

City of Rio Communities Workshop Minutes
October 23, 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: Municipal Clerk Lisa Adair

Council reports & agenda items – 30 minutes

- Councilor Ramsell asked about the possibility of contracting with Belen for street sweeping one day a week.
- Councilor Sais said he would like to see where we are on the budget and funding another police officer. He also asked about money set aside for maintenance when the building is finished.
- Mayor Gwinn said we will know more in the third quarter because that's when we get property tax and see how we stand with gross receipts and franchise tax. He also said we set money aside for maintenance.
- Councilor Brown asked about the parks and trails budget of \$25,000 for a study and asked if that work has been contracted.
- Mayor Gwinn explained that nothing has been put out for bid because that is part of ICIP so capital outlay will fund that.
- Councilor Brown said the intent of the \$25,000 for the study was to see what can be done and which was separate from the main contract.
- Mayor Gwinn explained that we have to show that we have a plan for capital outlay and that's where the \$25,000 comes in.
- Councilor Brown said Council received a letter from three of our representatives requesting information as follows: 1) flood plain issues – it appears that a city ordinance requires Rio Communities to enforce flood plain issues and a resident has removed a wall on his property which has resulted in flooding on adjacent properties; 2) the City of Rio Communities has refused to enforce that ordinance and a meeting with City officials who can speak to this issue was requested. He said he doesn't think Council has provided the information requested.
- Mayor Gwinn explained that the person they are referring to has filed a claim with his lawyer, so the matter is now in our attorney's hands. He said the attorney has advised us that the City is not obligated to control flooding.
- Councilor Gutjahr said she received an e-mail from a resident who is involved with a movement for renewable energy in the County and would like to address the Council.
- Mayor Gwinn said we received final budget approval from DFA and we need to put that on the agenda for the meeting on the 13th.
- Mayor Gwinn said he was invited to attend a meeting with the water company on Thursday. He said they're going to discuss their next project and address some issues throughout the community.
- Mayor Gwinn said the city cleanup went well and fifty high school students picked up trash on Manzano. He said we have two more cleanups scheduled this year and he has a request for a third dumpster on the 17th. He then asked if we wanted to have the cleanup scheduled for the 15th of December.
- Municipal Clerk Adair reminded Council that we didn't have a clean-up last December because it made sense that people would have more trash after Christmas, so the clean-up was scheduled in January.
- Mayor Gwinn said he and the City Clerk will attend the self-insured program at Municipal League.
- Mayor Gwinn said the attorneys are still looking at the solid waste ordinance. He said he is hoping to be able to review it at our next workshop.

- Mayor Gwinn went over the City's organizational chart and started a discussion. He said he would like to put it on the agenda for approval and attach it to our Personnel Policy.
- Councilor Brown asked if he can resubmit his draft of proposed abatement ordinances.
- Mayor Gwinn asked that the draft be given to him, so he can talk to Planning and Zoning about their schedule.
- Councilor Sais asked about the municipal court and asked if the clerk answers to both the City Manager and the Judge.
- Mayor Gwinn said only the clerk, not the judge. He said they have to present a budget to the City Manager, but day-to-day operation is left to the judge and the clerk.
- Mayor Gwinn said the second Council meeting in December falls on Christmas Day and asked that discussion regarding that meeting be on the next agenda.
- Municipal Clerk Adair said she attended a conference hosted by the Municipal League and the Secretary of State and Senator Soto attended. She said the Election Code has been repealed as of July 1 and now there are two elections and began a discussion. She asked to be on the next agenda to discuss pros and cons.

Resolution 2018-xx BAR #2 – Discussion

- Treasurer Benavidez said this resolution is to transfer fire funds to EMS for a total of \$39,200. She explained that this is to correct money that was put into fire funds for EMS supplies.

Resolution 2018-xx BAR #3 - Discussion

- Treasurer Benavidez said this resolution is to transfer fire funds to a new account for County EMS GRT totaling \$129,730.08. She explained that is to correct money that has been put into fire funds over the years because there was no other place to put it.

