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### **Call to Order**

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

### **Pledge of Allegiance**

- Judge John Chavez led the Pledge of Allegiance.

### **Roll Call**

- Present: Mayor Pro-tem Peggy Gutjahr; Councilors Bill Brown, Joshua Ramsell and Jim Winters. Present: Municipal Clerk Lisa Adair, Finance Officer/Treasurer Stephanie Finch and Court Clerk Lisa Adair.

### **Approval of Agenda**

- Mayor Pro-tem Gutjahr asked to amended agenda and remove the appointment of Judge Pro-tem.
- Councilor Ramsell moved to approve the agenda with amending with removing the appointment of municipal judge pro-tem. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote the agenda for the regular business meeting was approved as amended.

### **Approval of Workshop Minutes & City Council Minutes**

- Councilor Ramsell moved to approve workshop minutes of 4/28/2020 and city council minutes of 4/28/2020. The motion was second by Councilor Winters. Vote: Councilor Brown-yes; Councilor Ramsell-yes; Councilor Winters-yes and Councilor Gutjahr-yes. With a 4-0 vote the minutes for the workshop and city council regular business meeting held on April 28, 2020 were approved as written.

### **Public Comment**

- No public comments were sent in via fax or email.

### **Economic Development**

- Clerk Adair gave the report for EDC – written by Frank Logan EDC Chairman; they are still sequestered and have had limited communications; scheduled meeting for May 13<sup>th</sup> has been postponed, but they are planning on starting up on May 27<sup>th</sup>, the agenda will be from 6 weeks ago; this meeting will include new live website review, social media training and launch, and a happy camper group committee member picture. Still trying to plan a joint meeting with City Council and interaction with planning and zoning.

### **Planning and Zoning**

- No report

### **Code Enforcement**

- Clerk Adair gave the report for Code Enforcement and Public works – several violation notices have gone out: illegal dumping, squatting, weeds and inoperable vehicles. Public works: cleanups

of the fire house, trails, and other areas around the City, they are building a wall, doorway in the Deputy clerks office, installed sneeze guard in Clerks office, and public workers will be at the cleanup on Saturday.

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

- Clerk Adair gave the report for RGEFD – by Fire Chief N. Gonzalez; public relations: planning an open house to have community members to see new fire equipment, bay doors, and chance to meet their certified neighbors that respond to this community; member activity: appointed by the Fire Chief, A. Tabet – Emergency Manager, L. E. Rubin Emergency Coordinator, achieved NM State licensures for EMT responders, Andrew Good and Joshua Good; 11 have achieved licensures from 2019-2020; New Equipment: actively working on VALCO, OEM to obtain PPE for EMS personnel, PR still pending for fit testing machine, PR still pending for target solutions online training platform, station 1 received new bay doors, planning committee for ICIP training facility needing to be scheduled with Tierra Grande Associations in reference to land, equipment will be fit to be a portable breathing air field station; Fleet report: X3 fully operational ambulances in service, E19 is out of service awaiting pump diagnosis/repair, S-15 is primary response out of TG, DFA approval for Brush truck project start; Daily operations: minimum PPE requirements (gloves & face mask) as recommended by CDC, maximum of 2 personnel response to “sick/not feeling well” type calls, reduction of personnel per shift to a maximum of 4 per station, social distancing is applicable while occupying stations; Calls answered for the month of March: 54
- Mayor Pro-tem Gutjahr stated the fire department is probably not aware of this, under the planning committee for training facility that capital outlay has been frozen, and we do not know what the status will be for a while.

### **Municipal Court**

- Court Clerk Lisa Adair gave the court report for the month of April: no violation; amounts collected are: Correction fees \$40; Court Automation fees \$12; Judicial Education fees \$6; Court Fines of \$60 giving a total of \$118 was collected in the courts for the month of April.

### **Accounts Payable approval**

- Finance Officer/Treasurer Stephanie Finch asked if council had questions.
- Mayor pro-tem Gutjahr stated the accounts payable will be posted on the website after they are approved.
- Councilor Ramsell moved to approve the accounts payable as presented. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote the accounts payable was approved to be paid.

### **Drainage Master Plan Proposal**

- Mayor Pro-tem Gutjahr explained that we have waiting to do for a while and in order to move forward with not only the drainage plan but other projects we had to put out for bid for an engineer firm, the Procurement department, chose this firm with Councils approving the agreement. Then then presented with us with the plan.
- Councilor Winters said as we discussed today, we needed to add a caveat to the plan.
- Councilor Brown asked part of the plan is to explore things in the future and would that include the impact of paving and adding curbs and sidewalks to Horner, Goodman, Del Fuego and Hillman.
- Mayor Pro-tem Gutjahr said that the Finance Officer will look into the matter.

- Councilor Ramsell said they have a picture in there that says ditch #1, and it points to an area behind City Hall and requested clarification on the areas.
- Mayor Pro-tem Gutjahr said at this time as we are talking about the funding for this, we have been notified that a lot of the funds are frozen, we are not sure what this will mean in the long run and we are going to be moving forward and passing this on with a caveat.
- Councilor Ramsell moved to approve the drainage master plan proposal with the contingent of the unfrozen ICIP capital outlay funds. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approve the drainage master plan proposal depending on the unfrozen of capital outlay funds.

