

City of Rio Communities Council Minutes  
Regular Business Meeting  
Tuesday June 13, 2017

**1. Call to Order**

- Mayor Gwinn called to order the City Council Regular Business Meeting at 6:00 pm.

**2. Pledge of Allegiance**

- Robert Teague led the Pledge of Allegiance.

**3. Roll Call**

- Present: Mayor Mark Gwinn; Councilors Bill Brown, Peggy Gutjahr, Arturo Sais and Thomas Scroggins.  
Also, present: City Manager Bob Skerry, City Treasurer Celina Benavidez, Municipal Clerk Lisa Adair, EDC Chairman Jim Winters, P&Z Chairman Robert Teague, Fire Chief Taylor Lewis, Code Enforcer Robert Morgan and Court Clerk Lisa Adair.

**4. Approval of Agenda**

- Councilor Gutjahr moved to approve the regular business meeting agenda for June 13 as is. The motion was second by Councilor Scroggins. With a 4-0 vote the agenda for the City Council regular business meeting was approved as presented.

**5. Approval of Budget Hearing Minutes**

- Councilor Gutjahr moved to approve the minutes for the budget hearing of 4/13/2017. The motion was second by Councilor Scroggins. With a 4-0 vote the minutes for the budget hearing held on April 13, 2017 was approved as written.

**6. Approval of Workshop Minutes**

- Councilor Brown moved for the approval of the workshop minutes of April 24 as presented. The motion was second by Councilor Sais. With a 4-0 vote the minutes for the workshop held on April 24, 2017 was approved as written.

**7. Approval of City Council Minutes**

- Councilor Gutjahr moved to approve the minutes of the regular business meeting of April 25, 2017. The motion was second by Councilor Scroggins. With a 4-0 vote the minutes for the regular business meeting of April 25, 2017 was approved as written.

**8. Public Comment**

- Charlene Whitener, Rio Communities; said on March 28 she presented to council a request for them to implement an ordinance and as of this date they have not heard back from the City or Council. She then said they still have a drug dealer in their neighborhood and they are fed up and they are here to get answers to this situation. She further said Officer Roque has been the only one doing anything about it and then was told afterwards he was not allowed to come back to the property. She asked for a response from Council regarding this situation.
- Mayor Gwinn said council will answer any questions at the end during council reports if they choose to.

- Ms. Whitener said this has already been to the workshop once with no response and said if we are going to have these ordinances they need to be implemented.
- Kuan Tikkun, Rio Communities; said she is here to invite the Council, Mayor and City Manager to the Mission Graduate Workforce benefit held on September 12<sup>th</sup>. She then said on June 27<sup>th</sup> they will be having a planning meeting and would like to have the number of who will attending the event on September 12<sup>th</sup> and gave handouts to the governing body and then asked how many would be able to attend on September 12<sup>th</sup>.
- Jo Stasi, Rio Communities; said she has addressed the governing body in the past regarding semi-trucks parking on various street around the City and asked if a sign can be put on Rio Communities Way and other signs to be placed around the City to have the semi's drop their rigs at designated areas. Her second request is she would like for citizens to be answered on their questions from Council. The third request would be to have recognition of volunteers. Her final request is regarding the disappointment of not adding an additional police officer.
- Frank Stasi, Rio Communities; said driving through Rio Communities there is a gentleman in the City that put up railroad ties on Golf Course Road and Hwy 47 and cleaning up the area doing this just because. He then said he had stopped to say hello and hopes that the governing body will do the same. He then asked why we do not have an ordinance for semi-trucks or are not putting up signs for this issue. He then said everyone is talking about why we don't have an ordinance regarding animals besides cats and dogs.
- Jo Stasi was asked by Jodi to read a statement from her; she stated that the residents are asking to be heard by signing their names to a petition for additional police and they have several hundred names and are continuing to collect more. This is not going to stop, people want to be heard and they need to know what is going to be done to protect our community.

## **9. Economic Development**

- Chairman Jim Winters said EDC's website is reaching the final stage of upgrading and they have a new brochure that has been developed that they will be passing out. He then said EDC is working with Trader Joe's and coming up with a sales pitch whether they go through them or any other company they wish to try to go after. He explained EDC will be working on advertising to entice businesses and residents to the City and further explained EDC is educating themselves on LEDA.
- Chairman Winters said some of the projects they are working on is a welcome wagon, the mission graduate program and working on citizen address change. He then explained this is a safety issue of putting your house number visible on your home. He then said they are also working with internet real estate companies to change the listing city from Belen to Rio Communities.

