a Monday or Friday.
- Clerk Adair explained that it depends on when Veterans day falls, if it falls on a weekend it is observed either on the Monday or Friday otherwise it can be during the week, this year it will be observed on it's actual day Monday November 11.
- Councilor Sais moved to accept the holiday resolution as presented Resolution 2018-144 Official Holidays. The motion was second by Councilor Ramsell. Vote: Councilor Gutjahr-yes; Councilor Brown-yes; Councilor Ramsell-yes and Councilor Sais-yes. With a 4-0 vote Resolution 2018-144 Official Holidays was passed, approved, adopted and signed.

#### **Cleanup Dates**

- Mayor Gwinn explained the cleanups will start up in January on the 3<sup>rd</sup> Saturday and will continue on the 3<sup>rd</sup> Saturday of every month excluding the December cleanup.
- Councilor Sais asked if there will be a mulcher available for the spring and fall cleanups.
- Mayor Gwinn said if we find someone we will consider it and further said at this time we do not have plans of having a mulcher.
- Councilor Brown moved for the approval of the cleanup dates for 2019 as presented. The motion was second by Councilor Sais. Vote: Councilor Ramsell-yes; Councilor Brown-yes; Councilor Sais-yes and Councilor Gutjahr-yes. With a 4-0 vote the cleanup dates for 2019 were approved as presented.

### **Public input/questions (3) minutes to address the Council**

- No questions from the public.

### **Ordinance 2019-xx Regular Local Election – (until January 8<sup>th</sup> public hearing)**

- Mayor Gwinn explained the State Legislature passed and signed by Governor Martinez into law July 2018 the local election act. He further explained that this law gave municipalities the option to opt-in and have the County run their elections or opt-out and continue to run the elections themselves.
- Clerk Adair read into the minutes Ordinance 2019-xx regular local election.
- Mayor Gwinn said at this time we can only approve to move it forward with a roll call vote until the public hearing on January 8<sup>th</sup>, 2019.
- Councilor Sais asked what the cost factor is.
- Clerk Adair explained for the City to run the election the budget is \$5,000 on the election year.
- Councilor Sais asked what the cost would be now.
- Clerk Adair said \$250.00 a year for the county to run the election.
- Councilor Sais said he and Councilor Gutjahr would lose 2 months and Councilors Brown and Ramsell would gain a year if we pass this ordinance.
- Mayor Gwinn explained that all would lose 3 months whether it was the 2019 election for Councilors Sais and Gutjahr or 2021 for himself, Councilors Brown and Ramsell.
- Councilor Brown explained the legislature changed the voting days and said if the municipality chose to opt-in they also had to make the decision to either decrease the terms or increase the terms of office.
- Mayor Gwinn said we had an option to opt-out and explained that the County would still do the canvassing of election and the Clerk's role would also be lessened and the cost will still be at the City's expense.
  - Resident asked if the election would take place this year in November.
- Mayor Gwinn said it would be the first Tuesday of November 2019.
- Councilor Gutjahr said we have also talked about this being an election site if we do opt-in.
- Clerk Adair said we would have to send a request to the County every election year for early voting and regular election for us to be a voting site.
  - Clara Garcia said she believes every municipality in the County with the exception of Bosque Farms is opting in.
- Councilor Gutjahr made a motion to approve for public review the ordinance 2019-xx regular local election till January 8, 2019 to a public hearing. The motion was second by Councilor Brown. Vote: Councilor Sais-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote ordinance 2019-xx regular local election was approved for public review until the public hearing on January 8, 2019.

### **Council Reports**

- Councilor Ramsell said he had nothing to report this evening but did say if you see our Deputy out there tell him thank you because he is doing a lot for our community.
- Councilor Sais asked when the projection for the completion of the building.
- Mayor Gwinn explained end of February 24-27.
- Councilor Sais asked if there was a plan to moving next door.
- Mayor Gwinn said once we know for sure the completion date then we can start moving forward and start that process.