#### **Pavement Rehabilitation/Improvements of City Roads**

- Mayor Pro-tem Gutjahr said the pavement rehabilitation improvements of city roads this is again from the same engineer company and they are overseeing that we meet the standards of DOT.
- Councilor Ramsell said it is important to have an engineer study done for the whole City and this can determine what funding we can go after for future projects.
- Councilor Brown stated the drainage plan was #1 on our ICIP plan and the pavement rehabilitation plan is #3 on the ICIP plan.
- Councilor Winters said this is something that we have been asking for the last 5 years and we are happy to have a professional study and report.
- Councilor Ramsell moved approved the pavement rehabilitation/improvements of City roads contingent on unfrozen ICIP capital outlay monies. The motion was second by Councilor Winters. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approve the pavement rehabilitation/improvements of City roads depending on the unfrozen of capital outlay funds.

#### **City Health Insurance benefits**

- Mayor Pro-tem Gutjahr said in the past we were unable to offer health insurance as well as PERA to our employees, we just approved PERA at the last meeting. Regarding this Stephanie brought this to Council and we found the funding for the first time and we are extremely pleased to be able to offer to those that do not wish to have it, they still will be able to receive their nominal fee that they used to get. She then said we are looking at offering an 80-20 split, City pay 80% employee pay 20%.
- Councilor Winters said he thinks this is important 1<sup>st</sup> it makes us more competitive for new positions and has always been a sticky point from day 1 that we did not have the money.
- Councilor Ramsell said when you get good talent you do not want to lose it; you want to keep it here and by offering that benefit it helps to retain that talent.
- Councilor Brown said it is long overdue and thinks it is the right thing to do by our people.
- Mayor Pro-tem Gutjahr said staff, will be putting a benefit package together and put it up on our website, with the Salary Range, PERA and health Benefits.
- Councilor Ramsell moved to approve the city health insurance benefits at a rate of 80-20 split. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Brown-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved and passed the City Health Insurance benefits at an 80-20% split.

### **Approve public hearing date for City Budget FY21**

- Mayor Pro-tem Gutjahr said we have selected the 20<sup>th</sup> of May for the public hearing for the City Budget.
- Councilor Ramsell moved to approve the public hearing date for the city budget fiscal year 2021 for May 20, 2020 at 6:00 pm. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Brown-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 Council approved to set the budget hearing date for May 20, 2020 at 6:00 pm.

### **Resignation of Judge Heather Benavidez – Municipal Judge for the City of Rio Communities**

- Judge Heather Benavidez read into the minutes her letter of resignation.
  - Mayor Pro-tem Gutjahr said it will be hard to have you leave, and even though we don't see it, the interaction from the community has been very positive, even the most difficult situations, which says a lot to your manner and how you saw the laws and how you helped people.
  - Councilor Brown said he is very, very, very thankful to have had the pleasure for you to be our 1<sup>st</sup> municipal judge and wished her the best of journey in her new chapter in life and new position.
  - Councilor Ramsell said thank you, people do not realize what you do, but it is a very big responsibility of what you took on and thanked her again that he appreciated it.
  - Councilor Winters said thank you for always being fair, he had never heard any negative comments, and that is unusual to say, wish you the best of luck. It is always sad to see them go, but it is nice to see them go to something that is better for them.
  - Court Clerk Adair said she is going to miss her greatly, we have been though a lot, but you are moving on to a better place and you will be great.
- Councilor Brown said it is with deep regret that they move for the approval of the resignation of Judge Heather Benavidez from the position of Municipal Judge for the City of Rio Communities. The motion was second by Councilor Winters. Vote: Councilor Ramsell-yes; Councilor Winters-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved the resignation of Judge Heather Benavidez from her position as Municipal Judge.

### **Appointment of Municipal Judge and Judge Pro-tem**

- The appointment of judge pro-tem was removed from the agenda.
- Mayor Pro-tem Gutjahr stated Holly Noelle Chavez submitted an outstanding resume and letter, the council had an opportunity to look at all the applicants and their resumes, she then asked what the pleasure of the Council is.
- Councilor Ramsell moved for the appointment of Holly Noelle Chavez for Municipal Judge for the City of Rio Communities. The motion was second by Councilor Winters. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved the appointment of Holly Noelle Chavez to the position of Municipal Judge for the City of Rio Communities.
- Noelle Chavez gave an acceptance speech and stated her expertise in restorative justice and is looking forward to working with all.
- Court Clerk Adair scheduled the swearing in for Thursday May 14<sup>th</sup> at 5:30.

### **Council Reports**

- Councilor Winters had no report.
- Councilor Ramsell said that you what you are doing for the census we are doing an awesome job we are standing at #2 in the State for response rate at 66.2%, keep it up because we have never been counted as a City and as it had been said previously the capital outlay/ICIP funds have been frozen.

- Councilor Brown no report.
- Mayor Pro-tem Gutjahr said the cleanup is this Saturday, on the 19<sup>th</sup> is VALEO virtual meeting, we are working on a reopening plan, staff is having a virtual meeting tomorrow, the Code Enforcer/Public works has built a barrier for our receptionists and installing a sneeze guard, as well as installing one in the clerk's office, thanked Aristech for making and giving them free to the City in those areas.

### **Adjourn**

- Councilor Brown moved to adjourn. The motion was second by Councilor Ramsell. With a 4-0 vote the City Council regular business meeting was adjourned at 6:40 pm.

Respectfully submitted,

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Elizabeth (Lisa) Adair, Municipal Clerk

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

Approved:

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Mark Gwinn,  
Mayor

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Margaret (Peggy) Gutjahr,  
Mayor Pro-tem

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Bill Brown,  
Councilor

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Joshua Ramsell,  
Councilor

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Jim Winters,  
Councilor