

City of Rio Communities Workshop Minutes
Monday May 10, 2021

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

- Mayor Pro tem Peggy Gutjahr called to order the city council workshop at
 - Present: Mayor Pro tem Peggy Gutjahr, Councilors; Bill Brown, Joshua Ramsell and Jim Winters (virtual)
- Present: Manager Dr. Marty Moore, Municipal Clerk Lisa Adair, Finance Officer Stephanie Finch (virtual), Finance Clerk Angela Valadez and City Attorney Chris DeFillippo.

Accounts payable report

- Finance Officer Finch and Finance Clerk Valadez gave a report on items totaling more than \$500: Two payments to Administrative Services in the amount of \$5,722.14 for employee health insurance; International City Managers Associates Membership renewal for City Manager Dr. Moore in the amount of \$680.00; Robles, Rael, and Anaya for February attorney fees in the amount of \$1,833.88; Stamp Smith, Inc. for custom stamps with required information for the finance department in the amount of \$610.86; A.P.E. Electric for streetlight repair on Rio Communities Blvd in the amount of \$1,203.30; WEX Bank for Fire Department fuel cards in the amount of \$816.98; and PNM for the Fire Department in the amount of \$787.28.
- Finance Clerk Valadez reviewed HDR invoices: project administration, environmental certification and bid documents in the amount of \$3,958.08, certifications and bid documents in the amount of \$8,254.06, and project administration and coordination for the drainage master plan and capital improvement projects in the amount of \$5,871.20.
- Manager Dr. Moore explained the items that are for public works department.

Approval of FY 2022 Interim Budget (manager/finance officer/treasurer)

- Manager Dr. Moore began the presentation and explained he would like to combine the two part time positions of the Janitor and Public works into one position, we have only received one applicant that we interviewed and found was not qualified. He then said we are also looking for a two or two and a half percent cost of living adjustment for current employees. He said he was also approached by the City of Manager of Belen for \$3,000 to support the youth program, and the youth program does represent both Belen and Rio Communities, Belen will be putting in \$17,000.
- Councilor Brown asked how we will make sure that the children here will be served.
- City Manager Moore said we will be getting information out about the program via social media, our website and the school will notify parents and continued the discussion.
- Manager Dr. Moore said Willie Chavez State park is in disrepair, and since it is in no man's land between Belen and Rio Communities, the City of Belen has approached the County to help with cleanup, using the County's equipment and personnel, Belen will be putting in around \$25,000 and have asked us to put in \$10,000. He then explained that \$10,000 is a large sum of money we could use to help purchase playground equipment for Rio Communities, and is recommending a smaller amount, maybe \$2,000.
- Councilor Winters said he understood that you could not spend the LEPP on personnel.
- Manager Dr. Moore said the City spoke with the finance administration that administers the LEPP funds and were told that if it was written into the service contract with the Sheriff's

office to utilize those funds to help with those services, that it is an allowable expenditure. He then said if we hire someone it is not allowable, if we try to put it in without it being in the contract, it is not allowable, but if we do write it in the contract with the Sheriff's office it is allowable. He explained the \$9,000 is left over from this year is going to be put toward some of the speed poles that were broken and a speed trailers that collects data, and we should be able to put that \$9,000 to good use.

- Councilor Brown said the speed trailers are targets for vandalism and theft of their tires and batteries and began a discussion.
- Councilor Winters said regarding the summer rec program, in the past we have pursued teaming with Los Lunas for a rec program, and Los Lunas seems to be interested still.
- Mayor Pro tem Gutjahr said that was something at the time but it is often difficult for our youth to get there and that may be part of that, but we have not had any further conversation about that. She then said before we were a City we worked with Belen and they would use our parks, but maybe we can look at Los Lunas further down the road and continued the discussion.
- Finance Officer Finch said the NMDOT grants will probably be taking place in July because the bidding process takes about a month to bid. She continued to explain the first one is out to bid and the second one will be within the next week or two.
- Finance Officer Finch continued the presentation explaining the projected changes in fund balance, leaving them alone to stay conservative, but changing LEPP by \$20,000, the revenues stayed exactly the same, the salary and wages went up slightly for the cost-of-living increase but did go down slightly by taking the salary of the janitor out since we are consolidating that position with a public works position.
- Mayor Pro tem Gutjahr asked if the public works position is part time or full time.
- Finance officer Finch said the position is part time, at 20 hours per week.
- Manager Dr. Moore said to clarify, currently we have a vacant janitor position at 8 hours a week and a vacant public works position at 20 hours a week, but we are combining both to one position at 20 hours a week.
- Finance Officer Finch continued with the presentation, showing changes, transfers for Capital Projects, percentages of departmental and general operating costs, intergovernmental grants have been increased and backup documentation has been sent, and two full time EMT positions were added. She then explained expenditures for the special revenue fund and capital project changes.
- Councilor Brown where would he find the Junior Grant from Steve McQueen.
- Manager Dr. Moore explained the way particular grants works, \$78,000 from the State legislature will have some sort of contract, but we cannot count the funds as revenue or expenses until the State notifies us the funds are coming, the Council accepts the funds, and on the expenditure side we should an expense that is satisfactory to the Council and the Legislature and it will eventually be shown as a budget adjustment.
- Finance Officer Finch explained the projection for capital projects, explained proposed budget changes and the estimated beginning amount being carried over as being approximately \$1,408,286.15, reviewed other funds, and continued the presentation.

