

City of Rio Communities Workshop Minutes
Wednesday February 28, 2018

- Mayor Gwinn called to order the workshop at 10:00 am.
- Present: Mayor Mark Gwinn; Councilors, Bill Brown, Peggy Gutjahr, Arturo Sais and Thomas Scroggins
- Also present: City Manager Bob Skerry, Treasurer Celina Benavidez, Municipal Clerk Lisa Adair, and EDC Chairman Jim Winters, Vice chairman Frank Logan, members Fran Rossberg, Paul Baca, Kuan Tikun, P&Z Vice Chairman John Thompson, member Lawrence Gordon

Presentation Municipal Complex Renovation – FBT Architect – Discussion

- Mayor Gwinn asked to move the presentation before the councilor reports.
- Manager Skerry explained that he and Jim Winters interviewed several architects, engineers and design companies and felt most comfortable with FBT because of their size and the fact that they do landscape and trails and have done open space studies.
- Mr. Sanjay Engineer introduced Rathi Casey, intern architect and Amy Bell, landscape architect and began his presentation.

Councilor Reports & agenda items – 30 minutes

- Councilor Scroggins had no report.
- Councilor Sais said he has concerns regarding the status of the code enforcer.
- Councilor Brown said he expressed his concern at the last meeting and asked that the code enforcer position be posted. He said he is again requesting that position be posted.
- Councilor Brown said he also has concerns regarding the fire department. He said one concern has to do with the repair of the station which is now two years in the making. He said he stated his concerns over a year ago and proposed sending a letter to the NMML expressing our concern but received no support and was told we could address that at the NMML meeting in Clovis. He said he did that and Ed Zendel was unaware that there was a problem and assigned the matter to Mike Smith. He said Mr. Smith told him they'd take care of it, but nothing has been done and he would still like to send a letter to the NMML.
- Manager Skerry explained that the insurance company gave him a choice of either signing a check or having them complete the building. He said he chose to have them complete the building so all the risk would be away from the city. He also explained the status of the building repair and that it is being held up at CID and has nothing to do with the NMML or Belfore. He said he is working with CID and asked the Council to refrain from getting involved or making phone calls.
- Mayor Gwinn asked if CID is working with the companies involved.
- Manager Skerry said as he understands they are and Gary Olsen from Belfore is supposed to contact him today.
- Councilor Gutjahr asked if the fire department is aware of what is going on.
- Manager Skerry said they have been informed of the issues.
- Councilor Gutjahr said she has put in a request to Celina for a table cart which we need within the next two weeks.
- Councilor Gutjahr said the group that was working for the cleanup on Horizon Vista is set and she has given them the phone numbers of people who will help.
- Mayor Gwinn said he is getting a lot of phone calls from people about tumbleweeds. He said the people at Horizon Vista are concerned about the possibility of fire and he will talk to the Fire Chief to see if there is anything the city can do.

- Mayor Gwinn said that the people from the Heart Start Program visited La Merced and 135 fifth and sixth graders participated. He said it was a huge success and they're going to try to make that an annual event.
- Mayor Gwinn said we have a new law enforcement officer who will be sworn in tonight.
- Mayor Gwinn explained that Bob Skerry, Jim Winters and Clemente Sanchez met with the DOT about the drainage problems on Hwy 304. He said, since then, DOT has done some major work on that area.
- Mayor Gwinn said we have a final vote on three ordinances tonight that will be put out for public hearing.
- Councilor Sais said we aren't listed in the New Mexico True magazine and began a discussion.