Resolution 2018 – xx Change Chart of Accounts/County EMS GRT

- Treasurer Benavidez explained that this change is to create a County EMS GRT account. She said the new accounting system requires changes to the Chart of Accounts to be done by resolution.

Resolution 2018 – xx Change Chart of Accounts/RGEFD Discretionary Funds

- Treasurer Benavidez said this is to create a fund for discretionary funds for the nominal fee we receive from the County and began a discussion.

Councilors; Brown & Gutjahr proposed Agenda items – Discussion

- Councilor Gutjahr gave a synopsis of future agenda items and began a discussion regarding priorities. She said the list includes things that have come up and when we had an issue that needed to be researched, we added it to the list. She said some things have been taken care of and some remain a question and Council discussed and rated thirty-two agenda items. (See the official minute packet for the list).

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

- Ross Harms referred to the discussion on disaster plans and fire/waterproof file cabinets. He asked if the computers are on central network.
- City Clerk Adair said the computers are not on a central network. She explained that they are on a local network within the City and not all files are not on the network.
 - Jo Stasi said she is happy to hear that Council is prioritizing issues.

Civilian volunteer program update – Discussion

- Councilor Gutjahr read an article written by Rex Newkirk regarding crime prevention and posted on Next Door today.
- Councilor Gutjahr explained that she has talked with Bosque Farms regarding their volunteer program and gave a report on what she found out. She said number 1- it is critical that the community is involved in understanding their role in crime prevention and number 2- when the program is in place, we will need to constantly tell the people involved that they do not get out of the car. She said she and

Councilor Ramsell will come up with the outline of how this program would work for Rio Communities. She said they will also look at the broader issue of crime prevention and the issue of who on City staff will oversee the program.

- Councilor Brown said our new code enforcer would be the prime candidate to coordinate that effort.
- Councilor Sais clarified that Councilor Gutjahr checked with Bosque Farms.
- Councilor Gutjahr said she did contact Bosque Farms and asked if they've had any major issues. She said they told her the biggest problem is people thinking they need to intervene.

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

- Ross Harms said we need to do some things on our own such as security lights and cameras. He said he has been looking on-line at solar LED lights and asked if there is an ordinance that restricts lumens from a personal light in the yard.
- Mayor Gwinn explained that our ordinance restricts the distance of illumination. He said some residents prefer dark skies and don't want light at all.
 - Bill Card explained he has installed lights and it does make a difference.
 - Frank Staci asked if the decision is made to go to a community patrol, Council can give an estimated time frame.
- Councilor Gutjahr said we do not have a time line at this time.

Review of Personnel Policy – Discussion

- Councilor Gutjahr went over the changes that were added to the policy.
- Municipal Clerk Adair explained that she included the pages that were changed in the policy and those changes are shown in red. She said one of the packets includes a sample of the exit interview and where we have it in the policy now.
- Mayor Gwinn said he likes the changes made so far and said this is a document that will have to be updated periodically.
- Municipal Clerk Adair said there is no indication of how we will give verification of receipt of applications and asked if we should be specific as to where we will send verification. After some discussion, it was decided to add that verification of receipt will be by e-mail or written notice.
- Councilor Gutjahr said 4.5 says the City Manager/Department Head will convene a committee of no less than three and no more than seven, but we decided to delete "no more than seven".
- Councilor Gutjahr said 8.1 "Appeal of Council's Decision" deals with the grievance procedure and says if a grievance is with the City Manager, he or she will recuse him or herself from all relevant procedures with the Personnel Board. She said we added under 5.4 "Resignation" that an exit interview will be required but there is nothing in 5.5 "Reduction in Force/Layoff" about an exit interview and started a discussion.

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

- Ross Harms asked if there is any if there was wording in the policy about temporary layoff, permanent layoffs and recall rights.
- Municipal Clerk Adair said that language is included in the policy.

