

City of Rio Communities Workshop Minutes  
Tuesday July 10, 2018

- Mayor Gwinn called to order the city council workshop at 10:00 am.
- Present: Mayor Mark Gwinn, Councilors; Bill Brown, Peggy Gutjahr, Arturo Sais and Joshua Ramsell. Present: City Manager Bob Skerry, Finance Officer/Treasurer Celina Benavidez, Municipal Clerk Lisa Adair and P & Z member Jim Winters.

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

- Councilor Ramsell said the “Welcome to Rio Communities” sign just past the bridge is down and there is road damage at San Lucas and Chamartín. He also said street sweeping might be an issue in the future and we may be able to get a used sweeper from Bernalillo or Albuquerque.
- Councilor Sais had no report.
- Councilor Brown had no report.
- Councilor Gutjahr said the Pilot Club is going to choose two areas in Belen to do a clean-up. She said she asked them to look at roads in Rio Communities and said if anyone can suggest a place, let her know.
- Mayor Gwinn suggested talking to the youth groups at Abundant Life and the Mormon church.
- Councilor Gutjahr explained the email about a lady who lives at the corner of Damon and Riley who had 3” of water in her house during the heavy rain. She said the lady told her when her husband was alive, they built barriers in the back yard to keep the water from coming in the house but now she needs suggestions and understands this is a much bigger issue.
- Councilor Gutjahr said there were numerous e-mails from people wanting help during the flood. She said there was poor communication and began a discussion on information that could be provided and numbers to call to get information. She said providing a simple disaster plan would be a good way to let the community know what’s going on and where to go for help.
- Councilor Sais said we need some form of a disaster plan.
- Mayor Gwinn said the fire department has one but it’s through the County and they have to declare a disaster.
- Mayor Gwinn reminded that our cleanup day will be on the 21<sup>st</sup> and he will not be here.
- Mayor Gwinn said Manager Skerry is working with the County to put up the street signs. He asked everyone to let him know if they see signs down, so he can get a list together.
- Mayor Gwinn said Jim Winters and P&Z are ready to move forward with the solid waste ordinance. He said he would like to have a public forum on August 21<sup>st</sup> at 6:00 p.m. He also asked that our meeting with the legislators be on the next agenda.

**ICIP – Discussion**

- Manager Skerry said the current ICIP is on our website and the process is on the local government website. He said last year the building was number one and we’ll be close to completing the building, but he would suggest keeping it on the list and moving it to another level of priority. He further explained the fire department is in good shape, but they might want to consider a new ladder truck and continued the discussion on the process. He said we included parks and recreation last year and we need to decide what to do this year. He said we have roadway beautification in the plan but that ties into the parks and open space plan.

- Manager Skerry said Los Lunas' parks plan is on their website and it is a well thought out plan and continued the discussion.
- Manager Skerry explained we will have to choose the top five projects and have a resolution before September 4.
- Manager Skerry explained that item #6 is a request from VRECC and we put it on last year's ICIP. He said we won't get funding for things that are not on the ICIP.
- Mayor Gwinn said if this is ready by the end of August and we have our meeting with the legislators on September 19, we can present it to them at that time.
- Manager Skerry asked Council to look at the Comprehensive Plan and make sure they don't make decisions on things that are not in the Plan. He said the Comprehensive Plan and the ICIP must align.
- Jim Winters explained that any time P & Z looks at issues like a subdivision the report goes to Council and it will be based on the Comprehensive Plan or what is in the ordinance.

