

City of Rio Communities Council Minutes  
Regular Business Meeting  
Tuesday March 26, 2019

**Call to Order**

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

**Pledge of Allegiance**

- Dennis Kintzler led the Pledge of Allegiance.

**Roll Call**

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

**Approval of Agenda**

- Councilor Gutjahr moved to approve for Tuesday March 26, 2019 at 6 o'clock the regular business meeting agenda. The motion was second by Councilor Brown. With a 4-0 vote the agenda for the regular business meeting was approved as presented.

**Approval of Workshop Minutes**

- Councilor Sais moved to approve the workshop minutes of February 12, 2019. The motion was second by Councilor Brown. With a 4-0 vote the minutes for the workshop held on February 12, 2019 was approved as written.

**Approval of City Council Minutes**

- Councilor Ramsell moved to approve the city council minutes of 2/12/2019. The motion was second by Councilor Gutjahr. With a 4-0 vote the minutes for the city council regular business meeting was approved as written.

**City Manager Report**

- Manager Leisa Haynes said this has completed her second week and thanked the Council and said we have an excellent city staff and they have made her feel welcome.
- Manager Haynes said she had to jump right into the budget, and she is learning a lot about the City and then said she has met with all the City Staff and she will meet with all the Councilors and will meet with the commission to see what their budget needs. She then said she hopes to have a very good budget for all residents to ask questions. She further explained what areas she is looking at funding and working on.

**Public Comment:**

- Allen Zach, Rio Communities; said there is a question regarding the weed problem and said he has bought some strong weed killer that he will be taking care of in his area, but as far as other property owners theirs are getting out of control. He then said Gordon is doing one heck of a job.
- Bette Zach, Rio Communities; asked if we can get a maintenance man here in Rio Communities to keep up with the weeds.

**Councilor Gutjahr**

- Councilor Gutjahr asked Mayor Gwinn for a moment to speak after the public comments.

- ❖ Councilor Gutjahr said since our previous City Manager left in October until our current City Manager came on board the bulk of everything that has happened to be done for the City has fallen upon the Mayors shoulders, so the staff has talked about how grateful they are as well as Council is for the load he carried.
- ❖ Councilor Gutjahr presented to Mayor Gwinn a certificate of appreciation with all signatures on it and a couple of Green Bay caps.
- Mayor Gwinn said this comes from a great team and they made it good for him, Celina, Lisa, Pam and now Amy, bringing on Gordon and the new Leisa and Council has also been there for support. He then said the City has an awesome Council and workers and wants to thank everyone and he loves this community and grew up in this community and he wants to see it move forward.

#### **Accounts Payable approval**

- Mayor Gwinn explained we needed to add to the fire department accounts payable Ray's Fire Extinguishers for payment.
- Councilor Gutjahr explained under the fire department accounts payable, under the card services the fuel charges this month are considerably lower than what has been paid for in the past.
- Mayor Gwinn said they are working with him to have the fleet ready in fuel.
- Councilor Brown moved to approve the accounts payable for payment as amended. The motion was second by Councilor Brown. Vote: Councilor Ramsell-yes; Councilor Gutjahr-yes; Councilor Brown-yes and Councilor Sais-yes. With a 4-0 vote the following accounts payable for the Fire Department and the City were approved for payment.

#### **FIRE DEPARTMENT – Accounts payable**

Ray's Fire Extinguishers	\$ 472.24	TLC Plumbing & Utility Co.	\$ 210.84
Plateau	\$ 468.36	Code 3 Service	\$ 497.67
Sharp	\$ 3.47	Boundtree Medical	\$ 737.95
Boundtree Medical	\$ 1,356.47	Card Service Center	\$ 995.18

#### **CITY – Accounts payable**

MuniCode	\$ 4,875.00	Gordon Reeves	\$ 391.96
Universal Constructors	\$ 142,172.47	CES (roads)	\$ 52,432.87
CES (building)	\$ 80,938.60	JEC (Court - Feb)	\$ 3.00
Automation (Court – Feb)	\$ 6.00	APIC	\$ 1,670.95
Robles, Rael & Anaya	\$ 2,378.64	Sharp	\$ 178.81
Gusto (regular payroll)	\$ 7,668.17	Gusto (reg liabilities)	\$ 2,749.78
Card Service Center	\$ 1,186.48		

#### **Resolution 2019- xx Asset disposition Chevrolet Tahoe (code enforcement)**

- Mayor Gwinn explained this ordinance consists of transferring the Tahoe from the fire department assets to ours.
- Finance Officer Benavidez read into the minutes Resolution 2019-149 disposition of obsolete, worn-out or unusable tangible personnel property.
- Councilor Sais asked this is basically flipping the Tahoe from the fire department to the City.
- Mayor Gwinn said yes, and this meets the requirement for the State Fire Marshal and DFA.
- Councilor Gutjahr made a motion to approve Resolution 2019-149 Asset disposition Chevrolet Tahoe. 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 Resolution 2019-149 Asset Disposition Chevrolet Tahoe was passed, approved, adopted and signed.

