

City of Rio Communities Workshop Minutes
September 25, 2018

- Mayor Gwinn called to order the City Council workshop at 10:00 a.m.
- Present: Mayor Gwinn, Councilors Bill Brown, Peggy Gutjahr, Joshua Ramsell and Arturo Sais
Present: Deputy Clerk Pam Johnson

Council reports & agenda items – 30 minutes

- Councilor Ramsell said the city cleanup on Saturday went well. He said he helped pull weeds along the highway in front of city hall and it was good to see citizens volunteer also. He asked if we are documenting “before and after” on the construction at City Hall.
- Councilor Sais said there was a three-car accident on Hillandale and Manzano Monday. He said that intersection is dangerous especially between 7:00 am and 8:30 am because of the school traffic. He suggested a street light or a turn-about is warranted there.
- Mayor Gwinn said the State DOT looked at putting a 3-way stop there but didn’t do that after we got the turning lane. He said they may need to revisit the problem.
- Councilor Brown said he received a phone call from Drake Le Master who is interested in development on Hwy 47 north of Rio Communities. He said Mr. Le Master said he is interested in building 75 homes on 45 acres which would be affordable housing for veterans. He said they’ve contacted all the right people as far as the veterans are concerned.
- Councilor Brown said because of construction three fire hydrants that service this plaza (one south of My Bank and two at this building) have been fenced. He said if there is an emergency that requires water, the fire department will go through the fence, so the contractors should be advised and put on notice.
- Mayor Gwinn said the contractor is aware of that and, as things develop, they’ll change the fence.
- Councilor Brown said, a few months ago, a lawyer was looking at our human resources status and asked if we have any more information.
- Mayor Gwinn said, Robert White, an associate of our attorney, is supposed to be at our next meeting to cover our questions on the solid waste ordinance and other matters.
- Councilor Brown said the next meeting of our Older Americans Advisory Council will be held at the Del Rio Center on Wednesday October 17 and Councilors are invited.
- Councilor Gutjahr said there is a stop sign missing at the southwest corner of Howard and Brugg. She also said there is trash on the desert again (east of the sign that says “no trash”). She said she went through the trash but couldn’t find a name. She also said she has received calls from several people that want to talk about some issues – especially what is true and what is not.
- Councilor Gutjahr said we need to think about getting a defibrillator when we plan for recreation at city hall.
- Mayor Gwinn said the City Manager is looking into that and we need to get an update from him.
- Councilor Gutjahr said she has a list of proposed agenda items some of which have to do with funding for the police department, liability regarding the use of the multi-purpose building, workshops on budgeting, etc.
- Mayor Gwinn asked that this matter be on the agenda for the workshop on October 9th.
- Mayor Gwinn complimented everyone that helped with the clean-up and thanked those who worked on Golf Course and Hwy 47. He said LDS worked on Golf Course and next month Abundant Life Church and the Founders Group will work on Hwy 47.

- Mayor Gwinn said we need to start talking about fuel cards for the fire department. He said their cards have been shut off and the Treasurer and City Manager have brought up using debit cards, but he is not in favor of that because there is no way to track purchases. He also said we need to find out where we are at with street lights. He said they are all going to be solar and the City Manager is working on getting the contract and we can ask for an update from him at our next workshop.
- Mayor Gwinn said the Fire Department has spent a lot of the fire funds that have come in and have some purchase orders out, so we need to make sure we don't run out of funds in the fourth quarter. He said he doesn't see what they plan to spend during the 2nd, 3rd and 4th quarters but they spent \$115,000 in the first quarter and it's not over.
- Mayor Gwinn said Jim Winters has resigned from EDC. He asked Council to let him know if there is someone they want him to talk to. He said he would like to get EDC and two Councilors to have a joint meeting and see what EDC is seeing as issues and start working on them.
- Councilor Gutjahr suggested having small groups that meet to discuss specific issues and then bring that to a larger group.