### **Older American's Scholarship – Discussion**

- Councilor Sais said the need for this training was discussed at the last meeting. He then explained that the request is for \$295 for five people and that includes he and Councilor Brown. He said he would like to see the City come up with a scholarship to pay the tuition for the other three people. He said the County should be paying for that, but we need to take responsibility and show support for our program. He said he is requesting that the City pay the \$295 tuition fee.
- Treasurer Benavidez explained that we can only pay for the two Councilors because of the anti-donation rules.
- Mayor Gwinn said we can pay for the two Councilors but it's up to the County to pay for the others.
- Mayor Gwinn suggested sending Councilors Sais and Brown and they can report what was covered to the other three.
- Councilor Brown said he was hoping to get at least the two volunteers to go but if it's not possible then we can't, but he would like it to be considered.
- Councilor Sais said he will pay Lupe's tuition, but he doesn't want that to be considered a conflict of interest later.
- Councilor Brown suggested asking for donations to pay for the two volunteers, but Lupe's tuition should be the County's obligation.
- Councilor Sais agreed and said he will go over donations for the two volunteers at tonight's meeting.

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

- No public for comments.

### **Treasurer report**

- Treasurer Benavidez explained that she received an email from our new financial analyst.
- Manager Skerry said Paul Ludi who was the previous analyst gave Treasurer Benavidez suggestions, but the new analyst doesn't like Paul's recommendations.
- Treasurer Benavidez continued discussion on what might be needed before she can prepare the fourth quarter report.

### **City Hall weeds issue**

- Mayor Gwinn said Manager Skerry is having someone clean up the weeds around City Hall. He said that, in the long term, we need to find someone to take care of our property.

- Manager Skerry explained that we did have a contract, but it was defaulted because of personal matters. He said the men working now were hired to take care of the immediate problem but they're not under contract, so we'll have to advertise and go through the process again to get someone.
- Councilor Gutjahr clarified that whoever answers our ad will be required to be bonded and have insurance.
- Councilor Brown thanked Manager Skerry for addressing the problem with the weeds.

### **Beginning discussion on funding an additional officer – Discussion**

- Councilor Gutjahr began a discussion on an outline she came up with to help keep us focused as we work through the process of acquiring an additional law enforcement officer. She stressed the importance of looking at a long-term plan.
- Mayor Gwinn explained that Rio Rancho took ten years to build their police department and continued the discussion.
- Councilor Gutjahr asked if we can say we'll be able to hire additional officers within a certain number of years.
- Manager Skerry explained that once the annexation of the industrial park has gone through but because it's tax years it will be delayed a full year after it's a signed deal. He said the taxpayers in the City are contributing a total of \$230,000 a year in property tax and our population may hit 6,000 on the next census. He said that's \$38.00 per person per year to run the entire City and all we can do now is what DFA requires. He said one of the things to remember when we pursue annexation of the industrial park is that we have to be able to provide services.
- Councilor Gutjahr asked if it is realistic to think in terms of a time frame for adding officers.
- Manager Skerry explained that we aren't seeing any growth in taxes and nothing is realistic until we have growth in reoccurring income.
- Mayor Gwinn said DOJ is looking at all small municipalities in the State and have found that they aren't meeting the number of officers required by federal regulation for the number of residents. He said they're proposing co-op forces so communities team together to afford a police force that can cover the population.
- Councilor Sais asked if it is possible to get a loan for infrastructure with the understanding that we're getting money coming in. He asked how we build up our infrastructure - the fire department, police department and parks.
- Manager Skerry explained that we could get loans for infrastructure and bonds for capital improvements, but we can't do that for salaried individuals and reoccurring costs. He said our reoccurring income is basically flat because we've had no growth.
- Councilor Gutjahr asked if we could have a plan that says what we'll be looking at as we go through the process of adding additional officers.
- Manager Skerry said if we have a plan, we need a funding source. He said the taxpayers have to decide what they're willing to pay to get what they want.
- Jim Winters said "Purpose" on the list should be changed to "establish a plan for law enforcement" and then decide on funding. He said the plan would be as money is available.
- Councilor Gutjahr asked when we need to look at increasing the mill levy.
- Mayor Gwinn said we should be looking at it in January for an increase in July.

