

City of Rio Communities Workshop Minutes
Monday July 24, 2017

- Mayor Pro-tem Peggy Gutjahr called to order the workshop at 10:04 am.
- Present: Mayor Pro-tem Peggy Gutjahr; Councilors Bill Brown, Arturo Sais and Thomas Scroggins.
Absent: Mayor Mark Gwinn.
Also, Present: City Manager Bob Skerry, City Treasurer Celina Benavidez, Municipal Clerk Lisa Adair, EDC Chairman Jim Winters and Code Enforcer Robert Morgan.

1. Council reports & agenda items – 30 minutes

- Councilor Scroggins had nothing to report.
- Councilor Sais asked how we are coming along on paving aspects.
- Manager Skerry said he will be covering that in his manager report.
- Councilor Brown requested that a letter to Ed Zendel at the NM Municipal League be added to the agenda for discussion at this workshop.
- Mayor Pro-tem Gutjahr explained that she will add it to the agenda for discussion as item #7 before the Manager Report which will now be item #8.
- Councilor Brown said he drove up Hermosa through the Suncrest area. He said there is a shell of a building that burned on the south side of the street and another ugly building on the north side of the street half a block from there. He said that area is a blight and asked if we have an abatement ordinance or any ordinance that deals with abatement.
- Manager Skerry explained that we do have a way of dealing with a nuisance but don't have an abatement ordinance. He said he can give the council the information he has regarding an abatement ordinance.
- Mayor Pro-tem Gutjahr asked if this should be an item for discussion at a workshop.
- Manager Skerry said it is a very complex issue and will require multiple discussions. He said several cities have been sued so this is not an easy issue and will probably involve some legal advice.
- Councilor Brown said we recently went through the list of things to prioritize for the City Manager. He said obviously we can't do everything because of limited staff but there are ways that the governing body can pitch in and help. He distributed some potential priorities that the governing body can do and began a discussion.
- Mayor Pro-tem Gutjahr asked that this item be considered for the next workshop agenda.
- Councilor Brown said there is a lot of graffiti on Riley and Horner and the people on Riley told him they have been tagged and painted over it three times. He said our nuisance ordinance addresses graffiti and authorizes the city to remove it and read the part of the ordinance regarding removal of graffiti and penalties. He then read the penalty section of ordinance 2013-01 and said there is a disconnect there regarding the penalty for graffiti.
- Mayor Pro-tem Gutjahr asked if the graffiti has been reported to the police because they can often identify the graffiti and know who the taggers are.
- Councilor Brown said the last time he tried that, he was told they wouldn't be able to do anything about it.
- Manager Skerry explained there may be legal issues if the city does work on personal property. He said we can paint over graffiti on city property, but we don't have the staff to do that right now.
- Councilor Brown suggested we consider re-writing the ordinance. He said if 2013-1 says one thing about penalties and we have other things that differ, something should change.
- Manager Skerry said some of the early ordinances are in conflict and we've known that for a long time.
- Mayor Pro-tem Gutjahr asked if we allow residents to keep farm animals in the city.

- Manager Skerry explained that we have never addressed livestock because that's controlled by the branding and livestock board. He said most of the covenants in the city exclude farm animals.
- Mayor Pro-tem Gutjahr said she saw on Next Door that there is a lake off Lee Trevino where kids are swimming.
- Councilor Scroggins said there are ponds on the golf course property.
- Chairman Winters said there are also two retention ponds at each end of Lee Trevino. He said one is at the end of San Lucas and one is at Lee Trevino and San Lucas and there is quite a bit of water there. He said there is another drainage area off Brown that is supposed to channel underneath the golf course but it's clogged so it creates a large pond and if we get any rain at all there's a lot of water there. He said that area belongs to the city but we're not sure who owns the retention ponds.
- Mayor Pro-tem Gutjahr asked if any of our ponds are fenced and, if not, should they be.
- Chairman Winters said they probably should but we need to find out if the developers have turned those retention ponds over to the city.
- Mayor Pro-tem Gutjahr asked if we know who owns the property.
- Manager Skerry explained that, at this point, we don't know. He said the developers of subdivisions we have didn't go through any process so there is a question as to who owns what and we would have to do title searches to check ownership.
- Mayor Pro-tem Gutjahr said she is concerned about kids' safety and the long-term liability to the city.
- Councilor Scroggins said we're looking at a liability because it will all come back to the city.