**Executive Session subject to the attorney/client privilege pertaining to possible litigation. NM Section 10-15-1(B)(H)(7)**

- Mayor Gwinn asked for a motion to go into executive session.
- **Motion and roll call vote to go into close session**
  - Councilor Gutjahr made a motion with a roll call vote to go into executive session regarding attorney client privilege pertaining to possible litigation. NM section 10-15-1(B)(H)(7). The motion was second by Councilor Brown. Vote: Councilor Brown-yes; Councilor Ramsell-yes; Councilor Sais-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went into executive session subject to the attorney/client privilege pertaining to possible litigation. NM Section 10-15-1(B)(H)(7) at 6:26 pm.
- **Motion and roll call to go back into regular business meeting session**
  - Councilor Sais moved to return back into the regular business meeting from executive session subject to the attorney/client privilege pertaining to possible litigation. NM section 10-15-1(B)(H)(7) by roll call vote. The motion was second by Councilor Gutjahr. Vote: Councilor Gutjahr-yes; Councilor Brown-yes; Councilor Sais-yes and Councilor Ramsell-yes. With a 4-0 vote Council went back into the regular business meeting session at 6:50 pm.
- **Welcome everyone back and statement by the Mayor: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on March 26, 2019 a Closed Executive Session was held and the matters discussed in the closed meeting was on attorney/client privilege pertaining to possible litigation as posted on the agenda**
  - Mayor Gwinn read the above statement into the minutes.

**Action results from Executive Session**

- No action taken

**Council Reports**

- Councilor Ramsell said we had a really good cleanup this last week, the fire department was doing an awesome job and dumpsters got filled up really quick.
- Councilor Sais has no report.
- Councilor Brown passed out copies of funding options for law enforcement to Council.
- Councilor Gutjahr said the grand opening done this weekend was really nice and well attended.
- Councilor Gutjahr reminded the health fair will on April 27.
- Councilor Gutjahr said regarding the Citizen Patrol she had a long talk with the risk management and said one of the questions that they asked from us, why are you doing this? Councilor Gutjahr response was that our community would like this type of patrol. Kathy Hennessy (risk management) then asked so you have a high crime rate. Councilor Gutjahr response was no. Kathy then said they are reluctant but will approve it under a lot of conditions, because this can be a dangerous practice at times because individuals can become power hungry. She further said since the car exists under our liability we would have to get driving records for all volunteers and maintain them throughout the program and then further explained other conditions and guidelines that we would have to implement.
  - Resident asked if council considered retired cops.
- Councilor Gutjahr said we cannot use them and then said the real issue for us as a City is liability and further said this is an extension to crime watch.
- Councilor Gutjahr said our next steps is get the car redone, putting together a timeline and then get started.
  - Resident asked do you recognize the good Samaritan law.

- Councilor Gutjahr said yes we do and then said if you are considering on being a volunteer there will be training on what you can and cannot do.
- Mayor Gwinn addressed the residents concern about the weeds and said we are looking at bringing on someone to control the City's area of weeds.
- Finance Officer Benavidez said we have looked at contractors but there are very few that want to come out here to spray because it is very busy season.
- Mayor Gwinn said through VALEO we and the County will have a joint cleanup on April 13 on Escobar road and we will have 4 dumpsters; 2 from the County and 2 from us. He then said at the pit someone has dumped in that area so that will also be targeted at the next City cleanup and also someone has shot up the sign and we will have to look at replacing that since it is part of the grant we got to maintain the sign.
  - Resident asked about Sundial.
- Mayor Gwinn said at our next workshop we will be addressing that with ideas to help minimize the traffic flow going down Sundial.

### **Adjourn**

- Councilor Ramsell moved to adjourn. The motion was second by Councilor Sais. With a 4-0 vote the City Council regular business meeting was adjourned at 7:05 pm.

Respectfully submitted,

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Elizabeth (Lisa) Adair, Municipal Clerk

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

Approved:

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Mark Gwinn,  
Mayor

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

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

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

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