Resolution 2021-xx NMFA Loan application (manager/finance officer/treasurer) - 14-day public review

- Manager Dr. Moore explained that after speaking to the fire chief, the State Fire Marshall's office, and the Finance Authority, we are working on a resolution for reimbursement which is the next step in the process and working on some future financial planning.

- Councilor Brown asked for some changes to be made.

Fire Department Ordinance 2nd reading (attorney/council) – 14-day public review

- Councilor Brown said regarding the emergency medical services section 5-A, he does not understand why this section is there.
- Manager Dr. Moore explained the emergency medical director is the person who is over the EMS services for the City, the emergency medical services has to have a medical director that is over the other EMS and they sign off on what they do, and letter C gives the medical director quality control, and the City Council agrees to who the medical director is, but the EMS director can either be hired by the City Manager or the Council and began a discussion.
- Councilor Brown explained that we do have a medical director and we do pay for him under contract.
- Manager Dr. Moore explained that the hiring and firing of the medical director if it were to come up and continued the discussion.
- Attorney DeFillippo explained that section c could allow for an EMS director to be hired in the future, what qualifications they would need and continued the discussion.
- Manager Dr. Moore continued with explanations regarding audits which would require us to have the ability to hire a medical director and continued the discussion.

Abatement Ordinance - updated (attorney/council)

- Mayor Pro tem Gutjahr explained there were some changes made including the addition of section.
- Councilor Brown said he feels that the dangerous building or debris should be removed from this ordinance and there should be a dangerous building and abatement ordinance because there is a real distinction between a nuisance and dangerous structures and continued the discussion.
- Attorney DeFillippo stated the reason he has drafted this abatement ordinance, I wrote it using the state statutes and included the processes that have to take place to move forward, he agrees eminent domain needs to be a separate ordinance. He continued to explain the abatement of dangerous buildings would be included in the health and safety section and gives the City the power it needs to take care of any issues and said there could be two ordinances but thinks it is fine in the one ordinance because it would be sound and hold up in court.
- Councilor Ramsell said he likes having it in one ordinance to simplify it, agrees that eminent domain needs to be a separate ordinance, but he likes just the one with the State statutes in it.
- Councilor Winters agrees with the attorney and believes that one is going to support us in court, they have a good group and began a discussion.
- Manager Dr. Moore explained that P&Z has been informed that they should expect it be coming back to them to review and continued the discussion.

Draft Proclamation (fireworks) (council/manager)

- Councilor Brown explained that he has gathered weather information that takes us through July 31, 2021 regarding drought, and thought we need to have it out to the public soon to give the public a thirty-day notice and began a discussion.
- Attorney DeFillippo stated he thinks the proclamation is fine, but not have a binding effect, however, the State statute is cited in the proclamation that would provide the City something

to act on. He then said the current ordinance does need to be revised in order to allow for better definition and restrictions and continued the discussion.

- Councilor Ramsell said there are a few typos, but he does agree that we do need to revise the ordinance.

Firework ordinance (attorney/council)

- Mayor Pro tem Gutjahr asked if we can enforce fireworks a mile passed the City limits.
- Attorney DeFillippo said it is difficult but all we have to prove it that it is a possibility to the Municipality, such as someone shooting off a 400 ft high firework that starts something within the City on fire.
- Councilor Ramsell said since our fire district is much larger than the City limits, is the fire chief allowed to say people cannot shoot fireworks.
- Attorney DeFillippo said no, without special permission from the County, our ordinance only covers city limits and began a discussion.
- Mayor Pro tem Gutjahr said this will go our May 24th for public review and began a discussion.