2. Resolution 2017-__ Final Quarter Financial Report

- Treasurer Benavidez explained the final quarter financial report. She read the expenditures and revenue for the fourth quarter and pointed out that the expenses were less than revenue. She also explained transfers out of general funds and required reserves.
- Manager Skerry explained that we had money left over at the end of the year which is shown as a carryover to the new budget. He said DFA wants you to know that the reoccurring money coming in is somewhere in the \$900,000 range, not counting the grants and other revenue and began a discussion on the 4th quarter financial report.
- Manager Skerry said, until now, we were forecasting what we thought we would have at the end of the year, both in budget and revenues and we were very close. He said as of the 4th quarter financial report, it's no longer a forecast.
- Councilor Scroggins clarified that the resolution states what happened last year.

3. Resolution 2017-__ FY2018 Operating Budget Adoption

- Mayor Pro-tem Gutjahr said we sent the budget to DFA the end of June. She said they have looked at it and given corrections so now we're adopting the budget which includes the carry-over.
- Manager Skerry explained we operate as this being a final budget but DFA has until September 3 when they are required by law to say this is the final budget.
- Treasurer Benavidez explained the final budget beginning with the property valuation estimate.
- Manager Skerry said the official mil levy from the assessor last year was 2.729. He explained that we do not set the levy but set the dollar amount coming in from property tax in the budget. He said when assessed valuation comes in, it may be different.
- Treasurer Benavidez explained unaudited beginning cash balances on the budget are equal to the cash ending balances on the 4th quarter report and that is what we'll start the new year with. She continued to explain that this money is already allocated and began discussion on the final budget.

- Manager Skerry explained that many of these transfers will not necessarily be used but we have to have the money budgeted for the matching funds for grants and continued the discussion.
- Councilor Scroggins said the amount of the grant doesn't show on the budget.
- Manager Skerry said we have received the grant agreement but we have not received the award letter. He said we signed the agreement and are waiting for the DOT state board to sign and send us the letter. He said DFA won't let us put the amount in the budget until we have the award letter and, at that time, we'll make budget adjustments.
- Manager Skerry explained the supplemental information that will go to DFA and began a discussion.
- Treasurer Benavidez explained that the budget is a lot of work but putting it together is a team effort and she had a lot of help from the staff.

4. Move Workshop to 2nd & 4th Tuesday mornings before City Council Meeting

- Mayor Pro-tem Gutjahr said there has been a request from staff to move the workshop from Monday morning to Tuesday morning.
- Manager Skerry said it was his suggestion and explained that one of the reasons is that we have changed payroll services. He said the previous service gave us until Wednesday to submit the payroll and now we must have it in on Monday. He said we have very little time to get the payroll ready and, in addition to that, nothing happens in the meeting unless packets are prepared and staff also does that. He said it would be helpful to the staff if workshops were on Tuesday morning.
- Councilor Sais said his concern is cutting out input from residents. He said we need to be accessible and the obvious place for that is city hall. He said he likes the two-day period we have now but understands staff limitations.
- Mayor Pro-tem Gutjahr said people can come to the workshop with questions.
- Manager Skerry explained that the reason for the workshops is to have an informal setting for council discussions. He said the place for the public is the official meeting and the workshop is more for councilors to get background. He said in the past there was never anything controversial but most of the things that come up that require a vote now have been discussed for at least a month.
- Councilor Sais said he would like to see the time for the workshop be set for 10:00 am to noon.
- Councilor Scroggins said moving everything to Tuesday will eliminate the ability to sort of "sleep on" things. He said the subject of moving the workshop hasn't been discussed. He said the workshops have been running three to four hours and will we need more time to contemplate.
- Councilor Brown said the workshops could be moved to Monday evening and that would give us time to absorb information before the meeting. He said it would also give residents the same amount of time if they want to attend business meetings which would allow more input from the public. He said the downside is the additional strain on the staff.
- Manager Skerry explained that the matter came up because we have a huge budget and a long list of things we want to accomplish. He said it would help him if the councilors spent more time researching things on their own. He said that would also free up staff because they wouldn't be taking the time to research things for council and prepare packets.
- Mayor Pro-tem Gutjahr asked if it would be feasible to get information on things we're working on in the workshop at least 24 hours in advance if the workshop is moved to Tuesdays from 10-12. She said she can understand that having one day for meetings would help staff and, if we have the documents two days ahead, we have time to talk about it before we get to a workshop.

