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- Mayor Pro Tem Gutjahr called to order the city council workshop at 3:02 pm.
- Present: Mayor Pro Tem Gutjahr (virtual), Councilors; Bill Brown (virtual), Joshua Ramsell and Jim Winters (virtual)  
Present: City Manager Dr. Marty Moore (virtual), Municipal Clerk Lisa Adair, Finance Officer Stephanie Finch (virtual), Finance Clerk Angela Valadez (virtual) and Code enforcer/public works director Gordon Reeves.

### **Accounts Payable Report**

- Finance Officer Finch explained the accounts payable amounts over \$500.00: TLC Plumbing for the contract for City Hall for \$1,307.20; Wells Fargo Financial Leasing for the servers in the amount of \$2,497.73; Monthly legal fees for November and December the attorneys Robles, Rael, and Anaya for \$1,833.88 each; TLC Plumbing for the contract for the Fire Station in the amount of \$1,307.20; December billing for Universal Constructors for the road/street project in the amount of \$876.38; Universal Constructors for road work for \$11,400.00.

### **Resolution 2021-xx Records Retention – Discussion**

- Mayor Pro tem Gutjahr asked Clerk Adair to speak out this.
- Clerk Adair said the New Mexico Municipal League has shortened some retention lengths, there are better instructions on email retention, and more information on the destruction of records.
- Mayor Pro tem Gutjahr said this is based on the State statutes.
- Municipal Clerk Adair said yes and began a discussion about disposition of records.
- Dr. Moore said this has been something that has been in the works for some time and he would like to say thank you to the New Mexico Clerks who worked to make this possible, what the State regulations are causing issues, and continued the discussion.

### **Ordinance 2021-xx zoning code – Discussion**

- Mayor Pro tem Gutjahr said this is about signs and asked if there were anything different in the zoning code and asked if there were any questions.
- Clerk Adair said there was a request to be part of the public hearing tonight but other than that we have had no response from the public and began a discussion.

### **Administrative Calendar – Discussion**

- Mayor Pro tem Gutjahr said those of us that have been on the Council are familiar with this calendar, we had to take a few items off the calendar because of COVID and asked if there are any changes.
- Municipal Clerk Adair asked about the Older Americans Program.
- Mayor Pro tem Gutjahr said it no longer requires a selected representative from the communities, they are appointed.
- Councilor Brown explained how the Older Americans Program had changed.

### **Approve signers on Building Permits – Discussion**

- Mayor Pro tem Gutjahr said we will need to speak with P&Z about who signs off on building permits, how are they trained to do so, and who can be a replacement if the person who is authorized cannot.

- Councilor Winters explained how building permits had been approved in the past. He then explained he asked the Mayor to appoint someone and that person, the Planning and Zoning Chair, was approved by the Council, and if it were to change, we need to have Council approve that as well.
- Councilor Brown asked who our building inspector is because he does not see it written.
- Councilor Winters said it goes through CID.
- Mayor Pro tem Gutjahr said if it is not written in the Ordinance, we need to update that and began a discussion.
- Mayor Pro tem Gutjahr said the previous City manager signed off on the permits because he had been in the construction industry and asked if Dr. Moore would be interested in becoming a second signer.
- Dr. Moore said he met with Councilor Winters this morning, he does have background with those types of sign offs and continued the discussion.
- Councilor Winters suggested there should be some training and continued the discussion.
- Dr. Moore said we do need to look at the Ordinance and see where Council wants to go and discuss it at a workshop and get the ball rolling.