Appoint/re-appointment of a Rep and Alternate for the Older American Program - Discussion

- Mayor Gwinn said Councilor Sais and Councilor Brown are currently our representatives and complimented them on the way they represent the City. He said he would like for Council to consider re-appointing them if they want to continue.
- Councilor Brown reported that Lupe is the Site Manager for the Senior Center in Rio Communities and her wish list includes the ability to get WI-FI. He said there is a private company that does service some broadband here, but the cost is too high.

- Mayor Gwinn began a discussion around getting WI-FI at the center and several possibilities were mentioned. He said we can look at the options and submit those to the County instead of saying there is no means at all to set up a WI-FI.
- Councilor Brown said they're going to do a survey at senior centers throughout the county about favorite menu items and the least favorite items.
- Councilor Brown explained the format of their agenda is to have a report from Nancy Gonzales, the director of the Older Americans Program, a report from each site managers and a report from each of the city appointed people. He said they then discuss new and old business.
- Councilor Sais said we're going through a bit of a transition now but people at our center seem to be happy.
- Mayor Gwinn said he appreciates that Senator Stefanics was at the meeting and will ask the state to reimburse the three quarters of a million dollars that was taken out of the program.

Fire Department Issues – Discussion

- Mayor Gwinn said there was a meeting between the two fire departments and the Fire Chief indicated their SOPs & SOGs are not suspended. He said there are guidelines that must be followed because next month they will nominate a fire chief and an assistant.
- Councilor Ramsell explained that following the guidelines is very important for the integrity of the department and the community as well just as we follow guidelines here.
- Mayor Gwinn asked if there are guidelines they should also follow to determine who is qualified and who isn't.
- Councilor Ramsell said there are qualifications for all the positions. He also said only active duty members who have some training can be considered.
- Councilor Gutjahr explained that she was told that it is important that the guidelines are followed, and they need to follow their by-laws regarding who is eligible to vote and who is not, who is eligible to run, what happens in the event of a tie and who counts the votes.
- Mayor Gwinn asked about the process from beginning to end.
- Councilor Brown explained that the process starts in November and the election is in December.
- Mayor Gwinn said he wants to make sure their guidelines are followed and asked who oversees the process to make sure this happens.
- Councilor Brown said he is not sure if someone will oversee the process but we're back to the issue of the City being the fiscal agent with no business with the internal operation of the fire department.
- Mayor Gwinn said we are obligated to either approve or disapprove of whoever is elected.
- Councilor Gutjahr said good people at the department want to make sure that, whatever it happens, it's legal and there are no other issues involved.
- Councilor Gutjahr said she appreciates that they received the budget and her concerns are how they came up with estimates for fuel or maintenance. She said they estimated vehicle repair down to the third quarter and after that they have nothing.
- Mayor Gwinn said they took information from the first quarter reports and that's a problem the auditors have. He said they need to show they have money projected to get through the fourth quarter.
- Councilor Brown said he received an e-mail six weeks ago that purchase orders from the fire department were frozen and asked when the non-emergency purchase orders become unfrozen.
- Mayor Gwinn explained that the purchase orders were frozen because there is less than \$50,000 in that fund now. He said the Fire Chief and the Assistant looked at the profit and loss that the Treasurer

provided but didn't look strictly at fire funds and spent a little over \$140,000 in the first quarter. He said the next money they receive from the state will be on November 1 in the amount of \$44,000. He said the resolutions that will be voted on tonight will help to clarify the issue.

- Councilor Gutjahr said, in the past, all the funding streams were shown, and the Chief took expenses out of separate funds but the budget we have now doesn't do that.
- Councilor Sais said it all comes down to having a workable budget, so we know how much money we have to spend.

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

- Sue Moran, administrator from Tierra Grande said she appreciates the complexities of the issue but doesn't care about the drama and only cares about the City moving forward. She said Tierra Grande transferred their fire station to the City based on the vision the City had so the fire department could obtain additional funding. She said in order for the City to fulfill its mission, this fire department and the community will benefit from the hiring of a full time paid fire chief/EMT and consideration of a full time paid assistant chief/EMT.
- The City Council workshop was adjourned at 1:19 pm.

Respectfully submitted,

Lisa Adair, Municipal Clerk
(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