- Manager Skerry said the agenda comes out a week before the workshop so there are six days to ask questions. He said coming in at 9:00 on Monday morning and having to get everything printed and ready to go plus do payroll and handle whatever calls have come in is very difficult.
- Mayor Pro-tem Gutjahr said she doesn't know the staff deadlines but even if she sees the agenda she can't ask questions unless she has the material. She said if she has the material two or three days ahead of time she is prepared.
- Manager Skerry said it would have been helpful if everyone had come to the meeting today with their copy of the 3rd quarter resolution and the budget so we wouldn't have to be spending time explaining information that is basically old information.
- Clerk Adair said she can get the packets ready and send them out electronically Monday morning.
- Mayor Pro-tem Gutjahr said she understands that one concern is the length of the meeting and another is how well prepared we can be. She said another issue is whether we want to move the workshop. She said being told what we are supposed to bring to the meeting hasn't been our history.
- Manager Skerry said what facilitated this is that we have more work than four people can do. He said we're talking about solving a staffing problem and it would help to have fewer days for meetings.
- Councilor Brown said the clerk's idea is good and would be helpful to expedite the workshop. He suggested the workshops be moved to the second and fourth Tuesday mornings and we get the packet electronically so we have time to look at it before the meeting on Tuesday.
- Councilor Scroggins said that getting the packet electronically is great but it may also be good to get a synopsis or a cover letter explaining the information and why we got it. He clarified that the packets can be put together from documents on the computer and e-mailed but wouldn't necessarily have to be done on Monday morning.
- Councilor Sais said we talked about the fact that Bob needs an assistant during the budget process. He said we've understood staffing issues for a long time and there was money available to budget for an assistant. He said going to one day for meetings is putting a crunch on council and there may not be enough time for discussion.
- Mayor Pro-tem Gutjahr said if the packet is sent to us Monday morning, we'd have all afternoon to look at it and call to ask questions and talk to constituents before our meeting on Tuesday morning.
- Clerk Adair said the process would be the same as getting the packets together on Monday morning before the meeting. She said she wouldn't have to rush to get the packets out by about 10:00 a.m.
- Manager Skerry explained that another problem is that he doesn't know how long a workshop will take so he can't schedule meetings or phone calls. He also said, most of the day on Tuesday is spent answering questions.
- Councilor Brown asked the treasurer if having the packet sent in advance would be a bind on her.
- Treasurer Benavidez said that wouldn't be a problem for her since the financials are done the week before.
- Mayor Pro-tem Gutjahr asked about interrupting staff if we have questions when we get the packets.
- Treasurer Benavidez said they should never feel like they can't ask questions.
- Councilor Sais said he is concerned that there will be too much of a crunch on council to do all the work in one day. He questioned if we're going to govern or be a stamping process and said there needs to be more opportunity for discussion. He also asked why not cut the workshops out and we'll interpret the information in our own way. He said if we need more staff, we should hire more staff. He said if we were in the red we couldn't do it, but that's not the case.

- Mayor Pro-tem Gutjahr said when we come to the workshop on Tuesday morning, we have all the information and can discuss it then. She then asked what council want to do to move forward on the issue or take it to another conversation.
- Councilor Brown said he thinks the change deserves a trial to see how it works and what the problems are. He said we may see things that need to be changed.

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

- No public for comments.

5. Appointment of a Rep and Alternate for the Older American Program – discussion

- Mayor Pro-tem Gutjahr said we should wait until Mayor Gwinn returns to discuss this matter. She then asked the Councilors to explain why they are interested in the position.
- Councilor Sais explained that he would like to be considered because he has been in the social work field for several years and has a lot of knowledge about older American programs. He said he has coordinated and facilitated veterans’ programs and he would like to continue to participate.
- Councilor Scroggins said the reason he would like to be involved is because of his wisdom and chronological age.
- Councilor Brown said he has a vested interest because he is one of the sixty people in this area that is served Meals on Wheels. He said he understands how the program works and it is the major program serving older Americans. He then explained he uses the facility here and as past president of the RCA, he understands that aspect of it also.
- Mayor Pro-tem Gutjahr said she is interested because she has served that population as a nurse and is active in what the older population should do to be healthy.

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

- No public for comments.

