



City of Rio Communities Council Regular Business Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, December 11, 2023 6:00 PM
Minutes

Please silence all electronic devices.

Mayor - Joshua Ramsell
Mayor Pro Tem - Margaret R. Gutjahr
Council - Arthur Apodaca, Lawrence R. Gordon, Jimmie Winters

Call to Order

Mayor Ramsell called the meeting to order at 6:03 pm.

Pledge of Allegiance

Councilor Gutjahr led the Pledge of Allegiance

Roll Call

PRESENT

Governing Body

Mayor Joshua Ramsell
Mayor Pro-Tem Margaret R. Gutjahr
Councilor Arthur Apodaca
Councilor Lawrence Gordon
Councilor Jimmie Winters

Staff

Manager Dr. Martin Moore
Deputy Clerk Lalena Aragon
Assistant to the City Manager Amy Lopez
Fire Chief Andrew Tabet
Attorney Randall Van Vleck
Police Chief Felix Nunez

Approval of Agenda

Motion made by Councilor Gordon to approve the agenda as written. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Approval of Consent Agenda

- 1. Regular Business Meeting Minutes – November 13, 2023**
- 2. Accounts Payable**

Maloy Mobile Storage	487.36	Comcast Business	571.72
Sharp Electronics Corp.	627.84	A T & T Mobility	1,155.00
NM Local Government Law	5,408.16	Ray's Fire Extinguishers	2,200.00
Woodlands Hardware	76.03	Positive Promotions	5,034.10
Bank of America	158.86	Albuquerque Publishing Co.	2,029.41
NM Public Procurement	100.00	Comcast Business	516.58

TLC Plumbing & Utility	769.52	WEX Bank	2,228.59
Roof CARE, LLC.	1,730.15	NM Water Service Company	422.90

Motion made by Councilor Apodaca to approve the consent agenda. Seconded by Mayor Pro-tem Gutjahr.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Public Comment:

No comments.

Manager Report

City Manager Dr. Moore explained that we are working on the zoning code rewrite and that the task force will be walking through the details and that the language is consistent and clear language. He talked about the annexation and that we are going to be receiving a petition in the next few weeks. He gave a report on the progress in the Chamartín and San Lucas project. He talked about having a public forum about the Goodman construction and invite DOT. He then explained that 90% level on phase one and two on the Horner project and will be moving on to phase three. He talked about meeting with Legislators and that we are hoping to get one or two Jr. Bills to assist with the needs for Police, Fire and Public works.

Councilor Apodaca commented on the zoning ordinance let's take I3 as an example when we list several possibilities that would be approved for an i3 zone could we make a statement on the zoning ordinance to prevent someone from sneaking in something that isn't approved or outlined that isn't in agreement planning and zoning or city council can we make a statement that we have the right to review anything that is not approved.

City Manager Dr. Moore explained that there is a special use permit for anything that isn't a permitted or conditional use can only come in with a special use permit that has to come before council and there are some uses that cannot come in under a special use permit.

City Manager Dr. Moore stated that the Belen Public Schools will be recognizing the Rio Communities and Belen Fire Department and the Belen Police department for the response they received on a school bus incident that happened on November 17, 2023. That will be tomorrow at the school board meeting at 5pm.

Councilor Apodaca recommended asking for the maximum from the State.

Mayor Ramsell stated after meeting with two of our legislators the tune has changed a little due to the change in the oil market. One thing they told us, looking at the dollar amount to be realistic on the dollar amount.

Councilor Winters stated that the water trucks are doing some damage to the road on Chamartín.

Council Discussion

Councilor Apodaca talked about the city website and that we are behind on the city history and suggested updating the history to the website be added to the Librarian job duties..

Executive Session - executive session – The following matters will be discussed in closed session: motion and roll call vote to go into executive session and that, pursuant to New Mexico state statutes section 10-15-1, only the following matters will be discussed in closed session:

- A. NMSA 10-15-1(h)(2) limited personnel matters**
- B. Evaluation and contract of Fire Chief**
- C. Evaluation and contract of City Manager**
- D. Municipal Clerk Vacancy**
- E. NMSA 10-15-1(h)(8) real property & water rights**
- F. Acquisition of property**
- G. Roadway easement connecting Highway 47 and Highway 304**
- H. Water rights**

Motion and roll call vote to go into closed session.

