

City of Rio Communities Council Minutes  
Regular Business Meeting  
Tuesday November 13, 2018

**Call to Order**

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

**Pledge of Allegiance**

- Robert Chavez led the Pledge of Allegiance.

**Roll Call**

- Present: Mayor Mark Gwinn, Councilors; Bill Brown, Peggy Gutjahr and Joshua Ramsell.  
Absent: Councilor Arturo Sais.  
Present: Finance Officer/Treasurer Celina Benavidez, Municipal Clerk Lisa Adair, EDC Chairman Frank Logan, P&Z Chairman Thomas Scroggins, Municipal Judge Heather Benavidez, Code Enforcement Officer Gordon Reeves and Court Clerk Lisa Adair.

**Approval of Agenda**

- Councilor Brown moved for the approval of the agenda as presented. The motion was second by Councilor Gutjahr. With a 3-0 vote the agenda for the City Council regular business meeting was approved.

**Approval of Workshop Minutes**

- Councilor Gutjahr moved to approve the workshop minutes of 9/25/18. The motion was second by Councilor Ramsell. With a 3-0 vote the minutes for the September 25, 2018 was approved as written.

**Approval of City Council Minutes**

- Councilor Gutjahr moved to approve the City Council minutes for 8/20/18 and 9/11/18 and also the 9/11/18 verbal tape is saved for legal reasons. The motion was second by Councilor Ramsell. With a 3-0 vote the minutes for the City Council regular business meeting of August 20, 2018 and September 11, 2018 also the saving of the audio recording for the meeting of 9/11/18 for legal reason were approved as written.

**Swearing in of Code Enforcer Gordon Reeves**

- Judge Benavidez swore the new Code Enforcer Gordon Reeves in to office.

**Public Comment**

- Ken Sandlin, Lee Elder Ct; said one concern he has is public safety and said we had money to invest in these radar speed things and since we don't have the security and patrols to do the rounds they are getting stolen. He then said in the budget for this year there is \$130k for park and rec but shows 0 for law enforcement and further asked if this issue is still being addressed.
- Jody Skelton, Rio Communities; gave praise to Officer Knight about the work that he has done in the Communities.
- Angie Madrid, Horizon Vista; thanked Officer Knight and then said there still is issues but was wonderful to have something done. She then said she is hoping the Code Enforcer will be fair and impartial to everyone.

**Economic Development**

- EDC Chairman Frank Logan passed out a sample of a map that will be on the business brochure and said EDC is still working on the 501c3.

## **Planning and Zoning**

- P&Z Chairman Thomas Scroggins said they are still working on the zoning ordinance that was written 5 years ago and said they probably will be done hopefully this year.

## **Rio Grande Estates Fire Department**

- No one present from the Fire Department.

## **Municipal Court**

- Court Clerk Lisa Adair gave the court report for the month of October: One non-traffic violation and two traffic citations were filled in the courts; amounts collected are: Correction fees \$60; Court Automation fees \$18; Judicial Education fees \$9; Court Fines of \$138 giving a total collected in the courts for the month of October a total of \$225.

## **Appointment of EDC Member**

- Mayor Gwinn asked Council to approve Ed Auge as a new member to our Economic Development Commission. He then said he has two others that would like to visit with EDC and hopefully they will sign onboard.
- Councilor Gutjahr moved to approve Ed Auge' appointment to EDC. The motion was second by Councilor Ramsell. Vote: Councilor Brown-no; Councilor Gutjahr-yes and Councilor Ramsell-yes. With a 2-1 vote the appointment of Ed Auge to the Economic Development Commission was approved.

## **Appointment of Personnel Board member**

- Mayor Gwinn asked from Council the appointment of Robert Chavez to the Personnel Board.
- Councilor Ramsell moved to appoint Robert Chavez to the Personnel Board. The motion was second by Councilor Brown. Vote: Councilor Gutjahr-yes; Councilor Ramsell-yes and Councilor Brown-yes. With a 3-0 vote the appointment of Robert Chavez to the Personnel Boards was approved.

## **Re-appointment of P&Z Members**

- Mayor Gwinn explained that 5 members are up for re-appointment and they have all agreed to continue with Planning and Zoning; Robert Teague, Lawrence Gordon, LE Rubin, Dennis Kintzler and John Thompson.
- Councilor Gutjahr made a motion to re-appoint all of the current P&Z members. The motion was second by Councilor Brown. Vote: Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 3-0 vote the re-appointment of Robert Teague, Lawrence Gordon, LE Rubin, Dennis Kintzler and John Thompson were approved.

