

City of Rio Communities Workshop Minutes  
Tuesday May 22, 2018

- Mayor Gwinn called to order the city council workshop at 9:00 a.m.
- Present: Mayor Gwinn, Councilors Brown, Gutjahr, Sais and Ramsell  
Present: City Manager Bob Skerry and Deputy Clerk Pam Johnson

**Council reports & agenda items – 30 minutes**

- Councilor Ramsell mentioned the e-mail everyone received regarding residents concerned about speeding on Horner. He said a few valid points were raised and Council may need to look at some traffic control.
- Mayor Gwinn listed other streets in the city with the same issues. He said he talked to Sheriff Burkhardt about the need to address our speeding issues.
- Councilor Sais said there are similarities throughout the city and there is a major problem on Horner and work should begin there.
- Mayor Gwinn said we need to bring residents and emergency personnel here and work with them because some object to speed bumps. He said we could look at different designs because cars aren't slowing down for speed bumps now.
- Manager Skerry said the Golf Course-Horner-Hillandale loop is the only area in the city that meets the requirements to get federal funding. He said, to qualify for federal funds, we have to get an engineer involved. He said that road needs to be considered and get engineers recommendation and there may be better alternatives to slowing traffic.
- Councilor Sais said we need to look at the safety aspect and a time table.
- Mayor Gwinn said we go to DOT for funding and that is set up on a time frame.
- Manager Skerry said the application for next year's funding has already been submitted for the next thirteen or fourteen intersections and roads.
- Mayor Gwinn said we need to establish a time frame and give ourselves time to use funds we're applying for.
- Councilor Gutjahr suggested that, at one of our workshops this summer, we ask fire and AMR people to come and let us know their concerns and ideas.
- Manager Skerry said everyone should re-read the transportation plan and know what condition the roads were in. He said there is a well thought out plan and emergency services have been involved. He said the time schedule has been set by DOT because we're using grants for repairs and we apply in March and takes until November to get the money. He said we only have a few weeks to get work done when the temperature is good, but we have to finish before the end of the fiscal year.
- Councilor Brown said every first responder is opposed to speed bumps and he has been led to believe that to get speed bumps every person in the area has to sign a petition.
- Councilor Sais said we need time tables to identify priorities because safety issues are priority. He said he understands the monetary strain, but we need to stick to the time table or we're letting people down.
- Councilor Brown said the joint meeting with P&Z was productive and those meetings should continue in the future. He suggested Council meet with P&Z and EDC every four months and if a special meeting is needed do that also.

- Councilor Gutjahr said it may be helpful to discuss safety methods at a workshop in August and it would be good to have law enforcement here to discuss what they see as problems, so it would be a little more than just talk.
- Councilor Gutjahr said she had a discussion with Lisa about how the court system works - what can be done and what can't, and it may be helpful to have that review at a workshop.
- Manager Skerry said the new VRECC is open and it is important to have a field trip, so everyone sees how they answer calls, respond and the jurisdiction over calls.
- Mayor Gwinn said it would be good to have that discussion at a regular meeting, so residents can hear the process and understand how the court system works. He said the code enforcer process is different and it would be good for residents to hear the explanation.
- Manager Skerry said our judge should come to the meeting and explain her process. He said we may get Loretta Hatch, head of the code enforcers and zoning officials organization, to give us a workshop on what can be done and what things can't be done.
- Councilor Gutjahr said she had a citizen call her to voice a concern about towing places.
- Manager Skerry said there is an official highway list and explained the rotation process of which towing company gets called.
- Mayor Gwinn asked about the process of removing dead animals. He said there is a dead goat on Manzano and Sundial and a dead horse on east side.
- Manager Skerry said we can contract for that service and we may want to contract with someone we can call when we need them.
- Mayor Gwinn said at the public hearing on the budget, the past fire inspector brought up a good idea. He said in talking with people at the fire department, maybe we need to consider hiring an EMS group and still let them approve who will be chief and assistant.
- Mayor Gwinn said there was a good turnout for cleanup but after everyone left and the dumpsters were full, someone from Belen brought truck load of personal trash. He said Belen announced that Rio Communities has free dumpsters and trash can be taken there. He said we need to look at a way to control who is bringing trash and he would like to address that in June.
- Councilor Brown suggested we ask people to show their driver's license with a Rio Communities address if we want the service to be only for our residents.
- Mayor Gwinn said he attended the last site meeting at La Merced and they complimented the city for our support. He also said he had a pizza party for the kindergarten class because he challenged them to increase attendance and they improved from 50% the first semester to 92% attendance the second semester.

