

City of Rio Communities Council Minutes
Special Business Meeting
June 12, 2018

Call to Order

- Mayor Gwinn called to order the city council regular business meeting at 9:00 am.

Pledge of Allegiance

- Bill Brown led the Pledge of Allegiance.

Roll Call

- Present: Mayor Mark Gwinn, Councilors; Bill Brown, Peggy Gutjahr; Arturo Sais and Joshua Ramsell.
Present: City Manager Bob Skerry, Municipal Clerk Lisa Adair P&Z member Jim Winters.

Approval of Agenda

- Councilor Sais moved to approve the agenda as written for the special business meeting. The motion was second by Councilor Gutjahr. With a 4-0 vote the agenda for the special business meeting was approved as presented.

Attorney Presentation

- Mayor Gwinn explained the Attorney had a death in the family and then said he will relay everything that was brought to him during the closed session.

Subject to the attorney/client privilege pertaining to possible litigation. NM Section 10-15-1 (B)(H)(7)

- Mayor Gwinn asked for a motion to go into closed session.

Motion and roll call vote to go into close session

- Councilor Gutjahr moved to go into a closed session subject to an attorney client privilege pertaining to possible litigation. NM section 10-15-1 (B)(H)(7) with a roll call vote. The motion was second by Councilor Brown. Vote: Councilor Ramsell-yes; Councilor Sais-yes; Councilor Gutjahr-yes and Councilor Brown-yes. With a 4-0 Council went into a closed executive session at 9:05 am.

Motion and roll call to go back into special business meeting session

- Councilor Gutjahr made a motion with a roll call vote to go back into the special business meeting session. The motion was second by Councilor Sais. Vote: Councilor Ramsell-yes; Councilor Brown-yes; Councilor Sais-yes and Councilor Gutjahr-yes. With a 4-0 vote Council returned to the special business session at 9:30 am.

Welcome everyone back and Statement by the Mayor: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on June 12, 2018 a Closed Executive Session was held and the matters discussed in the closed meeting were limited only to attorney/client privilege pertaining to possible litigation as posted on the agenda

- Mayor read the above statement.

Action results from Executive Session

- Mayor Gwinn explained we have some people here from CID and asked if they wish to address council.
- Pat McMurry, the Deputy Superintendent for the Regulation and Licensing Department State of New Mexico; he then introduced the other members from CID and their positions. He then explained the reason they are here today is they have been contacted by the property owner in question and said the reason they are here today is to explain their position regarding this matter and then turned the discussion over to Sally Galanter.
- Sally Galanter explained the process for CID issuance of a permit in conjunction with the local jurisdiction. She further explained the States minimum requirements to what needs to be permitted and what doesn't. She then said our law allows a special exemption for homeowners and said they do ask them to get permits and inspections in order to insure that State code is met, and the structure is safe. She further explained another area they look at is code violations and looking over the City's ordinance, they are excellent and very extensive as to water drainage and many issues, but a zoning issue is basically in the municipalities court and she further stated the States minimum building requirement and said in closing this is not in CID's jurisdiction.
- Martin Romero said he was out here approximately a month, month and half ago and said it is a drainage issue not a CID and is a planning and zoning issue.
- Pat McMurry thanked Council for allowing them to come before them and said they want to continue working with Rio Communities in future projects. He then said as far as this particular issue as stated before this matter falls within the jurisdiction of the City and planning and zoning and the drainage is out of their jurisdiction.
- Mayor Gwinn said he appreciates them coming in and further explained that we have a letter from our attorney regarding this matter and you will receive a copy of this letter. He then said he also wants to continue working with CID and would like them to recognize us as Rio Communities and not Belen and move forward and work on that partnership.
- Councilor Gutjahr moved to approve the letter of June 1, 2018 from our attorney regarding the property issues brought forth. The motion was second by Councilor Sais. Vote: Councilor Brown-yes; Councilor Ramsell-yes; Councilor Gutjahr-yes and Councilor Sais-yes. With a 4-0 vote to move forward with the letter issued by attorney Marcus Rael was approved.
- Councilor Gutjahr made a motion to approve the rest of the payment for the human resource contract and asked for it to be on tonight's payables. The motion was second by Councilor Ramsell. Vote: Councilor Sais-yes; Councilor Brown-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved the payment of the human resource contract at tonight's regular business meeting payables.

Adjourn

- Councilor Sais moved to adjourn the special meeting. The motion was second by Ramsell. With a 4-0 vote the City Council special business meeting was adjourned at 9:43 am.

Respectfully submitted,

Elizabeth (Lisa) Adair,
Municipal Clerk

Date: _____

Approved:

Mark Gwinn,
Mayor

Margaret (Peggy) Gutjahr,
Councilor Mayor Pro-tem

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Arturo R. Sais,
Councilor