Joint meeting with the Fire Department - discussion

- Mayor Gwinn said he will contact Chief Rubin about having a joint meeting on October 3rd. He said he has talked to people who have said people on leave and those that have left should be at the meeting to voice their concerns. He said there are areas that we need to clean up since we're the fiscal agent, but we can also talk about EMT funds and see if we can reach a compromise.
- Councilor Gutjahr said it will be important that the meeting is between Council and the Fire Department. She said some people that are no longer with the department have good thoughts and they need to be heard at the meeting.
- Councilor Brown said he disagrees with opening the meeting up to previous membership. He said for sixty-five years, the membership has voted on the Chief and Assistant Chief and only the people on the active roster should be there because they decide how station is run.
- Mayor Gwinn said some people who are at the station now want to see people no longer there be brought in because there are some issues not completely resolved and that would give them the opportunity to see how to improve the situation.
- Councilor Gutjahr said this is an input meeting from fire department personnel - not how to run the station but where we go from here. She said we need input from everyone, active or not.
- Mayor Gwinn said people on leave are an active part of the department.
- Councilor Sais said, if we vote to have this meeting, we need to have some conversation about an organizational chart. He said there have been personality conflicts going on outside the professional aspects. He said we're having issues and concerns and he doesn't know if it's the person or the position. He asked where Council has control within the City.
- Mayor Gwinn said if we had hired a fire chief that would be the only person answering to the city manager and volunteers answer to the captain. He said their budget has to be approved by Council and expenses are overseen by the procurement officer and the city manager. He said we've voted to stay under a manager type government which puts the city manager in charge of personnel.
- Councilor Brown said there is a blurring of lines connected with "fire department reports to us" vs fiscal agent. He said the fire department's active roster elects the chief and the assistant and they are a total volunteer department. He said the City is the fiscal agent which says we're responsible for ensuring that the POs are authorized, and we can't dictate how the fire department is run unless money is involved.

- Councilor Gutjahr said the volunteers receive a nominal fee.
- Mayor Gwinn said we receive \$30,000 from the County to pay the volunteers and State Taxation and Revenue said the money they receive is taxable income and has to be reported on state and federal returns unless it's under \$600. He said the County sent us paperwork that explained that we would distribute the \$30,000 and we have to choose between W-9 or W-2.
- Treasurer Benavidez said she can't pay anyone unless we have a W-9 on file.
- Mayor Gwinn said we use W-9 because we don't have PERA so people who choose to can pay into their PERA fund.
- Councilor Ramsell said he was at the fire department for a short time and they had to fill out a form and got paid per call. He said the paperwork was required because they have to show how the taxpayer's money is being spent.
- Treasurer Benavidez said she and Mayor Gwinn sign checks, and her bond and license are at risk. She said Captain Gonzales is currently overseeing expenditures and if the Fire Chief is not reviewing, how do they know that the Chief has authorized.
- Councilor Gutjahr said the Fire Chief suspended the SOP's and SOG's so he could promote people who didn't have the qualifications at that time, but they're suspended for everything. She said when we took over the fire department Steve Gonzales was the county fire chief and they had not paid their bills for three months. She said this is now our financial responsibility and we have valid concerns about things that will impact the City.
- Treasurer Benavidez said the fuel cards have been cut off because there is a new company involved and they need new forms. She said we need to decide if we want to continue with fuel cards and, if we go to debit cards, the bank decides the limit.

City Hall weed control – discussion

- Mayor Gwinn asked if we have requested bids for landscape maintenance.
- Treasurer Benavidez explained the problem is finding someone that is bonded and licensed.
- Mayor Gwinn asked that this matter be on the agendas for the next workshop and Council meetings.

Solid Waste follow up - discussion

- Mayor Gwinn said attorney Robert White will have the document ready at the next regular meeting and will answer the legal questions we listed and asked everyone to review the minutes of the public forum before we meet with him. He explained that Mr. White will want to know if we want to go with changes and then we'll move to a 14 -day review.
- Councilor Gutjahr said we'll discuss this at the meeting on the 23rd and decide on a 14-day review.

Continued discussion on funding an additional officer – Discussion

- Mayor Gwinn said we have an agreement with the County to provide an officer and we need to clarify that the officer is assigned to the City and is a commissioned officer for the City. He said the officer reports to the City and works here but his hours are set by the County Sheriff and he may be called to assist if needed outside the city. He said that agreement will not change when we have more officers and we have to pay the County \$130,000 up front for each officer, so we need to be sure we'll have the money. He said some people don't want to pay additional tax so we're looking at other ways to fund another officer.
- Councilor Gutjahr said we're developing a position paper which will help us establish a long- term funding plan for law enforcement in Rio Communities. She said Council received information put out

by the Department of Justice that will be helpful to review when we meet with groups. She said the document explains “cop grants” and why they are not available to cities with less than 20,000 population. She said the information is about starting a new police department and mentions the importance of contracting services out until we can provide services independently. She said this document can be found on the DOJ website.