### **FBT Architects – Discussion**

- Sanjay Engineer was at the meeting to give an update on the city hall renovation and submitted the grading and drainage plan. He said both courtyards have been inundated with rain water that fell there and the problem was compounded by water draining from roofs of several buildings. He said when they added portals on the front of the building and removed the side portals, they wanted to make sure water that falls there from the roof of this building did not impact the courtyards. He explained that after doing the study, the building to the south is draining water from its roof to the city hall building and that has been the case for several years. He said they wanted to make sure the drainage issues were being addressed comprehensively regarding the two courtyards. He said the water that falls into the courtyard after the canopies are removed will be taken through a pipe system to the arroyo in the back and continued to explain drainage issues and remedies.

- Bob Skerry said we need to look at the “menu items” included in the scope of work and decide which items to add. He said we previously left out money for xeriscape for the south courtyard and some volcanic rock would help with drainage in that courtyard. He said it is best to do whatever needs to be done in the courtyard now to maintain the flow of water.
- Rathi Casey submitted a rendering of the proposed renovation of the fire station and explained that they used some of the same materials, awnings and canopies so it gives the same appearance as the city hall building.
- Councilor Sais asked if “Rio Communities Fire Department” could be on the building instead of “RGEFD”.
- Mayor Gwinn said the fire department is dedicated as Rio Grande Estates Fire Department and we only have the fiscal control and can’t change their name.
- Bob Skerry said we are looking at having the RGEFD logo and the city logo on the building. He said we also asked that the street address including Rio Communities be on the building. He said there will also be a separate logo that indicates District 1.

#### **Resolution 2018-xx Mill Levy 2.75 - Discussion**

- Mayor Gwinn said this resolution needs to be renewed to keep it in place.
- Manager Skerry said the amount adjusts every year because it is set by the budget and explained the procedure. He said we do this by resolution each year and it stays at that amount.
- Councilor Brown said on the last whereas on the resolution should say “the mill levy of 2.75 will continue to be imposed”.
- Councilor Ramsell asked if a portion of the mill levy can be used for public safety.
- Mayor Gwinn explained that those funds can’t be earmarked.
- Councilor Gutjahr said when we look at the budget in July and start to plan for a new officer, we will be able to see where we have extra money.
- Manager Skerry he’ll need to know what Council wants to do because we’ll be negotiating contracts with the county for an officer.
- Councilor Gutjahr said she drafted an outline of a time line for the budget process that she will send to everyone.

#### **FY 2019 Interim Budget – Discussion**

- Councilor Gutjahr asked, when we look at payroll for the fire chief and an assistant, if it is possible to put that money in EMTs and let them select their fire chief or do we need to outline the person’s existence.
- Manager Skerry said the reason both positions are there is that we’re trying to do a mix of volunteers and paid staff. He said our problem is not with staffing of the fire department because with new leadership and the industrial park, staffing issues will be taken care of. He explained that the problem is that the fire department has been out of compliance with reporting to the State Fire Marshal and we have not gotten answers regarding fiscal issues. He said this is about fiscal management and the city taking control of the chief and assistant chief so that we have sound fiscal management.
- Councilor Gutjahr said she understands the logic and the problem with fiscal management. She understands that becoming an EMT basic is a six-month course and for intermediate it’s almost a year so if they select their leadership, that person could still get an EMT license.

