



## City of Rio Communities Council Regular Business Meeting

City Council Chambers - 360 Rio Communities Blvd

Rio Communities, NM 87002

Monday, December 09, 2024, 6:00 PM

**Minutes**

*Please silence all electronic devices.*

**Mayor - Joshua Ramsell**

**Mayor Pro Tem - Lawrence R. Gordon**

**Council - Arthur Apodaca, Thomas Nelson, Matthew Marquez**

### Call to Order

Mayor Ramsell called the meeting to order at 6:00pm

### Pledge of Allegiance

Councilor Apodaca led the pledge of allegiance

### Roll Call

#### Governing Body

Mayor Joshua Ramsell

Councilor Lawrence Gordon

Councilor Thomas Nelson

Councilor Art Apodaca

Councilor Matthew Marquez

#### Staff

Manager Dr. Martin Moore

Deputy Clerk Lalena Aragon

Police Chief Felix Nunez

Fire Chief Andrew Tabet

City Attorney Randy VanVleck

### Approval of Agenda

Motion made by Councilor Gordon to approve the agenda as presented. Seconded by Councilor Apodaca.

#### Voting Yea:

Councilor Gordon

Councilor Apodaca

Councilor Nelson

Councilor Marquez

Motion passed with a 4-0 vote.

### Approval of Consent Agenda

Motion made by Councilor Marquez to approve the consent agenda. Seconded by Councilor Gordon.

#### Voting Yea:

Councilor Gordon

Councilor Apodaca

Councilor Nelson

Councilor Marquez

Motion passed with a 4-0 vote.

Finance Officer Roy Hubbard was sworn in by City Manager Dr. Moore.

### Public Comment:

No public comments

## **Manager Report**

City Manager Dr. Moore gave an update on the bypass road. He stated that Arcosa has awarded a bid to a contractor for construction and that they have an agreement with the State Economic Development Department for funding. He explained that they are waiting for minor corrections. Dr. Moore stated that he will be calling a special meeting as soon as the City gets the contract. He stated that the price is approximately 6.6 million that it will be funded by the State. Dr. Moore thanked everyone who helped with the City's Christmas event this weekend.

Councilor Marquez asked about the progress on Don Diego road. City Manager Dr. Moore explained the City is waiting for the final agreement and is expecting construction to start in the spring.

Council Marquez asked about Goodman Ave. and if the City was still moving forward with this project. City Manager Dr. Moore stated the City is working on it.

Councilor Marquez asked about the progress on Maverik and the cleanup of that property. City Manager Dr. Moore stated that he spoke to Maverik and was directed to send a letter to the development manager.

Councilor Marquez then asked about the speed bumps that have no indicators on them. City Manager Dr. Moore stated that the Public Works Supervisor is aware of this and is including it in his work plan.

Councilor Marquez asked who authorizes new job positions in the City. City Manager Dr. Moore explained that new job positions are authorized based on availability of funds in the budget by Council.

Councilor Marquez asked if there have been any new jobs added in the City that the Council doesn't know about. City Manager Dr. Moore stated not to his knowledge.

Councilor Marquez asked Police Nunez and Fire Chief Tabet if there were any new positions added that have not been included in the budget. Fire Chief Tabet stated no. Police Chief Nunez stated he changed the title of an existing position.

Councilor Apodaca asked if Dr. Moore had an estimated time for the groundbreaking of Maverik. City Manager Dr. Moore explained that the groundbreaking is scheduled for April.

Councilor Apodaca stated that he would like to use caution as a City with the Maverik property and stated that the City has dealt with this property for a long time and now they are the new owners; it is only a few months before groundbreaking. He stated he would like the City to start off on the right foot.

There was a discussion.

## **Discussion, Consideration, and Decision – Resolution 2024-13 Adopting an Infrastructure Capital Improvement Plan (ICIP)**

City Manager Dr. Moore explained that he took the information that was approved by Council at the last meeting for the ICIP. ~~and~~ The resolution will go along with the ICIP and will be submitted to the State.

Motion made by Councilor Nelson to approve resolution 2024-13 Adopting an Infrastructure Capital Improvement plan. Seconded by Councilor Marquez

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Discussion, Consideration, and Decision – Resolution 2024-14 Official Holidays for 2025**

Councilor Marquez stated he would like to add an employee appreciation day to this schedule. Councilor Marquez made a motion to add an employee appreciation day. Motion died.

City Manager Dr. Moore suggested that the Council approve this schedule today to ensure our employees get New Year's Day off, and then come back with an amended Holiday resolution in January. He explained that there has been discussion with staff about possibly giving up a few holidays during the year and having a winter break.

Motion made by Councilor Nelson to approve Resolution 2024-14 Official Holidays for 2025 as is and to come back the first week of January to make an amendment. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Discussion, Consideration, and Decision – Adding Finance Officer Roy Hubbard as Signer on all City Bank Accounts**

City Manager Dr. Moore explained that it is standard practice for a finance officer to be a signer on bank accounts. He explained payments require two signatures. He explained that it needs to be approved by the Council to add Roy Hubbard as a signer.

Motion made by Councilor Gordon to approve adding Finance Officer Roy Hubbard as a signer on all City bank accounts. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote.

**Discussion, Consideration, and Decision – Contract Amendments for NM Local Government Law**

City Manager explained that there is a request from the NM local Government Law for an amendment to the contract in relation to rate fees and expenses.

City Attorney VanVleck explained that they are asking for a modest increase and stated in the past two years, the cost of delivering services has increased.