- Councilor Gutjahr said Council is now looking at other funding options that include mill levy which takes 18 months from implementation to be sustainable. She said ½ mill levy would provide \$115,000 but there were concerns from people about paying more. She said, since we’re looking at annexation of the industrial park, we have to be careful about whether we want to increase tax on businesses. She said Council has also looked for grants but the only one they’ve found is the “cops grant” which is not available for small cities. She said they’ve also talked about increasing GRT but that will hurt businesses. She said the long-term annual cost for one officer is \$130,000 which includes salary, benefits, insurance, vehicle, etc. and we have to keep in mind that we’ll also need money for our library and parks. She said that, currently if we divide the income we receive from mill levy and GRT by the number of residents, the amount paid by each resident for services is \$38 per year.
- Council Gutjahr said she has had people call and say they’re concerned about fear mongering on social media. She said we want people to be safe, but we have to be smart about what we post. She said she is not saying there aren’t issues but we’re not seeing the huge rise in crime that people are saying we have and there are statistics showing where most crime occurs.
- Councilor Brown said there is going to be crime everywhere and, if we had ten officers we’d still have crime probably at the same rate it has always been. He said all officers can do is respond to 911 calls – they can’t prevent crime. He said in 2014 before we had 40 hour per week police coverage 3.8% of calls from Valencia County and the all municipalities were for law enforcement and Rio Communities had the lowest number of calls. He said in 2016 we had a 40 hour per week officer and 4.08% of the calls were for law enforcement but we were still the lowest in county and in 2017 3.94% of the calls were for law enforcement and Rio Communities remained the lowest in the county. He said we have one officer but still have resources from the County Sheriff, but we need to provide coverage that we can afford, and we’ll have another officer as soon as we can.
- Councilor Sais said people all over the state are asking for police protection. He said statistics are one thing, but reality is the need for a feeling of security.
- Councilor Gutjahr said, given how things are going with mill levy and the fact that it’s generating money, if it goes into effect in January the first money would be collected in July. She said we need to let the sheriff’s office know so they can look at their budget but, if we get more people building homes and have the annexation, we’ll get more money from mill levy, so we may do that sooner.
- Mayor Gwinn explained that money for an additional officer has to come from re-occurring funds.
- Councilor Gutjahr said if someone is arrested in the City, we pay \$95/day to house them so when we talk about law enforcement we include that as part of an overall expense.
- Ken Sandlin said we need to explore other areas besides police officers. He said he understands the City doesn’t have money for an officer and asked if Council had considered a citizens’ patrol.
- Mayor Gwinn said neighborhood groups are hard to insure but some HOA’s have their own security.
- Councilor Gutjahr said when the City condones something we have to be careful. She said, if a group decides that you’ll patrol, that’s ok but if Council initiates it, we’re liable.
- Ken Sandlin said we’re paying for an officer and questioned why the City has no control over when he works.

- Councilor Gutjahr said the Sheriff’s office looks at high crime areas so that’s where the officer goes but the Mayor can report what we’re seeing.
- Councilor Brown said we’ve agreed that Neighborhood Watch is the only viable organization we have now that can help preclude crime in certain areas.
- Frank Stasi said he is not in favor of raising the mill levy and gross receipts tax gets money from everyone. He said he has contacted people who complained and 80% said they had a problem and we’ve told them to come to the council meetings. He said a lot of people are afraid and we need to find a way to make people feel safe.
- Jo Stasi said she is encouraging people to talk to the Councilors.
- Councilor Ramsell said a second deputy is in Rio Communities because it’s a good staging point for somewhere they may need to be.

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

- No public comments

Personnel Policy Changes – Discussion

- Councilor Gutjahr distributed a document showing proposed changes to the Personnel Policy. She said we need to make sure we want these changes and when the City Clerk comes back to work they can be inserted in the polity. She then read the proposed changes and explained they are shown in red. She said she will send the proposed changes to the City Clerk.
 - Mayor Gwinn said it will then go to 14-day review.
- The City Council workshop was adjourned at 12:35 pm

Respectfully submitted,

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

Date: _____

Approved:

Mark Gwinn,
Mayor

Margaret (Peggy) Gutjahr,
Councilor Mayor Pro-tem

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Arturo R. Sais,
Councilor