- Manager Skerry said the EMT is non-negotiable because our money comes from EMS GRT funds. He said we have 480 jobs at the industrial park that has heavy duty highly flammable chemicals, so we need top notch leadership.
- Councilor Gutjahr asked, to make sure voices are heard at the fire department, can they be part of the selection process.
- Manager Skerry said the current chief and assistant would be part of the interview process – not the rank and file.
- Councilor Brown said he is in favor of four EMT fire fighters instead of a fire chief and an assistant. He explained that his first concern is for safety of residents and if we have chief and an assistant, we will have continuity and administrators that are EMT firemen eight hours a day, five days a week. He also said with four EMT/fire fighters, we can have coverage twelve hours a day, seven days a week by rotating shifts. He also said the fire chief and an assistant can be still be elected by roster of people. He said if the fire chief is hired and reports to the city manager, we lose volunteers.
- Councilor Sais said he is concerned about mudding the waters at the fire department and asked if statutes require us to pay only the chief and the assistant.
- Manager Skerry said this is not about the staffing, but about whether we can continue to be fiscal agents for the fire department. He said we've come close to losing it because of mismanagement in the past by the chief and the assistant. He said one way to solve the issue is to have paid management staff and volunteers for EMT's. He said then we would have someone to do the bookwork that is capable of being an incident commander. He said if something happens and we call the County to be our commander because all we have is EMT's, we're giving control of our fire department to the County and he is trying to keep that from happening.
- Councilor Brown said when Taylor and Sam were elected, he warned the governing body and the city manager about their lack of ability. He said now we have on the current roster one person who has been fire chief in Alamogordo and has all certifications that Jason has and four are certified for building inspection. He said the administrator function is not under total control yet and our current fire chief who was elected by the roster is working to clean up the mess we have there now.
- Manager Skerry said we're talking about total restructuring of the fire department and doing it with their leadership. He said if rank and file at the fire department can make a decision, we're stuck with that, but we can't pass an audit having them in the decision-making process. He said there is a reason state law requires an outside agent to oversee fire departments and manage their fire funds. He said the city can't continue to take the risk without having control of the administrative part.
- Councilor Gutjahr asked if all fire chiefs in Valencia County are paid.
- Manager Skerry said Belen and Los Lunas are but Bosque Farms and Peralta are not. He said there are volunteer fire departments nationwide that are failing, and one solution is to have paid staff.
- Councilor Ramsell said the county would like to have our fire department back because they see potential and because they would get the funds instead of us. He said he hasn't seen an issue with having a potential lack of volunteers who want to be a part of the fire department.
- Mayor Gwinn said they have turned that around, but it is because of the two leaders that we have now. He said he doesn't want to take away what the leadership is building and the continuity.
- Manager Skerry said high-risk situations exist now and we need administrative control to keep those situations from happening because of the potential effect on our insurance.
- Councilor Sais said he was on the board and saw administrators over the state have done a good job. He said he is familiar with the power play that goes through the fire marshal. He said if we get involved

with the fire department and don't allow them to get their fire chief, we're setting up another layer of bureaucracy.

- Manager Skerry said we don't have \$7,800 of state EMS money because the chief failed to fill out the paperwork. He said this office can't administer if we don't have control, but they'll still have input.
- Mayor Gwinn said they don't feel they will.
- Councilor Brown said the fire station has existed for thirty-four years and has been acknowledged by the State Fire Marshal as being the premier volunteer fire station in the state.
- Manager Skerry said, until now we have not had fiscal control.
- Councilor Gutjahr said we had rank and file vote for leadership previously and what resulted was not good and that is a concern. She said, if current leadership is gone, we may be in a situation where rank and file votes and we end up there again.
- Manager Skerry said two subdivisions are on P&Z's plate now as well as another RV park, a solar facility, and the industrial park which is tied to the same people. He said his biggest sales pitch is what a great fire department we have. He said city growth requires a fire inspector certified to inspect facilities that have employees.
- Manager Skerry began a discussion on the budget. He said the DFA requirement is that expenditures projections are high and projected revenue is low. He said expenses are locked in when we submit budget, but revenue is not.

**Public input/questions (3) minutes to address the Council**

- Jo Stasi distributed a copy of a document put together by Henry Rau and said he would best to explain how he arrived with the figures.
  - Frank Stasi said the governing body doesn't allow enough time for citizens to look at the budget and give input. He said council has months to prepare and residents need time to offer opinions and know that the governing body is at least listening. He also said the fire department is a serious issue, but he thought the fire station was self-sustained. He said he didn't realize it would cost money and asked who is paying for the fire chief and the assistant.
  - Mayor Gwinn said that comes from EMS funds collected and no money comes from the city's budget.
  - Frank Stasi said he would like for Council to think about doing some of the budget ahead of time and be ready before the fourth quarter.
  - Councilor Gutjahr said there will be areas that will come up next year when we start talking about a sheriff and that will be on agendas before we get to building the budget, so people can come in to give their opinions. She said the more input Council has from the community the better.
  - Jo Stasi said people come to meetings and voice concerns but feel like no one listens and budget is passed no matter what they say.
- Mayor Gwinn began a discussion on expenditures and explained that they keep adding a survey for CDBG and engineering and asked if there is a time frame when that could become a reality.
  - Manager Skerry said the CDBG survey will have to be included every year. He said some years we use it and some we don't and began a discussion on road repair and grants.
  - Councilor Brown said he would like to see line 33 be Parks Master Plan and increased to \$25,000 because last year P&Z people asked outside of a meeting what they were supposed to do about a master plan.