Motion made by Mayor Pro-Tem Gutjahr to go into a closed session for the matters of NMSA 10-15-1(h)(2) limited personnel matters. Evaluation and contract of Fire Chief Evaluation and contract of City Manager. Municipal Clerk Vacancy. NMSA 10-15-1(h)(8) real property & water rights. Acquisition of property. Roadway easement connecting Highway 47 and Highway 304. Water rights. Seconded by Councilor Gordon.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Motion and roll call vote to go back into the regular business meeting session

Motion made by Councilor Gordon to go back into regular business meeting session at 9:40pm. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Motion and Roll Call Vote that Matters Discussed in Closed Session Were Limited to Those Specified in Motion for Closure, and that no final action was taken, as per New Mexico State Statutes Section 10-15-1

Motion made by Councilor Gorden that all matters discussed in closed session were limited to those specified in motion for closure, and that no final action was taken, as per New Mexico State Statutes Section 10-15-1. Seconded by Councilor Gutjahr.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – CONTRACT OF FIRE CHIEF

Mayor Ramsell stated the recommendation is to have a four-year contract for the Fire Chief with a salary of \$68,000.00 that will be effective as soon as the contract is signed.

Motion made by Mayor Pro-Tem Gutjahr to accept the recommendation of the Fire Chief contract for four-year contract with a salary of \$68,000.00, effective as soon as the contract is signed. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – CONTRACT OF CITY MANAGER

Mayor Ramsell stated the recommendation is to have a contract extension of two years with a severance for without a cause from 3 months to 4 months with an increase of the City Mangers salary from \$1003, 000.00 to \$112,00.00, effective as soon as the contract is signed.

Motion made by Mayor Pro-Tem Gutjahr to accept the recommendation of the City Manager to have a contract extension of two years with a severance for without a cause from 3 months to 4 months with an increase of the City Mangers salary from \$1003, 000.00 to \$112,00.00, effective as soon as the contract is signed. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – APPOINTMENT OF ACTING MUNICIPAL CLERK

Mayor Ramsell stated the recommendation is for City Manager Dr. Moore to be appointed as the acting Municipal Clerk until we can hire a Municipal Clerk, effective immediately.

Motion made by Mayor Pro-Tem Gutjahr to appoint the City Manager Dr. Moore as the acting Municipal Clerk. Seconded by Councilor Winters.

Voting Yea:

Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

DISCUSSION, CONSIDERATION, AND DECISION – RECRUITMENT OF MUNICIPAL CLERK

Mayor Ramsell stated the recommendation is to continue to post this on the Municipal League website and revisit this later in January to move forward in hiring.

Motion made by Mayor Pro-Tem Gutjahr to continue to post this on the Municipal League website and revisit this later in January. Seconded by Councilor Winters.

Voting Yea:

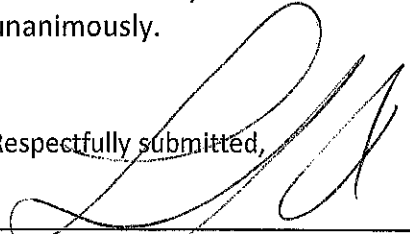
Mayor Pro-Tem Gutjahr
Councilor Apodaca
Councilor Gordon
Councilor Winters

Motion passed with a 4-0 vote.

Adjourn

Motion made by Councilor Winters at 9:46pm, seconded by Councilor Gordon. The motion carried unanimously.

Respectfully submitted,



Lalena Aragon, Deputy Clerk
(Taken and Transcribed by Lalena Aragon, Deputy Clerk)

Date: _____

Approved:



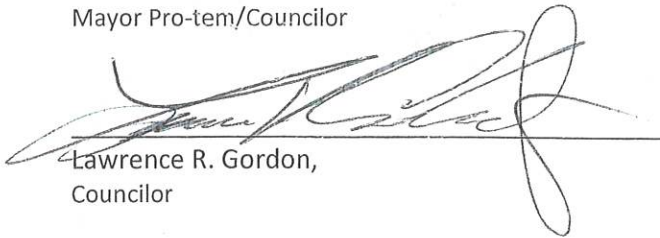
Joshua Ramsell,
Mayor



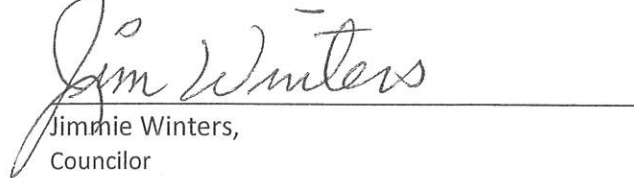
Margaret R. Gutjahr,
Mayor Pro-tem/Councilor



Arthur Apodaca,
Councilor



Lawrence R. Gordon,
Councilor



Jimmie Winters,
Councilor