## **10. Planning and Zoning**

- Chairman Robert Teague said P&Z has been working on a parks plan and then explained that there were issues of mailing out the surveys. He then said they are working on a date and their power point for the public forum and then said once they have this completed they will come to council with the date of the forum.
- Chairman Teague explained P&Z is working on cleaning up the City and then said they are working with the Latter-day Saints youth group and they are willing to help to clean-up the easements all around the City.

**11. Rio Grande Estates Fire Department**

- Chief Taylor Lewis said he was elected Wednesday as the new Fire Chief and then introduced the new assistant Fire Chief Samuel Peterson. He explained that former Chief Jason Gonzales will be there to help them transition into the new positions.
- Councilor Sais asked how the volunteering going is.
- Chief Lewis said they are always looking for new recruits.

**12. Municipal Court – Court Clerk**

- Court Clerk Lisa Adair said for the month of May there were 11 traffic citations filed in the courts. She then said there were payments for correction fees \$20.00; Court Automation fee \$66.00; Judicial Education fee \$33.00; Court Fine \$459.00; giving a total of money received for the month of May is \$778.00.

**13. Advancing public input at a workshop/council meeting to a trial period**

- Councilor Brown said this was first presented to council at a workshop meeting on January 9 of this year and has been in discussion and refinement ever since.
- Councilor Gutjahr stated she feels it is important for the public to give input and then explained she would prefer this input be at the regular business meeting since the workshop are a learning time for Council. Her suggestion would be to change the public comments on the agenda to be comments/questions.
- Councilor Sais said he agrees with Councilor Gutjahr workshops being a learning process. He then said if we do move this forward he would like it to be a pilot basis and for a period of 4 months.
- Councilor Scroggins said he feels having public comments would be more appropriate at the workshop and explained if there was input from the community it would give him time to think about it overnight and make decision at the regular business meetings. He then said unless it is well controlled it can become rather chaotic and would be in favor to have the trial for 4 months at the workshop.
- Councilor Brown said the original proposal for the input was to be done at the workshop on a trial basis and said he still favors for the public input at the workshop and only on agenda items.
- Mayor Gwinn said he looks at the workshop as an education for the governing body but if we do approve this he would like to see it at the workshop first before approving it to go to a regular business meeting and doing it for four months trial and then said he would like to start it up at the first workshop of July.
- Councilor Brown moved to begin a trial period of four months having public input at the workshop on agenda items under discussion. The motion was second by Councilor Gutjahr. Vote: Councilor Scroggins-yes; Councilor Sais-yes; Councilor Gutjahr-yes and Councilor Brown-yes. With a 4-0 vote Council approved the trail of four months to have public input at the workshop on agenda items only starting the first workshop of July.

**14. Accounts Payable -- City Treasurer Celina Benavidez**

- Treasurer Benavidez requested permission to pay the following bills totaling: \$38,300.78

Department of Safety	\$	15.00	Sharp	\$	175.41
Comcast Business	\$	289.16	PNM	\$	204.32
NM Water Service Co	\$	227.61	Century Link	\$	84.85
NM Gas Co	\$	186.73	Heather Benavidez	\$	100.00

Elizabeth Adair (court clerk)	\$ 198.00	PayDay Inc.	\$ 95.29
PayDay Inc.	\$ 5,143.26	PayDay Inc.	\$ 2,047.86
Court Automation	\$ 66.00	Judicial Education	\$ 33.00
AC Trash Disposal	\$ 1,080.00	NM Municipal League	\$ 60.00
AC Trash Disposal	\$ 48.00	Expertech Services	\$ 428.00
NM City Management Assn	\$ 280.00	Universal Constructors Inc	\$ 6,000.00
Bob Skerry (mileage)	\$ 72.81	Universal Constructors	\$ 21,465.48

- Mayor Gwinn asked Universal’s charge for \$21,000 was that for Goodman.
- Manager Skerry explained that yes that was and it closes the contract and further explained that they ate the cost for what was put down on Goodman back in December.
- Councilor Gutjahr said she is assuming the amount of \$1,080.00 for AC disposal was that for the 3 dumpsters.
- Councilor Scroggins moved to pay the payables as presented. The motion was second by Councilor Sais. Vote: Councilor Brown-yes; Councilor Gutjahr-yes; Councilor Scroggins-yes and Councilor Sais-yes. With a 4-0 vote accounts payable was approved for payment.

**15. Reappointment of EDC (economic development commission) Members**

- Mayor Gwinn said we have three individuals that would like to be reappointed to our economic development for a 2-year term and then said the individuals are Frank Logan, Kuan Tikkun and Fran Rossberg.
- Councilor Brown moved to reappointment of Fran Rossberg, Frank Logan and Kuan Tikkun to the economic development commission. The motion was second by Councilor Scroggins. Vote: Councilor Sais-yes; Councilor Gutjahr-yes; Councilor Scroggins-yes and Councilor Brown-yes. With a 4-0 vote Frank Logan, Fran Rossberg and Kuan Tikkun were reappointed for a term of 2-years to the Economic Development Commission.