Public input at the city council regular business meeting – Discussion

- Councilor Brown said we have public input at the workshops under each item. He then explained that he would also like to see this at council meetings.
- Mayor Gwinn said the public will be given an opportunity to speak on issues regarding the three ordinances on the agenda tonight. He said we also have time for residents to speak at the beginning of each meeting.
- Councilor Brown said the same exclusions apply with the workshop as it would at the City Council meeting. He said when there is an ordinance, public forum or public hearing, those items are excluded from our agenda for public input because there is already an avenue for public input in place.
- Councilor Gutjahr said we have the public comment section which is helpful but then said she could see why public comment on certain items would be helpful. She said not everything on the agenda should have input and began a discussion.
- Councilor Scroggins said we don't have to have public input on every item, but we may need it on some items. He then explained that the workshops are at 10:00 am and we might get a different group of people at the City Council meeting in the evening.
- Councilor Gutjahr said maybe we can do a three-month trial period for public input at council meetings.
- Councilor Sais said he doesn't feel comfortable with an impromptu situation.
- Councilor Scroggins asked if we have to put "public comment" on the agenda for every item, or if we could put a time for public input on certain items. He also asked if people attend the meeting and want to speak on a certain item, we could add that to the agenda at the time of the meeting.
- Mayor Gwinn said some municipalities specifically allow public comments on agenda items only.
- Councilor Gutjahr said we could put on the agenda that public comments can be made only on agenda items
- Councilor Brown said he would like to see "public input" instead of "public questions" and continued the discussion on putting "public input" on the agenda for City Council meetings.

a) Public questions (3) minutes to address the Council

- No comments from the public.

National Association of Latino Elected Officials (NALEO) Councilor Sais – Discussion

- Councilor Sais said he would like to belong to this organization and explained that 42% of our community population is Hispanic. He further explained NALEO is helpful in providing grants for national workshops and may enhance our ability to acquire funding. He said he is asking the City to pay the \$100 annual membership fee.
- Mayor Gwinn asked if we have this in our budget.
- Manager Skerry said it would be covered under "Dues and Subscriptions".

- Councilor Brown said he is not in favor of this because it sets a precedent for paying anyone who wants to join an organization that is considered a special interest group. He said if we start funding special interest of a person it will become an open book for funding.
- Councilor Gutjahr said she feels this is of value because it is for elected officials and whatever is brought up has to be applicable to the rulings in the community. She said that wouldn't be a special interest, but it is a group that may be helpful to us.
 - a) **Public questions (3) minutes to address the Council**
 - No comments from the public.

Solid Waste Council Input – Discussion

- Mayor Gwinn explained that we have feedback from P&Z and from Charles Montoya and now we need to give our City Manager direction to move forward. He said the issue won't go away and has to be resolved.
- Councilor Gutjahr said she feels the service should be mandatory, include a fine for non-compliance, a single hauler and a franchise fee. She also said we should delay recycling right now and she is not sure about lead time. She also said there will be issues around larger items that won't fit in a container that will be addressed in the future.
- Councilor Sais said his concern in the beginning was the single hauler. He said he realizes a decision must be made and he is leaning now toward a single hauler because multiple haulers are tearing up the streets. He said he agrees that the service should be mandatory, that we should include a franchise fee, and that we aren't ready for the recycling.
- Councilor Scroggins said he is also in favor of a mandatory single hauler system. He said the single hauler will do the billing and explained his main concern is that when people have extra trash, it may be a problem to have it picked up without an extra charge. He also said if people have a cheap way to have large items picked up, there wouldn't be so much thrown in the desert.
- Councilor Brown said the ordinance should apply to residential and commercial customers. He said the service should be mandatory, single hauler, a franchise fee and an impact fee if we have multiple haulers and if heavy-duty vehicles are used. He further said we would have to put something in the ordinance addressing vacant properties and buildings.
- Mayor Gwinn said he feels we need to move forward with a mandatory, single hauler service, and a franchise fee. He also said we should include something to deal with pick-up of large items, but we should continue to have dumpsters here each month. He then said we should build our ordinance to serve the community, strive to keep our city clean and we should educate the residents to come into compliance.
- Councilor Gutjahr asked if other cities have included a grace period to allow people time to comply.
- Manager Skerry explained what the process would be in getting the ordinance and coordinate it with an RFP.
- Councilor Scroggins asked about people taking a long vacation and whether they would need to contact the City and let them know there wouldn't be trash out at their residence.
- Manager Skerry explained that it would be up to the contractor to handle the residents and all we would do is oversee the contractor. He further explained that if people refuse to have the hauler pick up the trash, we have enforcement in our trash nuisance ordinance.
- EDC Chairman Jim Winters said we should add in the RFP that the hauler should share their database.
 - a) **Public questions (3) minutes to address the Council**
 - No public comments.

