

City of Rio Communities Council Minutes
Regular Business Meeting
October 13, 2020

This meeting was streamed on Facebook Live
<https://www.facebook.com/riocommunities>

Call to Order

- Mayor Pro tem Peggy Gutjahr called to order the City Council Regular Business meeting at 6:04 pm.

Pledge of Allegiance

- Clara Garcia 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, City Attorney Chris DeFillippo and Valencia County News-Bulletin Editor Clara Garcia.

Approval of Agenda

- Councilor Ramsell moved to approve the agenda for City Council Regular Business Meeting for October 13, 2020 as presented. 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 the agenda for the City Council Regular business meeting was approved as presented.

Approval of Workshop & City Council Regular Business Meeting minutes 9/22/2020 and Special Business Meeting minutes 09/30/2020

- Councilor Ramsell moved to approve the Workshop and City Council Regular Business Meeting minutes for September 22, 2020 and the Special Business Meeting Minutes of September 30, 2020. 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 the workshop and regular city council regular business meeting held on August September 30, 2020 and the special business meeting minutes held on September 30, 2020 were approved as written.

Public Comment

- No public comments

Economic Development

- Clerk Adair read the report into the minutes: Dear Lisa, Here is our EDC report : On October 14th, Garth Tallman of Pecos Homes, will present his ideas for Economic Development to EDC and the commission will organize our branding/logo campaign for City Council consideration at our joint meeting on October 21st. We have been working on a letter and questionnaire to local businesses and will have that ready to submit by no later than our October 28th meeting. At our meeting on the 14th we will collect other agenda items to discuss with the council on our October 21st meeting. RCAN: EDC has worked with the Valencia Community Action Network, (under the auspices of our non-profit 501c3 Rio Communities Action Network -RCAN) to Get Out the Count (GOTC) for the census in Rio Communities. A picture of VCAN and Oasis Cafe owner Israel Rojas appeared in Next door social media. RCAN has been working on its first grant to provide tablets to nursing/assisted living residents in the greater Rio Communities area. We are talking with Teeniors and will provide an update on this project at a later date. Thanks to Jim Winters for his help to us, we have now registered with NM state as a 501c3 and have almost completed our application with the IRS to be recognized at the federal level as a 501c3. This

success is attributed to VCAN and Diana Good providing guidance and Jim and his financial support. Oasis Plaza Grand Opening: EDC has worked with Denise Self of Oasis Nail SPA to get information in our latest Rio Communities Newsletter about the October 17th Grand Opening of several businesses at the Oasis Plaza. Despite repeated efforts by Loedi Silva and myself, we were not able to organize a ribbon cutting event at the Grand Opening on Saturday. At our October 14th meeting, we will discuss how we might support and promote the Grand Opening of the Oasis Plaza Nail Spa, Barber Shop and Oasis Laundry. The event will happen from 10-2pm. Respectfully submitted, Kuan Tikkun EDC chair

Planning and Zoning

- No report

Code Enforcement /Public Works

- Code Enforcement: Violations: Weed and Vehicle violations; Health & Safety violations. Coordinating with Fire Dept. for inspection this week; Storing of RV's & boats violations; Mailed out cert. mailed second notice (failure to comply); Starting Using a Processor. Sheriff's Department; Accessory building violations. Western St. and Calle De Jose locations; Will be more criminal complaint filing; Trespassing on Government property, to gain access to private property. Sent letters out. Follow up; Submitting a Substandard lien ordinance to P&Z now sent up to Counsel; Animal control violations; Attending P&Z meeting for support board; Printing Posters. Substandard poster with the ordinance # on them. Tagging structures with them; ATVs. Needing to start posting restrictions, PW Dir. Taking it to P&Z for recommendation for a new ordinance to be passed up to Council for their decision; Department Budget first Quarter.
- Public Works: Continued work on the library; Public workers; Weed control and illegal dumping control; Notified DOT, excessive parking along HWY 304 business; Flagpole installed ready for flags. Public works saved the city \$1300 on the installation; 14 streetlights out. Replacing with same type of light bulbs (lamps) Holding off; Public worker position, scheduled for interview; 9 Potholes subbed out, waiting on pricing to come back. Weather permitting my need to wait on the work; Library door. Contractor was installing new door frame, PW Dir. Rejected the frame wrong color finish; 2020 Census banners removed then reinstalled; LED lighting Rear of City Hall on ordered. Public Works will do the installation; Lighting package. Two separate pricing one for Rio Communities Blvd /47, the other for HWY 304. Weighing the cost of fixing what we have or going with new LEDs. Will be presented to the acting Mayor; Weight restrictions signs ordered. Going up on Rio Communities Way and Horizon Vista; Department Budget for the first Quarter, looking good at 88.61%; Pavement Improvement for the City, Had the start-up meeting with Universal Constructors. Lay down yard, areas for chip piles, the 811 utilities locator slips, and mix design submittals; Met with FBT and their different trade Contractors, analyzing the building. Respectfully submitted, Gordon Reeves

