

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

Call to Order

- Mayor Pro-Tem Peggy Gutjahr called to order the city council regular business meeting at 6:00 pm.

Pledge of Allegiance

- Audience member led the Pledge of Allegiance.

Roll Call

- Present: Mayor Pro-Tem Peggy Gutjahr, Councilors; Bill Brown, Arturo Sais and Joshua Ramsell
Absent: Mayor Mark Gwinn.
Present: City Manager Leisa Haynes and Municipal Clerk Lisa Adair.

Approval of Agenda

- Mayor Pro-Tem Gutjahr stated that two items will be tabled agenda item interest bearing accounts to another meeting and the acceptance of donated properties was also tabled for further review.
- Councilor Sais moved to approve the agenda with the exceptions agenda items tabled. The motion was second by Councilor Brown. With a 4-0 vote the agenda for the regular business meeting for November 26, 2019 was approved

Approval of Workshop Minutes

- Councilor Ramsell moved to approve the workshop minutes of October 22, 2019. The motion was second by Councilor Brown. With a 4-0 vote workshop minutes of October 22, 2019 was approved as written.

Approval of City Council Minutes

- Councilor Sais moved to approve the City Council minutes of 10/08/2019. The motion was second by Councilor Ramsell. With a 4-0 vote the minutes for the city council meeting held on October 8, 2019 was approved as written.

Public Hearing

- Mayor Pro-Tem Gutjahr stated before public hearing “Welcome everyone. Before we proceed with the meeting, a reminder that the place for Public comment, not related to the Public Hearing for the ordinances on the agenda, is under Public Comments under Discussion on the agenda. So please sign up on the sheet on the back table if you want to speak. Staff presentations should be respected without audience comment. Audience disruptions will be handled as per Robert’s Rules. First disruption by an individual, I’ll gavel and state “Out of Order”, second disruption same individual, gavelled out of order and request they leave. If not the officer will remove you.
- **Motion and roll call vote to recess Regular Business Meeting session and to go into Public Hearing:**
 - Mayor Pro-Tem Gutjahr asked for the pleasure of the council.
 - Councilor Sais moved to go into a public hearing from our regular business meeting with a roll call vote. The motion was second by Councilor Brown. Vote: Councilor Brown-yes; Councilor Sais-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council recessed the regular business meeting session and went into public hearing at 6:10 pm.

- **Ordinance 2019-__ Uniform Traffic Ordinance**
- **Ordinance 2019-__ UTO Penalty Assessment Program**
 - No public for review of ordinance.
- **Motion and roll call to go back into Regular Business Meeting session**
 - Councilor Ramsell moved by roll call vote to go back into the regular business meeting session. The motion was second by Councilor Sais. Vote: Councilor Brown-yes; Councilor Sais-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went back into the regular business meeting session at 6:11 pm.

Public Comment

- No public Comments

Manager Report

- Manager Leisa Haynes gave her managers' report: Christmas decorations will be put up on Hwy 47 and Hwy 304; discussion Pecos Homes land purchase; Chamesa are infilling; there is an Opportunity Zone Fund being started for the City.

Ordinance 2019-xx Uniform Traffic Ordinance

- Councilor Ramsell moved to approve Ordinance 2019-73 Uniform Traffic Ordinance The motion was second by Councilor Sais. Vote: Councilor Brown-yes; Councilor Sais-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Ordinance 2019-73 Uniform Traffic Ordinance was passed, approved, adopted and signed.

Ordinance 2019-xx UTO Penalty Assessment Program

- Councilor Sais moved to accept Ordinance 2019-74 UTO Penalty Assessment Program. The motion was second by Councilor Ramsell. Vote: Councilor Brown-yes; Councilor Sais-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Ordinance 2019-74 UTO Penalty Assessment Program was passed, approved, adopted and signed.

Accounts Payable approval

- Clerk Adair read into the minutes the list of accounts payable.
- Councilor Sais moved to pay the bills as read. The motion was second by Councilor Brown. Vote: Councilor Ramsell-yes; Councilor Sais-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote the accounts payable for the Fire Department and the City were approved for payment.

Interest Bearing Accounts (opening)

- Tabled

Acceptance of donated Properties

- Tabled

Appointment of Representative and Alternate to the Older Americans' Program

- Mayor Pro-Tem Gutjahr explained in the past year we had Councilor Sais as the representative and Councilor Brown and the alternate. She then said that Councilor Sais will not be representing the City and then made appointment of Councilor Brown to be the representative and will hold off on the appointment of the alternate until after the first of the year.
- Councilor Ramsell moved to accept the nomination. The motion was second by Councilor Sais. Vote: Councilor Ramsell-yes; Councilor Sais-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Councilor Bill Brown was appointed as the representative for the Older American Program advisory board.

Council Reports

- Councilor Ramsell reminded everyone to be careful with the upcoming weather and make sure your home is secure with the holidays coming up.
- Councilor Sais said the RFP for the Trash bins.
- Councilor Sais said we are looking at streetlights to get a vendor.
- Councilor Sais said the Finance board will convene on December 18, 2019 at 10 am and it will be a public meeting.
- Councilor Sais said we are still discussing the flagpole and earlier today it was brought up that the Manager is speeding in the parking lot.
- Councilor Brown said thank you for the appointment to the advisory board
- Mayor Pro-Tem Gutjahr said the swearing in for the newly elected will be on the 31st of December.
- Mayor Pro-Tem Gutjahr said the railroad will be closing the crossing by the Hall Dairy and it affects out Fire Department and Sheriff.

Executive Session limited personnel matters regarding Fire Chief and subject to the attorney/client privilege. NM Section 10-15-1 (B)(H)(2)(7)

- Mayor Pro-Tem Gutjahr asked what the pleasure of the Council regarding the executive session is.
- **Motion and roll call vote to go into close session**
 - Councilor Ramsell moved to go into executive session limited personnel matters regarding the Fire Chief and subject to the attorney/client privilege according to NM Section 10-15-1(B)(H)(2)(7). The motion was second by Councilor Brown. Vote: Councilor Sais-yes; Councilor Brown-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went into executive session subject to limited personnel matters regarding Fire Chief and subject to the attorney/client privilege. NM Section 10-15-1(B)(H)(2)(7) at 6:30 pm.
- **Motion and roll call to go back into regular business meeting session**
 - Councilor Brown moved with a roll call to return to the business session from the executive session 10-15-1(B)(H)(2)(7). The motion was second by Councilor Ramsell. Vote: Councilor Sais-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 Council went back into the regular business meeting session at 7:30 pm
- **Welcome everyone back and statement by the Mayor Pro-tem**
 - Mayor Pro-Tem Gutjahr stated. The Governing Body of the city of Rio Communities, New Mexico, hereby states that on November 26, 2019 a closed executive session was held and the matters discussed in the closed meeting were limited only to the limited personnel matters regarding the fire chief and subject to the attorney/client privilege as posted on the agenda.

Action results from Executive Session

- Mayor Pro-Tem Gutjahr said the action from the executive session is that Nathan Gonzales is the Fire Chief and will remain the Chief until a paid fire Chief is hired which will be by June 30, 2020 and he will be an active part of the transition for that new Chief.

Adjourn

- Councilor Sais moved to adjourn. The motion was second by Councilor Ramsell. With a 4-0 vote the City Council regular business meeting was adjourned at 7:33 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

Jim Winters,
Councilor