## **Cancel December 15<sup>th</sup> City Cleanup**

- Mayor Gwinn explained at the workshop they had a discussion regarding canceling the cleanup for December 15<sup>th</sup> and beginning again on January 19, 2019. He further explained that last year we had did the same.
- Councilor Ramsell moved to cancel December 15<sup>th</sup> cleanup. The motion was second by Councilor Brown. Vote: Councilor Gutjahr-yes; Councilor Brown-yes and Councilor Ramsell-yes. With a 4-0 Council approved the cancelation of December 15<sup>th</sup> City cleanup.

## Accounts Payable

- Finance Officer/Treasurer Benavidez gave the Fire Department accounts payable report.

Countertops Etc.       \$       4,995.00

- Treasurer Benavidez stated that she had an invoice for Wagner equipment and she doesn't know exactly what it is for and then said the bill actually came back higher than the PO invoice amount for \$2,288.14.
- Mayor Gwinn asked if she received an itemized bill.
- Treasurer Benavidez said it was itemized but there are items that she does not know what they are for since she is not a fire fighter.
- Councilor Gutjahr asked if this had anything to do with the door.
- Councilor Brown said this should be for the generator.
- Treasurer Benavidez said the invoice came back higher than the PO.
- Councilor Gutjahr asked what the PO amount is.
- Treasurer Benavidez said it was for \$1600.00.
- Councilor Gutjahr recommended holding off paying this bill until we get further clarification.
- Finance Officer/Treasurer Benavidez gave the City's accounts payable report.

USPS (newsletter mailers)	\$	578.88	Amazon	\$	68.14
Comcast	\$	289.02	Number Nine Media, Inc	\$	150.90
Quest Diagnostics	\$	30.00	Sandy Schauer (newsletter)	\$	2,273.21
Gusto	\$	4,483.12	Gusto	\$	1,446.82
Preston Craig (training CE)	\$	338.82			

- Councilor Ramsell moved to approve the bills as amended. The motion was second by Councilor Gutjahr. Vote: Councilor Brown-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 3-0 vote accounts payable was approved for payment as amended.

## Notification of approval of the final budget from the LGD (Local Government Division)

- Mayor Gwinn said we received a letter from Rick Lopez at LGD/DFA that we met all criteria and they approved the budget for the 2019FY.
- Councilor Brown moved for the acceptance of the approval of the final budget. The motion was second by Councilor Gutjahr. Vote: Councilor Ramsell-yes; Councilor Gutjahr-yes and Councilor Brown-yes. With a 3-0 vote the acceptance of the letter from LGD for the final fiscal budget of 2019 was approved.

## 1<sup>st</sup> Quarter Financial Report

- Finance Officer Benavidez read into the minutes Resolution 2018-143 1<sup>st</sup> Quarter Financial Report.
- Councilor Gutjahr explained there is a concern that we had a deficient in the fire department and it is very possible when it goes to DFA that the City will be put on a monthly reporting instead of quarterly.
- Finance Officer explained the reason we went over was due to the fact that purchases were exceeding the purchase order amount.

- Councilor Gutjahr moved to approve the Resolution 2018-143 – 1<sup>st</sup> quarter financial report ending June 30, 2019. The motion was second by Councilor Ramsell. Vote: Councilor Brown-yes; Councilor-yes and Councilor Ramsell-yes. With a 3-0 vote was Resolution 2018-143 1<sup>st</sup> Quarter Financial Report was passed, approved, adopted and signed.

### **Approval of an RFP for a Human Resource Company**

- Mayor Gwinn explained that we are wanting to put out an RFP to have an HR company on retainer to handle issues that might come up and help to guide us.
- Treasurer Benavidez made an interjection that this would not be an RFP but would just go out for bid.
- Councilor Brown asked what the scope of work is.
- Mayor Gwinn explained that it may review the hiring procedures, maybe sit in with the Council when they do their interview and hiring process of a City Manager and assistant on giving advice to the personnel board. He then said we need to look for a company that would enhance us as we move forward.
- Councilor Brown asked would the scope of work limited to the interview process of the new hire and the exit interview.
- Councilor Gutjahr said it would be larger than that and then said the bid process should include all areas of human resources, which would be if there is an issue with an employee, and also questions that we need advice of human resources and this would be a contract on retainer.
  - Resident asked who is creating the scope of work and what is in the scope of work to put it out for bid.
- Treasurer Benavidez explained that Council does not approve the scope of work when it is under \$60k, this would be done by her.
- Mayor Gwinn said we can suggest what is in the scope of work staying within the parameters of the personnel policy.
- Treasurer Benavidez said she will be creating the scope of work.
- Councilor Gutjahr moved to move forward on approving the bidding process for the human resource company on retainer. The motion was second by Councilor Ramsell. Vote: Councilor Brown-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 3-0 vote Council approved the moving forward on the bidding process for a human resource company on retainer.