Personnel – Discussion

- Manager Skerry distributed the Personnel Compensation Analysis from Southwestern HR Consulting. He said we need a wage and salary scale and the pay should be according to the job description and the work performed rather than the job title. He explained that he looked at ratios for other municipalities and gave his interpretation based on the Municipal League and what other compensation surveys have shown. He said he then related it to what he thinks should be considered.
- Manager Skerry began a discussion on changing the personnel policy and salary requirements. He said he can't advertise for a position if he doesn't know what it pays or what the benefits are. He said he needs approval on the proposed compensation, so he can get our application started with PERA.
- Councilor Brown said the position can be advertised at the current pay rate.
- Manager Skerry said he won't do that. He said our current pay scale for a code enforcer is \$10-\$15 per hour and we've had high turn-over because of the salary we offer.
- Manager Skerry said the department heads want to have full hiring process and he doesn't want personnel to be turned over to an HR consultant or the Council. He then explained that Council controls the wage and salary scale, but the City Manager manages personnel.
- Mayor Gwinn said Council still wants HR involved not to do the hiring but to make sure the hiring process is correct. He said they would like for the HR consultant to continue and give us their findings.
- Treasurer Benavidez said if that's what Council wants, they'll need to go out for bid with other firms because we've severed our contract with the previous firm.
- Councilor Gutjahr said one of the things she has learned is that we need to see a scope of work before we go out for an RFP. She said Council made a list of what they wanted in the RFP but never saw the scope of work.
- Manager Skerry explained that the problem is that the procurement process was not followed. He said everything including change orders has to be in writing, but changes were made through phone calls from Councilor Gutjahr and the Mayor.
- Councilor Gutjahr said the only time she talked with the contractor was in the City Manager's office with him and the Mayor.
- Mayor Gwinn said they did discuss the matter in the City Manager's office and also covered it in November when they voted to move forward with the HR contract. He said we wanted to have the EEOC evaluation to make sure our practices are correct.
- Manager Skerry said city ordinance prohibits Council from being involved with personnel.
- Treasurer Benavidez asked why we need a Human Resource firm to oversee EEOC if they've already written EEOC guidelines into our personnel policy. She said that should be the City Manager's job because he oversees personnel.
- Councilor Gutjahr said we've had issues with hiring that haven't worked out so there may be things that can be done better.
- Manager Skerry said he hired one of the disgruntled employees but he's being held accountable for what all upset former employees have said.
- Councilor Sais said personnel matters should be handled in executive session. He said the Council received a report and responded, and Council is responsible. He said if the system we're following now is workable, that's fine and if not, we will review and find another process.
- Treasurer Benavidez said we may be at a risk for a lawsuit brought by the previous HR company.
- Mayor Gwinn said we will look over these concerns at another meeting.

Manager Report

- Manager Skerry explained that Danny Monet, County Manager, sent a letter to all City Managers asking that the Mayor appoint one person to represent us on a committee made up of people from each of the municipalities. He said he is recommending that Jim Winters be our representative

because of his experience with hospitals. He said this is not about where the hospital should be but what communities need.

- The City Council workshop was adjourned at 1:40 pm.

Respectfully submitted,

Lisa Adair, Municipal Clerk
(Transcribed by Pamela Johnson, Deputy Clerk)

Approved:

Mark Gwinn,
Mayor

Margaret (Peggy) Gutjahr,
Councilor Mayor Pro-tem

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Arturo R. Sais,
Councilor

Date: _____