**16. City Manager Report**

- Manager Skerry introduced Robert Morgan our new Code Enforcer to the City.
- Code Enforcer Robert Morgan said hello.
- Manager Skerry explained in the past the code enforcer position was part-time but now we have created a full-time position for a code enforcer/public works and explained we do have a contact with the County to put up signs but only when they are available so he will help with that and other duties as assigned.
- Manager Skerry said we have a crew working on cleaning up the right of ways per their contract.
- Manager Skerry said there has been a lot of comments regarding the crime around the City and explained at the back of the room we post the VRECC graphs on how we compare to other municipalities in the County and further explained we have a seat on the VRECC board and the cost of the 911 calls have gone down. He then said we have the lowest crime rate in the County.
- Manager Skerry said the preliminary budget has been sent off to DFA and after June 30 we will be closing out the year and then explained by the end of July there is a 30-day lag in bills and revenues and then the 1<sup>st</sup> week of September is the final approval of the budget.
- Manager Skerry said he gave the Governing body a list of priorities and went over some of the items on the list.
- Manager Skerry explained the road of Goodman has been completed and we will be looking at annexation of the industrial park and continued with the priority list.

- Manager Skerry explained the governing body will go over the list and they decided what they feel is most pressing and he will put their suggestions together and come up with a play book for the next year.

## **17. Councilor Reports**

- Councilor Scroggins said he has been wondering about our animal control ordinance and then said since we are under contract with Valencia County they only deal with dogs and cats if we would ban other animals from the City who are we going to have to enforce this.
- Councilor Scroggins said he doesn't know if having more deputies would help in the drug situation if the DEA and the Sheriff cannot go back to this house what can the City do.
- Councilor Sais asked why Roque can't go back to the house and then said DEA has been here and has done some stings and feels that a lot of statics all around the State is in bad shape also.
- Councilor Sais said regarding the semi-trucks we could put signs out but how would that be enforced.
- Councilor Sais said he feels larger animals can possibly be addressed and maybe P&Z could work on it.
- Councilor Brown said when he first moved here, one of the 1<sup>st</sup> things that were told to him was there are several different covenants which included no farm animals but there are so many different areas. He then asked if the code enforcement officer is able to enforce covenants.
- Mayor Gwinn said no he cannot do that.
- Councilor Brown said regarding Charlene's situation as he understands has been an undercover operation and is ongoing. He then said we don't want to announce too publicly there is an undercover operation going on and that would be counterproductive.
- Councilor Gutjahr said she understands the frustration both Charlene and Jodi have been going through.
- Councilor Gutjahr explained regarding the semi-trucks this should be going to P&Z.
- Councilor Gutjahr said the Health fair committee has reorganized into the Rio Communities Wellness Council and they are coming up with a list of insurance companies to help those that want to use the building get affordable coverage.
- Mayor Gwinn said Saturday is a cleanup and we will have the dumpsters out front.
- Mayor Gwinn said Thursday there is a town hall meeting with Kelly Fajardo at 6:00 pm.
- Mayor Gwinn explained to Charlene the situation is with the County and they don't share any information with other officers. He then said they will have to build another case against the individual because what they took from videos is not conclusive enough to get warrants out. He then explained they had success on Clara Lane and has talked with several people on the taskforce and further explained that Roque cannot interact with them because it is in the hands of DEA.
- Mayor Gwinn explained in the State of New Mexico we must work with state statutes and the County ordinance need to match otherwise who would enforce it if we have something different.
- Mayor Gwinn said we are still working on semi and we would have to declare that road with a weight level and we need to do the studies.
- Mayor Gwinn said we have talked before about horses and the code enforcer cannot cite on livestock.
- Mayor Gwinn said there has been some education of our residents on the neighborhood watch website and they had eluded that it is the individual who need to protect themselves and their homes.

**ADJOURN**

- Councilor Brown moved to adjourn. The motion was second by Councilor Scroggins. With a 4-0 vote the City Council regular business meeting was adjourned at 7.32 pm.

Respectfully submitted,

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Elizabeth (Lisa) Adair  
Municipal Clerk

Approved:

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Mark Gwinn,  
Mayor

\_\_\_\_\_  
Margaret (Peggy) Gutjahr,  
Councilor Mayor Pro-tem

\_\_\_\_\_  
William (Bill) Brown,  
Councilor

\_\_\_\_\_  
Arturo R. Sais,  
Councilor

\_\_\_\_\_  
Thomas Scroggins,  
Councilor

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