- Councilor Sais said he would like to have one more officer. He said we've already funded for the 2018-2019 fiscal year. He asked if we want another officer and we go over the mill levy for the 2019-2020 fiscal year when would we need to raise the mill levy.
- Manager Skerry said if we raise the mill levy, it would be two years before we see another officer. He said if we annex the industrial park we will have \$115,000 which could fund another officer.
- Councilor Gutjahr said Council should think about what we want to do - the whole mill levy or half and look at budget priorities. She said she understands annexation and grants, but it is important for the community to know that we're looking at other funding options. She said she is trying to organize a document that provides an explanation of funding sources to the community.
- Jim Winters suggested listing the funding sources and the peculiarities of each one so people can follow it.

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

- No public for comments.

**Personnel Board Members – Discussion**

- Mayor Gwinn explained that he received a letter from Claudine Montano that she is resigning from the Personnel Board. He said Council needs to vote on accepting the resignation and start the process of appointing someone else. He also said one of the Councilors needs to be added to the Board so that will need to be considered as well.
- Councilor Gutjahr said the personnel policy needs to be readdressed. She says she can't find where it says what an employee does if they have a problem with the City Manager.
- Manager Skerry said the matter would go to the Personnel Board and, because he is on the Board, he would have to recuse himself.
- Councilor Gutjahr said she understands but that should be stated in the Policy.
- Jim Winters said if a recusal line is added, it should be stated that the City Manager cannot attend the meeting.

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

- No public for comments.

**Hiring Process for the Fire Department – Discussion**

- Mayor Gwinn said we are looking at the hiring process for a fire chief and assistant and everyone wants to know what the process will be.
- Manager Skerry started the discussion on job descriptions for Chief and Assistant Chief. He said those description have been adopted by RGEFD and explained that requirements or requirements that can be met within a certain time limit are included in the descriptions. He said the industrial park effects the fire department because of the level of training required to do a fire inspection on an industrial complex. He said another thing to consider is funding required for EMT training.
- Manager Skerry said it has been suggested that we have a second assistant chief that is voted on by the membership and that assistant represents just the volunteers.
- Mayor Gwinn said he has talked with some of the people at the fire department and they want to be included in the process of hiring the fire chief and assistant chief. He said he thinks they should be because we are the fiscal agent but don't have anything to do with their personnel.
- Manager Skerry said we are responsible for all insurance and administration. He said the volunteers are separate, but they fall under our social media, code of ethics and fraud policies and those people are driving trucks that we are insuring.

- Councilor Gutjahr asked if officers include the lieutenants as well.
- Manager Skerry they would because it's important that those who have been around for a while and achieved officer status be included. He said that's why he wants to have one that is voted in by the volunteers, so they have a chance to have input but we're talking about paid positions that we insure and that come under our risk assessment.
- Councilor Gutjahr said she understands there are some good people at the fire department that have left and asked if those people can apply and be considered for the positions.
- Manager Skerry explained that we will be hiring a chief and an assistant that meet national requirements and could pass national ability. He said some local people here will meet the requirements and he expects them to apply. He said the fire department requires a certain number of years' service for each position, but we need to look at who meets the requirements.
- Mayor Gwinn asked if one of the requirements is that they have to be a certified EMT.
- Manager Skerry said that would be the only way you would get the funding.
- Councilor Sais asked if the only option available is to have a paid chief and assistant.
- Manager Skerry explained the reason for having a paid fire chief and assistant. He said someone has to lead and get the paperwork done.
- Councilor Sais said another plan that has been brought up is to hire four EMT's and then said he would support hiring a chief, a volunteer assistant chief and adding two EMT's.
- Councilor Gutjahr said it is critical at this point in the City's development that we have a full time paid fire chief.
- Manager Skerry explained the chief and the assistant chief are exempt positions but if we hire EMT's, those are hourly positions and have different laws and requirements.
- Mayor Gwinn asked Council to contact Mesilla city government and see how they are doing by having a paid fire chief and a volunteer assistant.
- Councilor Sais said money brings on the problems of creating a bureaucracy and we're doing ok with volunteers.
- Manager Skerry said there seems to be an implication that this is adversarial between the fire department and the City, but the fact is that the fire department has gone from \$155,000 to \$355,000 under his watch. He said they also have two new emergency vehicles and a new command vehicle in addition to improvements done to the fire station.
- Mayor Gwinn said what we really want to know is what the process will be to achieve our goal. He said we want more feedback from the officers at the department and we need to walk away knowing that they will have a say about who the people will be.
- Councilor Brown said he thinks Mesilla has a unique situation because they have large corporations that contribute to the fire department so that every member has a significant stipend.
- Mayor Gwinn said he was told that the only paid person they have is the Fire Chief.
- Councilor Brown said he recommends having a joint session with the fire department full roster to get their input. He then said the City Manager gave Council information about how one station was integrated with a chief and an assistant and that was one formula but not the only one. He said we are approaching a situation where the fire department would become a department within City government under City government control which may be an advantage or a disadvantage. He said we're considering using fire station funds to hire officers not of their choosing but with their money not ours and we need to get their input.