Various MRCOG Board & Committees (manager/council)

- Manager Dr. Moore stated on the Council of MRCOG board of directors currently has Mayor Gwinn as a voting member and no alternate and he believes we should take care of that by appointing the acting Mayor, Mayor Pro tem or the City Manager, metropolitan transportation board recommendation would be either the acting Mayor, Mayor Pro tem or the City Manager with Councilor Winters as an alternate, Councilor Winters would Rio Metro transit board would like to continue to serve on that board, and Technical TCP recommends that we have a member/alternate

Law Enforcement Workshop

- Mayor Pro tem Gutjahr started a discussion regarding the law enforcement and having extra officers here.
- Councilor Ramsell said one of the conversations we had with the Sherriff's Department was regarding young/new drivers over the summer, the speed limit and people not stopping at stop signs during the summers, and also between Thanksgiving and Christmas with burglary concerns and trying to set up overtime in the contracts for officers in this area for those times.
- Mayor Pro tem said we could develop a plan for the 500 hours of overtime that we would have funding for and began a discussion.

MOU with the City of Belen & the City of Rio Communities Summer Recreation program (council/manager)

- Manager Dr. Moore stated that the MOU was sent to the attorney who agreed it was a bare bones MOU. He then explained they are asking us to contribute \$3,000 and in kind if we have it but we don't at this time and began a discussion.
- Councilor Brown asked how Willie Chavez State park would fit into the recreation program.
- Manager Dr. Moore explained the park is separate from the recreation program, several items were mentioned at the meeting of City Managers and the park was one of them and continued the discussion.
- Councilor Winters asked if there was a planning committee for the MOU.
- Manager Dr. Moore said they have a basic program already lined out and asked if we would like the children of Rio Communities to be able to participate in the summer program and continued the discussion.

Universal Waster Services 1st quarterly report

- Mayor Pro tem Gutjahr said it hasn't changed much from last time.
- Councilor Brown said there are people that are paying for the service but are not using the service.
- Clerk Adair explained the report is reflecting how many times people don't put out their container, because they forgot or other reasons, over the course of three months, the numbers aren't how many people are paying for service and are just not using it.
- Mayor Pro tem Gutjahr said as a Council, it is our duty to consider exceptions but then that puts us in an awkward situation and continued the discussion.
- Mayor Pro tem Gutjahr said we do need to have a grand opening for them.
- Councilor Winters said he is interested in knowing where the Code Enforcer is in seeking out the people that are in violation of this ordinance and continued the discussion.

Manager Report

- Manager Dr. Moore said he is very thankful from the finance officer for her work on the budget and then thanked several departments. He then said the Mercer group has been given the information for the Fire Chief and they will be starting recruitment including letters that will be sent out, using affirmative action recruitment for an immediate positive impact when we hire a chief. He then said 28 of the streetlights have been replaced, talked with the Undersheriff regarding traffic patterns, and he has received information from the architects regarding parks and they are almost ready to show us a draft.

a. Combining janitor and part-time public works positions.

- Manager Dr. Moore had explained in the budget discussion.

Council General Discussion & future agenda items

- Councilor Winters said once we have worked out the overtime with the Sherriff's department, we should let the people know that we are increasing the police presence by 25%.
- Councilor Brown said traffic calming start to get stuff bought and get it done, rumble strips because it is budgeted and is one of the items on our priorities list and began a discussion.
- Finance Officer Finch explained that it was in the budget in the amount of \$10,000.
- Manager Dr. Moore said now that the budget is wrapping up, we can get it done, but if we can't get the items purchased by the end of the fiscal year, we can do a budget adjustment.
- Mayor Pro tem Gutjahr said it takes sit down and planning and involving citizens.
- Finance Officer Finch said all purchases unless there is an emergency May 20, until July 1st.
- Councilor Winters suggest that Councilor Brown and Dr. Moore meet to have a clear understanding of what the Councilor wishes to do. The discussion continued.
- Councilor Brown wanted to know where we are regarding the message board.
- Manager Dr. Moore said we are about ready to go out for quotes, we will be going to several entities, there will be a show and tell soon to show you the difference between sign types and after that we will be going out for bid.
- Councilor Ramsell said Census data will be coming out the 27th of May, if anyone has driven down 304 it looks good, and he would like to see it happen on Hwy 47 also.
- Mayor Pro tem Gutjahr said they had a very good meeting with Sue Moran putting up another building for a station and helipad. She then said please get anything that needs to be in the newsletter Dr. Moore by Wednesday morning, and she and Dr. Moore have discussed having

a retreat/strategic planning in June. She then said she is excited to see NMDOT cleaning Hwy 47 and cleaning the ditches.

- The City Council workshop was adjourned at 5:25 pm.

Respectfully submitted,

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

Date: _____

Approved:

Mark Gwinn,
Mayor

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

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Jim Winters,
Councilor