#### **ATV Process, Plan, and placement of signs – Discussion**

- Code Enforcer Reeves began a discussion on the placement of the signage for ATV usage and explained he would set up a zoom meeting to discuss the matter with Game and Fish, the Sherriff's Department, and the City Manager.
- Code Enforcer Reeves recommended posting signs just inside City limits saying ATVs are not allowed and suggested changing welcome signs that say Welcome to Rio Communities to state that we are a City by saying Welcome to the City of Rio Communities and began a discussion.
- Mayor Pro tem Gutjahr said there will be some exceptions and we should think about have signage that says off road vehicles are limited and suggested off road vehicles are limited but was uncomfortable in saying property owners cannot have them.
- Councilor Ramsell said he agrees signage should not say they cannot own them, but we want the landowners to know they are liable if something happens on their private property.
- Mayor Pro tem Gutjahr said Council and the attorney would need to see the signage to limit the use.
- Code Enforcer Reeves said we should get the attorney involved and I put them up at the entrance of the City so they know and explained he ordered 30 signs and said the ordinance will be added to the signs once we know which what the ordinance would be.
- Clerk Adair said the traffic ordinance would be what we would use and began a discussion.
- Coode Enforcer Reeves continued the discussion.
- Councilor Ramsell said posting signs after the welcome sign should have an engine break use signage, we might have to get NMDOT involved.
- Councilor Winters said we don't have an engine break ordinance because NMDOT is not necessarily in favor about that because they don't like to have rules about engine breaking, so we will have to get approval from them and continued the discussion.

#### **\*Public input/questions\***

- No public comments.

#### **GRT Ordinance – Discussion**

- Dr. Moore said it was interesting looking at the history behind the City's GRT and how the GRT had been doing despite the pandemic, and asked Finance Officer Finch to talk about that.
- Finance Officer Finch gave the history of the GRT, explaining the Municipal GRT without referendum and GRT with referendum that would have to be voted on by the public. She then explained subsidies

from internet sales based of population and the CARES Act will end in August of 2021 which is over \$8,000 a month.

- Dr. Moore said we are going to have to find a way to access some information on how to obtain information about where taxes are being paid. He explained sharing a zip code and we don't know how many businesses in Rio Communities are paying taxes to Belen. He then said we are going to be talking to tax and rev to reopen that and at this point and time there will be a dollar amount and we don't know what that will be and continued the discussion.
- Finance Officer Finch explained the CARES Acts was just extra money they gave us for Covid and August of 2021 will be the last time we see these subsidies and explained how much we were receiving.
- Mayor Pro tem Gutjahr said we really need to reach out to our businesses and stress how important is
- Finance Officer Finch continued her presentation, explaining the GRTs have gone up every year.-.
- Finance Officer Finch continued the discussion on the historical GRT by Month, it has been increasing year by year. She then said the .25% that was enacted in 2020 will create about \$40,000 for the year. She continued to explain raising it another .25% would generate another \$40,000 and if the GRT was raised by .8352% it would almost cover the cost of another officer.
- Councilor Brown said we would be raising it to the cap amount if we raised it to the .8352% and expressed his disapproval and began a discussion.
- Councilor Ramsell said if we did go the max, we would have nowhere to go in the future, but we also know GRT is paid out by people that don't live in our community, we bring more in GRT than we do in property taxes, and said we need consider the needs of the citizens. He then stressed again that GRT would mainly be paid by people outside our community.
- Councilor Winters would like to see where everyone else in the County is at and asked where we would be adding another .25%.
- Dr. Moore said right now we are second lowest and we would be tied with two others if we raised it by .25% and at the top if we were to raise it to .8352% and began a discussion.
- Mayor Pro tem Gutjahr said we need to have make a decision about this by the end of February.
- Finance Officer Finch said March 31 is the deadline, but you still need to have the public hearing and adoption of the Ordinance first.
- Mayor Pro tem Gutjahr said we need to look at law enforcement and she agrees there is an issue of bringing more businesses into the area, we need to be clear of how we would do this, we have talked about this before as a council to free up enough money to do that, we need to aim some direction to make that happen, but going up to .8 might prevent businesses from coming in.
- Councilor Ramsell said going up to the max is not a good idea but agrees with Dr. Moore's approach of expanding the tax base as a whole with some GRT increase is warranted but going the full amount is not the way to go.
- Councilor Winters said we will have to consider that we will be losing \$8,000 a month later this year and how much of that are we going to recover and with no increase we are leaving ourselves vulnerable for a short fall.
- Councilor Brown actually going back to the shorter option, I don't see anything on the table there is a \$40,000 new thing that we absolutely need that would warrant the tax increase.
- Councilor Ramsell said we are looking at getting another officer without increasing direct property taxes on the community, the additional .25% and the previous .25% would bring us \$80,000 and gets us a little closer. He then said we don't know how it will affect us not having the income that the City