- Councilor Gutjahr said she was told by people on the roster that they were forbidden to talk to the Council and if Council is going to meet with the full roster, she would like for people to be able to talk individually.
- Manager Skerry said this is not a function of the Council unless we change to a Mayor Council form of government and have an administrator and not a manager. He said Council is the fiscal agent for the fire department, but we don't vote on jobs and how the money is spent.
- Treasurer Benavidez explained there are fire funds available but if they fall behind on what they're supposed to do they won't have additional funding. She said if they can't get us what we need, we can't help them.
- Mayor Gwinn said what needs to be discussed is what we need from Manager Skerry to make sure the hiring process will include the key people.
- Councilor Brown said he has grave concerns about the City spending State Fire Marshal money without going through the Fire Department. He asked if Council has agreed to hire anyone.
- Manager Skerry said the budget passed.
- Mayor Gwinn said what we need to know is what the process will be.
- Councilor Sais said this is all in concrete and we're hiring based on transparency, but we don't have that and as a finance board we have some control and the budget can be rescinded.
- Councilor Ramsell said most fire departments in the country are volunteer but they're failing and what worked in the past worked until recently. He said we have to look at what the needs of the City will be over the next five to twenty years particularly with the addition of the industrial park and between 800 and 1,200 new homes. He said that will be a substantial increase in responsibility for our fire department and he wants them to have the leadership that will be able to respond.
- Treasurer Benavidez said Jason Gonzales has resigned but is still taking care of things he shouldn't.
- Manager Skerry continued with the discussion and said there have been issues with personnel that are within the fire department. He said he is 100% behind having a good fire department.

### **Administrator vs. Manager - Discussion**

- Mayor Gwinn distributed a handout and began a discussion regarding forms of government. He said what we need to determine is what the City needs because that's what determines what government we want. He said some of the things to consider are stated in the last two paragraphs of the handout – one has to do with city manager and the other city administrator. He asked that everyone take the time to read the material.
- Councilor Sais said our government worked when we were a new city, but we're going into another transition. He said he wants our community to be inclusive and we're losing that. He said we need a change in our government to progress.
- Mayor Gwinn said this item will be on the agenda for the workshop on the 24<sup>th</sup>.

### **Manager Report**

- Manager Skerry said he needs to sign off on the zoning to get the building permit so construction on the building is imminent.
- Manager Skerry explained that Lena at the County is going to have a load of sand delivered and dumped in the parking lot at the fire station and the fire department has sand bags.
- Manager Skerry said the business incubator project is going well. He said we're moving forward with the possibility of an incubator project here and one of the things mentioned involves cooking and

agricultural products. He said he went to Socorro with Ralph Mims and visited Solara and their biggest product is solar powered attic ventilation fans. He said Solara and another large company are opening operations in the Los Lunas area and that is driving subdivisions planned by Herman Tabet and Scott Edeal.

- Manager Skerry said he will attend an IDEA conference on Monday and Tuesday of next week which is for the State Economic Development. He said he is dealing with people that are doing site selection and trying to get things to come into our area.

**Computer/Notebook training – Lisa - Council**

- Training began after the Council workshop adjourned.
- The City Council workshop was adjourned at 1:07 pm.

Respectfully submitted,

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Lisa Adair, Municipal Clerk  
(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,  
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