- Manager Skerry said one of the reasons for using FBT is that they have an in-house division that designs parks and trails. He said their group has started an overall plan for parks and open space.
- Councilor Brown said he has three good names to submit for master planning of parks and open space that should be considered.
- Manager Skerry continued to answer questions and explain expenditures.
- Councilor Gutjahr said we need to look at training manuals for each position including EDC and P&Z so that every new person that comes in will have something to refer to regarding their particular position.
- Mayor Gwinn said developing training manuals was included in the personnel manual.
- Councilor Brown said \$130,000 for purchase of Timan and Del Fuego parks is included under Parks and Trails and there is a better use for that money. He said he would like to address the negotiations for parks when we deal with subdivisions.
- Manager Skerry this is a one-time chance to get the parks back and people's number one concern is parks and trails.
- Councilor Brown asked if the developer will be required to provide open space in his subdivision if he sells the parks to the city.
- Manager Skerry said open space in new subdivision is a separate issue.
- Councilor Brown said he has bad feelings about raising the city manager's salary from \$60,000 to \$78,000. He said when job performance is considered, a 33.33% increase is not warranted.
- Mayor Gwinn said the salary is not set in stone and it's up to Council to decide and vote. He said salary limits of \$65,000 to \$80,000 have been set and the preliminary budget needs to be finalized.
- Councilor Gutjahr suggested one of the things to offer the community would be "budgeting 101" and have a workshop so they understand the process. She said an on-going "Budget 101" column in the newsletter could be included that addresses the budget and why things are done the way they are.

#### **Appointment of P&Z Member – Discussion**

- Mayor Gwinn said he has added two people to P&Z. He asked Council to approve Jim Winters who will come back for a short time and Tom Scroggins.

#### **Proposed Proclamation Restriction of Fireworks – Discussion**

- Mayor Gwinn said Councilor Brown wrote a proclamation and asked him to explain.
- Councilor Brown said he e-mailed everyone the references he used to put the proclamation together. He explained the conditions that are mandatory to be in the proclamation that allow us to declare a severe drought - NOAH drought forecast and the NMSA statute that gives us the authority to ban the sale and use of fireworks. He said he wanted to have discussion at this meeting, so it can be voted on at the next meeting to meet the time frame.
- Mayor Gwinn said he likes the idea but asked how we could enforce it. He said the State Fire Marshal has posted where people can go to get a license and identified what fireworks will be legal. He said we may not have a fireworks stand in Rio Communities but our residents will buy from stands around us.
- Councilor Brown said we will have a code enforcer and four people at the fire department that can be sworn in.
- Councilor Sais said we need to do the best we can and enforcement is a problem with all ordinances.

## Manager Report

- Manager Skerry suggested the Councilors look at Frederico. He said all equipment is on site and they'll be ready go when the temperature is right.
  - Manager Skerry said most of the discussion about the city hall complex has been covered. He said Council has said they want to have specific control over the scope of work and the architects have given possibilities, so he needs them to give him direction. He said those decisions can be made at the meeting tonight.
  - Treasurer Benavidez said it's a good idea to start itemizing everything we want. She said she needs the possibilities the architects have submitted so she can write the contract. She said we have a contract with FBT but don't have a separate internal contract which is what the state recommends.
  - Mayor Gwinn said the scope of work needs to be decided at the meeting tonight.
  - Councilor Gutjahr said tonight we can have a discussion regarding the manager's salary but the evaluation takes place behind closed doors and we cannot get into that.
- The City Council workshop was adjourned at 12:45 p.m.

Respectfully submitted,

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

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

Approved:

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Mark Gwinn,  
Mayor

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Margaret (Peggy) Gutjahr,  
Councilor Mayor Pro-tem

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Bill Brown,  
Councilor

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Joshua Ramsell,  
Councilor

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Arturo R. Sais,  
Councilor