- Councilor Sais asked do we need to budget money for that.
- Mayor Gwinn said I believe so.
- Councilor Sais said he would like to see the City Council once the outside of the building is complete, setup a flag pole and a recognition brick wall.
- Councilor Sais asked regarding the speed signs has that been fixed.
- Mayor Gwinn said he will cover that in his report.
- Councilor Brown thanked the RGEFD having hosted the visit with Santa in conjunction with the Optimus Club that was held on Sunday it was very successful.
- Councilor Brown said we have had a very nice concurrence of people showing up at the meetings and show democracy at its finest, exercising their right to speak and to be heard and Council's right to welcome them.
- Councilor Brown explained at the workshop this morning there was some discussion on planning for disasters and there will be a training on January 8 at the Valencia County Fire Department, headed by Sara Gillian if anyone wants to attend. He then said another training session on January 5 regarding rail car incident response held at the County Fire Department also.
- Councilor Brown explained the Older Americans program will be meeting tomorrow at 1:30 – 3:30 in Belen and is the advisory board meeting to elect the 2019 Officers.
- Mayor Gwinn complimented Councilors Sais and Brown for doing an outstanding job and efforts in the Older Americans program and reaching out to our State Senators getting them involved in the needs of the senior citizens in our community.
- Councilor Gutjahr said she appreciates the publics input and said it is very important and has been very helpful.
- Councilor Gutjahr said she left a handout that VIA created listing what they had done for the City in the past and this list shows these things VIA did as opposed to what some individuals thought was done by the County.
- Councilor Gutjahr explained about where we are regarding the patrols and said the new Sheriff (elect) has been in training and said she can't really meet on this issue until after she takes office after the first of the year. She further explained the she and Councilor Ramsell will be meeting with the New Sheriff on January 22 and it was suggested to have some representatives from Bosque Farms to be present at the meeting as well.
- Mayor Gwinn said if you are out and about go visit the VRECC it is a nice building and center.
- Mayor Gwinn explained that he, Councilor Ramsell and others have been patrolling the community looking at street signs, and explained the process of making a list, purchasing and scheduling with the County to install them. He then said the sign on Western Vista is placed on the wrong side of the street and needs to be moved to be in code compliance and the pole needs to be replaced with a new break-away pole. He further explained we had purchased through our LEPF grant 4 speed street signs and they have all been totally destroyed and parts stolen from them.
- Mayor Gwinn gave an update for the paving and said a couple of roads that are going to have to be revisited to be a complete asphalt instead of a chip and seal.
- Mayor Gwinn said he is asking for a timeline poster for the residents to view the progress and completion date of the City Hall building. He then said the building on the corner of Horner and 47 the Code Enforcer has been diligent and found the true owner for that building and in his search he has informed the City that it will be going up for auction in April due to owing back taxes.

- Mayor Gwinn said watching those kids at the Fire Department, Andrew, Nate, LE all did a great job, the hot apple cider and hot chocolate was good, and it was fun seeing the kids enjoying climbing on the fire trucks.
- Mayor Gwinn thanked the resident of Rio Communities for being the eyes to help our Council and then wished everyone a Merry Christmas.

**Adjourn**

- Councilor Gutjahr moved to adjourn. The motion was second by Councilor Brown. With a 4-0 vote the City Council regular business meeting was adjourned at 7:17 pm.

Respectfully submitted,

\_\_\_\_\_  
Elizabeth (Lisa) Adair, Municipal Clerk

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

Approved:

\_\_\_\_\_  
Mark Gwinn,  
Mayor

\_\_\_\_\_  
Margaret (Peggy) Gutjahr,  
Councilor Mayor Pro-tem

\_\_\_\_\_  
Bill Brown,  
Councilor

\_\_\_\_\_  
Joshua Ramsell,  
Councilor

\_\_\_\_\_  
Arturo R. Sais,  
Councilor