Rio Grande Estates Fire Department

- Hi, all. Just a few items to catch you up on, so no live meeting tonight. Here they are:
1. Within the week, each vehicle will have its own fuel card in the glove box. IMPORTANT: EACH of you (if you're receiving this email, that means you!) must go to City Hall to personally pick up your own PIN to use the cards. DO NOT GIVE OUT YOUR NUMBERS! Use your own always; 2. Still waiting for some of you to submit your t-shirt, Polo shirt and nomex measurements for uniforms. See previous email. The t-shirt/Polo shirt order will go in this week. Support members and juniors are not eligible for these. All active members should turn your information in to Greg Gallegos at nm4x4guy433@gmail.com; 3. Badges and name tags have been ordered 4. Dept of Transportation (DOT) inspections and preventive maintenance

checks, including oil changes, are underway for all vehicles. Rescue 3520 has had both batteries replaced. Engine 1-9 is having repair on its brakes. More updates as they happen 5. Zolls preventive maintenance (PMs) should be on the schedule shortly, along with Stryker power gurneys and stair chairs; 7. Several of you have license renewals due this year. If you need a refresher, email me privately so we can get you in a class 6. Devin Banister has resigned from the station after many years. He'll be doing things closer to home near Albuquerque. We thank him for his service; 7. Shout out to Greg Gallegos who ran a mutual aid fire call in Socorro County today. Awesome work, Greg! Thank you for responding!!!; 8. Chief and I thank all of you for serving and for running as many calls as you can in the middle of the coronavirus. You are special people! Be safe always. Please email me or call with any questions you may have. Thank you! CPT Holmes

Municipal Court

- Court Clerk Lisa Adair: For the month of September there were 6 traffic violation(s) filed in the court. The amounts collect in the court were Correction fees \$60; Court Automation fees \$18; Judicial Education fees \$9; Court Fines of \$50 giving a total of \$137.
- The Court has been working on reopening safe practices. Installing sneeze guards at both the Clerks desk and the Judges desk. We had to remove the podiums and marked where the defendants and prosecutor will stand at the required minimum of 6 ft apart. All other furniture is against the walls, also at 6 ft apart.
- Before entering the court room all persons including employees and Judge fill out a questionnaire and have their temperatures taken, these questionnaires are then placed in their file. The judge and employee questionnaires are kept in a separate file at the Clerk's Desk in the courtroom.
- We have been encouraged to do hearings virtually, Rio Communities Court is in the process of figuring out a process to have both in person and virtual court proceedings. Example would be the initial plea hearing with the defendant would be in person and any additional court appearances would be virtual.

Discussion, Consideration, and Decision - Approval of Accounts Payable

- Finance Officer/Treasurer Finch asked if there were any questions regarding accounts payable
- Councilor Ramsell moved to approve accounts payable. 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 accounts payable was approved for payment.

Discussion, Consideration, and Decision - Investment of Funds

- Finance Officer/Treasurer said she is still waiting to get further information to postpone till next meeting.
- Councilor Ramsell moved to table Investment of Funds until the next meeting. 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 Council approved tabling the discussion of Investment of Funds.