will not have in tax revenue that we had this year that we will not have next fiscal year and began a discussion.

- Mayor Pro tem Gutjahr said we just now enacted the .25% and in 5 months we brought in \$42,000. She then said when you look at adding that money with what we will no longer be getting we would just be breaking even and began a discussion.
- Councilor Ramsell said if you look at these 2 subsidies from the State may not be substituted for something else, if we do just a quarter increase in the GRT, we are potentially looking at a \$37,000 short fall from this fiscal year and began a discussion.
- Councilor Winters said the Legislating session is over in March and began a discussion.
- Councilor Ramsell said the other comment he made is potentially looking at the property tax as well, because our property tax rate is very low and if people look at their bill and see what they actually pay to the City is very low, and they need to realize all the things they want for the community is funded by taxes and began a discussion.

#### **Capital Outlay – Discussion**

- Mayor Pro tem Gutjahr began a discussion of what would be submitted for Capital Outlay.
- Clerk Adair explained the deadline for submission will be February 8 @ 3:00 pm.
- Council decided to have a special business meeting on February 2 @ 4:00 pm to go over capital outlay.
- Council went over the top priorities for the capital outlay, including: Public safety Equipment, which, for the fire department, would be a pumper truck and radio upgrade; Administrative facilities, moving forward with the next phase of the building and adding fire suppression; pavement reconstruction, road work and road beautification; drainage project.

#### **Drainage Plan Update – City Manager – Discussion**

- Manager Dr. Moore explained his discussion with HDR engineers regarding the retention ponds that Councilor Winters had commented on and also other areas around the City where they had initially missed some culverts.

##### **Public input/questions\***

- No public comments.

#### **Manager Report**

- Manager Dr. Moore explained his discussion with staff on City Hall improvements. He then said we might be able to upgrade the HVAC units we have without replacing them and has asked Code Enforcer Reeves to look into it and explained how much money it would save the City. He further said we would need to update the hot water system to be more efficient and we will be proceeding forward, we will get a memo out to you to show you what you are doing and how much we will be saving. He continued to explain the process by which the work would be done.
- Manager Dr. Moore said we are looking into the cost of the rood and warrantees on the work previously done.
- Council Brown said he appreciates the savings.
- Manager Dr. Moore said we are working on some things on the staff level and at the next meeting we will have information for you on a budget calendar and began a discussion.

#### **Council General Discussion & future agenda items**

- Councilor Brown had no comments.
- Councilor Ramsell had no comments.
- Councilor Winters said he will upload the items to finance officer to make sure he did not miss anything.

- Mayor Pro tem Gutjahr said she was supposed to send out the updated abatement ordinance the attorney sent, and she will send that out and add that to the agenda for the next meeting.
  - Mayor Pro tem Gutjahr said at the next workshop we will discuss which Councilors have the most interest in areas that need addressed so Manger Dr. Moore will be able to discuss moving forward with them. She then said the attorney has at least four Municipalities on Tuesdays and the same times and was wondering if we would be willing to change the day we meet so that he may attend our meetings and began a discussion.
- The City Council workshop was adjourned at 5:16 p.m.

Respectfully submitted,

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

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

Approved:

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Mark Gwinn,  
Mayor

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Margaret (Peggy) Gutjahr,  
Mayor Pro-tem/Councilor

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Bill Brown,  
Councilor

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Joshua Ramsell,  
Councilor

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Jim Winters,  
Councilor