### **City Organizational Chart**

- Mayor Gwinn explained we are looking to adopt a new City organizational chart and we will be adding this to the next workshop and council meeting for approval after Council has had another chance to make any changes if needed.
- Councilor Brown asked who do our advisory boards report to and said they are appointed by the Mayor with approval from Council but on the organizational chart there is a solid line going to the governing body and a dash line going to the City Manager.
- Mayor Gwinn explained that the way our job description with the City Manager he is in charge of all personnel.
- Councilor Gutjahr said that the advisory boards do report to Council but on day-to-day issues these go to the City Manager and began a discussion on an example of an issue that might come up with a commission that had to do with a brochure they wouldn't come to Council regarding the layout, that would go to the City Manager.
- Councilor Brown said so the City Manager is a liaison between council and commissions.

## Council Reports

- Councilor Ramsell had no report.
- Councilor Brown explained the reason for his no vote to the EDC member was on principal because he could not vote yes on someone he did not know, had never seen a resume or does not know him personally and he could not vote yes.
- Councilor Gutjahr explained that she learned last night that Morgan's Bakery will be coming here after the first of the year.
- Councilor Gutjahr said we had at the workshop today a guest speaker on energy upgrade and what that could mean on savings and this is extremely good for the environment.
- Councilor Gutjahr said she and Councilor Ramsell went to the fire department last Wednesday for the 1<sup>st</sup> of the month meeting and then said that there was only one contested position for secretary and that election will take place the first Wednesday in December and further said as for the Fire Chief and Assistant Chief they were elected by acclamation on Wednesday and then said the new Fire Chief as of January 1<sup>st</sup> is Nathan Gonzales and the Assistant is Andrew Tabot.
- Councilor Gutjahr answered the question from Mr. Sandlin regarding the money for parks and explained the reason the money is on the budget and probably would stay is for the development of new homes they have to put in some kind of trails, parks or open spaces and is part of economic development so in order for us to reclaim would be for us to have that funds available. She further said that we have a fairly large contingent of people wanting parks not just security and we are trying to balance that and explained the process of a line item.
  - Mr. Sandlin said so we don't have a line item for law enforcement.
- Mayor Gwinn explained we do, and it is \$130k for the one officer.
  - Mr. Sandlin said we had the parks before.
- Mayor Gwinn explained we never did, this was property of VIA and they sold the parks. He then said that P&Z had changed the zoning to parks, so it can't be sold as anything else but parks and began a discussion on the process of grants to support the park system.
- Councilor Gutjahr added to the support that was given to Deputy Knight, he has done an outstanding job.
- Mayor Gwinn said all of Council is scheduled for budget training on the 2019-2020 budget being held by DFA and NMML in Albuquerque on the 15<sup>th</sup> and 16<sup>th</sup>.
- Mayor Gwinn said the newsletter was mailed out today.
- Mayor Gwinn explained Universal has been out and about working on street and potholes.
- Mayor Gwinn said the street striping will also start this week.
- Mayor Gwinn said there was some news today that AC has sold out to Universal Waste and on December 1 they will take over. He then said we will still be moving forward with our trash ordinance and will deal with Universal and others out there.
- Mayor Gwinn reminded the cleanup is this Saturday and we will have 3 dumpsters, one specifically set aside for the weeds and leaves.
- Officer Knight explained just now there was an incident at the Allsup's and Big Mikes dealing drugs and then said to be on the look-out for a red 4-door license plate number 924SHG if you see this vehicle please call it in immediately. He then said he appreciated the kind words. He further explained that there was 7 drug trafficking charges filed including an additional 6 felony counts of possession which turned into 4 more felonies and they also arrested felony warrants from the last raid he did. He then said we are looking at 22 felonies from the 2 houses. He further said the burglary's on Hillandale have ceased.

- Officer Knight explained the process of getting the felony warrants and making arrests, he explained from tips he got from the public he was able to start his investigation, then when he was securing the warrants the City stepped up and provided him with documentation to present to the Judges for the search warrants and said it was a very tight knit community to make this come together.

### Adjourn

- Councilor Brown moved to adjourn. The motion was second by Councilor Ramsell. With a 3-0 vote the City Council regular business meeting was adjourned at 7:05 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