Discussion, Consideration, and Decision - Flag Raising Ceremony – Date/Time

- Councilor Ramsell said at the workshop today we discussed tentatively looking at veteran's day November 11 at 11:00 am, looking at live stream on Facebook.
- Councilor Brown moved to have a flag raising on Veterans Day, November 11, 2020 at 11:00 am. The motion was second by Councilor Ramsell. Vote: Councilor Winters-yes; Councilor Brown-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved having a flag raising ceremony on Veteran's day November 11, 2020 at 11:00 am.

Discussion, Consideration, and Decision - Resolution 2020-xx BAR #1 (budget amendments)

- Finance Officer/Treasurer explained this budget adjustment will be covering the library, software, waiting on reimbursement for grants for the brush trucks, and engineering for the drainage plan, so we just need to transfer money from the general fund to the appropriate fund, and once the City is Reimbursed the money will be put back into the general fund.
- Councilor Ramsell moved to pass Resolution 2020-182 BAR #1 (budget amendments). 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 Resolution 2020-182 BAR #1 (budget amendments) was passed, approved, adopted, and signed.

Discussion, Consideration, and Decision - Resolution 2020-xx 1st Quarter Financial Report

- Finance Officer/Treasurer Finch explained we went over the 1st quarter financial report. Our revenues are in line, expenses are in line, what kind of mucked things up is having items cross over from fiscal year to fiscal year but the budget adjustment will take care of that, things look fiscally sound right now.
- Councilor Brown moved to approve Resolution 2020-183 1st Quarter Financial Report. 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 Resolution 2020-183 1st Quarter Financial Report was passed, approved, adopted, and signed.

Council Reports

- Councilor Brown no report had no report.
- Councilor Ramsell said today we discussed the tire cleanup; it looks like tentative date will be the 3rd Saturday in November, November 21 which would also be the last cleanup date for the year.
- Councilor Winters said they are having the 1st parks meeting on October 28 at 6 pm, if anyone interested in joining please contact Jim Winters at 864-3461.
- Mayor Pro tem Gutjahr we had numerous calls regarding ATV's, especially behind people homes late at night, and we are wanting to have a meeting with our Deputy and potentially the residents that signed a petition but it would have to be COVID-19.

Executive Session Council meeting with the City Attorney pertaining to threatened or pending litigation in which the public body is or may become a participant (§ 10-15-1(H)(7)) and for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body (§10-15-1(H)(8))

- Mayor Pro Tem Gutjahr asked what the pleasure of the Council is to go into executive session.
- **Motion and roll call vote to go into close session**
 - Councilor Ramsell moved with a roll call vote to go into executive session with the City Attorney pertaining to threatened or pending litigation in which the public body is or may become a participant (§ 10-15-1(H)(7)) and for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body (§10-15-1(H)(8)). 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 went into executive session pertaining to threatened or pending litigation in which the public body is or may become a participant (10-15-1(H)(7)) and for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body (10-15-1(H)(8)) at 6:31 pm.

- **Motion and roll call to go back into regular business meeting session**
 - Councilor Ramsell . the motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Gutjahr-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went back into the regular business meeting session at 7:30 pm.
- **Welcome everyone back and statement by the Mayor Pro-tem**
 - The Governing Body of the City of Rio Communities, New Mexico, hereby states that on October 13, 2020 a closed Executive Session was held and the matters discussed in the closed meeting were for Council to meet with the City Attorney pertaining to threatened or pending litigation in which the public body is or may become a participant (§ 10-15-1(H)(7)) and for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body (§10-15-1(H)(8)) as posted on the agenda.

Action Item – Consideration & Decision – Mayor Pro-tem of the purchase, acquisition or disposal of real property or water rights by the public body.

- Mayor Pro tem said there was not any decision made at this time.

Adjourn

- Councilor Ramsell moved to adjourn. The motion was second by Councilor Brown. With a 4-0 vote the City Council regular business meeting was adjourned at 7:32 pm.

Respectfully submitted,

Elizabeth (Lisa) Adair, Municipal Clerk
(Transcribed by Amy L. Lopez, Deputy Clerk)

Date: _____

Approved:

Mark Gwinn,
Mayor

Margaret (Peggy) Gutjahr,
Mayor Pro tem/Councilor

Bill Brown, Councilor
Councilor

Joshua Ramsell, Councilor

Jim Winters, Councilor