6. Volunteer Recognition committee – Discussion

- Mayor Pro-tem Gutjahr said people on the health fair committee have talked about volunteer recognition and have done a few things for people who helped with the fair. She said we want to have a committee and would like to have some discussion.
- Councilor Brown said council should be the committee. He said we can get recommendations from the health fair people, P&Z, EDC and staff and, with that input we would know eligible people.
- Councilor Sais said it would be good to have a recognition committee.
- Mayor Pro-tem Gutjahr said having council be the committee may be a problem for open meetings.
- Councilor Scroggins said it might be good for him to serve on a committee to meet more people.
- Mayor Pro-tem Gutjahr said maybe a committee could include two councilors and asked for other suggestions for people who should be on the committee.
- Councilor Scroggins said there should be people from the public on the committee because we tend to become a small group and someone from the general population may offer a different viewpoint.
- Mayor Pro-tem Gutjahr said we’re looking at two volunteers from council and Councilor Scroggins has volunteered. She said we’ll need to decide who we want from the general population unless at a meeting we want to solicit people to be on it.
- Mayor Pro-tem Gutjahr said volunteers need to be recognized in some way.
- Councilor Brown suggested having volunteers this year and again next year and having a citizen of the year annually.

- Council Scroggins said he doesn't think there needs to be a citizen of the year but thinks we should have a party and recognize volunteers. He said we can't pick one citizen of the year when we have different kinds of volunteers.

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

- No public for comments.

b) Letter to Ed Zendel

- Councilor Brown distributed a letter he would like to send to Ed Zendel at the Municipal League and began a discussion. He explained he had input from the City Manager and Mayor that he should not send the letter but should go to the Clovis meeting and confront him instead. He said his position is that if we do that, we'll blindside them and the letter will give notice that we aren't happy.
- Councilor Scroggins said this is a rather pointed but innocuous letter and he doesn't know about any legal ramifications it might have.
- Manager Skerry said we need to look at what we want to accomplish. He said we have one choice for insurance as a municipality in the state of New Mexico but asking them how they can improve their service is viable. He said we're a newly formed city and had paid into the fund one year before we had a major loss which they paid. He said we're a self-insurance fund and by writing the letter, we're writing to ourselves but he agreed that things have taken an extremely long time.
- Councilor Brown said we added a 5,600-sf addition to the fire station and it took a year. He said Los Lunas is building a fire station three times the size of ours and it went from design to completion in a year.
- Manager Skerry said Los Lunas is spending a lot of money to do that and agreed that taking Ed Zendel aside and telling him the contract award should have been done faster is valid.
- Councilor Brown read his letter which recommends ways to improve the League insurance fund contract awards process.
- Mayor Pro-tem Gutjahr said the matter could be handled in a better way by talking to them rather than sending them a letter. She said she wouldn't want to sign the letter because we must deal with the League for a long time and it should not be made more difficult. She said she would prefer not to send the letter.
- Councilor Brown said he can talk to them in Clovis and blindside them.
- Councilor Sais said he is not happy about what happened but he would not sign the letter.
- Councilor Scroggins said it's alright to bring it to their attention but not as an official letter.

c) Manager Report

- Manager Skerry said Councilor Sais asked about progress on the road projects. He said we have six to eight weeks of good weather for chip and seal. He said we applied for \$172,503 from the DOT grant and they're giving us \$75,000 and our match is \$25,000. He also said \$72,000 worth of work that we projected is not covered under the grant. He said the last item on the list is the entire length of Frederico Blvd. and the cost of chip and seal for the entire road would be approximately \$30,000. He suggested we pre-bid all the work included in the grant and make the scope of work and the request for bid contingent upon the award letter. He then suggested we make another scope of work for chip and seal of Frederico, Kaghan Loop and Nancy Lopez and began a discussion on possible costs.
- Mayor Pro-tem Gutjahr asked how much it cost to pave Goodman.
- Manager Skerry said \$40,000 and explained that it would cost another \$10,000 to \$12,000 to do another fog seal and continued the discussion.

- Councilor Sais asked if we will put the work on Frederico out to bid soon.
 - Manager Skerry said he will be putting it out for bid and continued the discussion.
 - Manager Skerry explained that Manzano is still on the list but will probably end up being done next spring and we may need to do more pothole work.
 - Councilor Sais said it is ironic that he keeps hearing from people how much work the County did.
 - Manager Skerry said the County’s total budget for roads is \$286,000. He said the money for Manzano will come from a grant.
- The City Council workshop was adjourned at 12:32 pm.

Respectfully submitted,

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

Approved:

Mark Gwinn,
 Mayor

Margaret (Peggy) Gutjahr,
 Councilor Mayor Pro-tem

William (Bill) Brown,
 Councilor

Arturo R. Sais,
 Councilor

Thomas Scroggins,
 Councilor

Date: _____