Councilor Marquez stated that \$150 to \$180 is a 17% increase and is not a modest increase. He stated any increases that needed to be made should have been made prior to the renewal of the contract in

October. He went over the increases and explained the federal cola increase as of 2025 is 2.5% and in 2024 it was a 5.2%, That is a 7.7% not a 17% increase. He stated again that any increase should have been brought up in the renewal of the contract. He explained that there is an \$80,000 set limit for the contract, and he went over the invoices that the City has paid to the attorney. He explained that if the City continues at the new rate, it will be about \$87,000. The City would be a month without an attorney. He continued to go over the increase in invoices and asked why there was such an increase.

City attorney VanVleck stated he does a lot of work for the City.

There was a discussion.

Councilor Gordon stated that there are minimum errors in the work that is being done.

Councilor Nelson stated that it was too big of a jump.

Mayor Ramsell asked if the attorney increased other client's rates last year and did not include an increase to the City's rates. City Attorney VanVleck stated they did increase rates to other clients, and they did not increase the City's rates.

There was a discussion.

Councilor Marquez made a motion to increase the rate to 7.7%. Seconded by councilor Nelson.

There was an out of order discussion.

Voting Yea:

Councilor Nelson  
Councilor Marquez

Voting Nay:

Councilor Gordon

Councilor Apodaca Motion failed with a 3-2 vote Mayor breaking the tie by voting nay.

Motion made by Councilor Gordon to approve the Contract Amendments for NM Local Government Law. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon  
Councilor Apodaca

Voting Nay:

Councilor Nelson  
Councilor Marquez

Motion passed with a 3-2 vote Mayor breaking the tie by voting yea.

**Discussion, Consideration, and Decision – Appointment of Michael Melendez for Planning & Zoning Commission.**

City Manager Dr. Moore explained that Mr. Melendez has a good background and knowledge in Planning and Zoning.

Mayor Ramsell explained that he sat down and talked with Mr. Melendez and stated that he would be a great fit for the City to help the City move forward.

Councilor Nelson asked if anyone has done any background on Mr. Melendez and stated he doesn't think he is a good fit for the City.

Councilor Marquez went over his resume and stated that there in an error on his resume.

Councilor Gordon made a motion to table the appointment until things get straightened out. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote

**Discussion, Consideration, and Decision – Resolution 2024-15 Declaring 303 Horner as a Dangerous/Nuisance Property**

City Manager stated that there are homeless going in and out of the building and it is a danger to residents and children.

Councilor Nelson made a motion to declare 303 Horner as a Dangerous/Nuisance Property. Seconded by Councilor Apodaca.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote

**Council Discussion**

Mayor Ramsell stated that the Judge has resigned and stated if anyone in the public is interested in filling this position, turn in a letter of interest to the City.

Apodaca presented a piece of property that the City already owns as a location for a Veteran's Memorial. He explained that there will also be room to add another memorial. He stated that he would like to move forward with this and have it finished as soon as next year to hold the Veteran's ceremony at our memorial site. He also stated that Ralph Mimms wanted to let Council know on behalf of Nick Blea, Council and their wives are invited to a Christmas party this Saturday at the Golf Course at 5:30pm.

Councilor Nelson thanked the Police Chief for all the videos and the Grinch event. He then stated that the Judge sent in a letter of resignation the day before thanksgiving and in the City newsletter that came out before Thanksgiving it said to be announced under the Municipal Judge. He then talked about the Universal Waste contract and talked about another business wanting to offer a roll off service in the City. He then explained that he is ordering trash cans and other items from the beautification grant.

Councilor Gordon thanked all involved in the Christmas party.

Councilor Marquez stated that the City received the Judge's resignation letter on November 26th and the letter was addressed to the Mayor and Members of Council and stated the Council didn't receive the letter until the 6th of December. He stated that the newsletter was sent out before the Council was informed of the Judge's resignation and this is a failure on the Mayor and the City Manager. He is requesting all newsletters get approved by Council before being published. He stated he has talked to Mrs. Good and asking to be involved in the Newsletter and has not heard back from her or anyone else. He stated that he will send another email to Mrs. Good, Mayor and Dr. Moore and will now be a part of that newsletter.

City Manager Dr. Moore stated that there is a line a division between the legislative policy making body of this City and the management of this City. and He respectfully requested that line be respected. He also requested that false statements that are not verified be accredited as fact. In addition, he also respectfully requested that the members of this Governing Body stand up in respect for each other and not make derogatory comments behind each other's backs where members of the public can hear. He stated that the City needs to act respectfully and courteously. He stated that things like the newsletter, the City is willing to sit down and look at it and explain anything that can be explained and remove things that are not factual or verifiable. He stated that the meetings be conducted professionally with respect and decorum.

Councilor Marquez stated that he will send an email to Dr. Moore, Commissioner Good and the Mayor stating that he will be involved in the next and future newsletters.

City Manager Dr. Moor stated he will follow the direction of the Council as a body.

Councilor Nelson stated he doesn't mind if Councilor Marquez is a part of the Newsletter committee.

Councilor Gordon stated that the newsletter is an independent body and should stay that way.

Councilor Marquez stated that previously the City had Councilor Gutjahr on the Committee and Commissioner Good because City funds are being used.

Mayor Ramsell explained that previous it was Sandy Shower as editor; she was doing everything up until this past year.

Councilor Apodaca stated he thinks the City should keep it separate and apart from anyone on City Council being a part of the committee.

There was a discussion.

Mayor Ramsell wished everyone a Merry Christmas and thanked all that were part of the Christmas event and everyone who made the event happen.

**Executive Session - Regarding the Fire Chief Evaluation pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters**

**\* Motion and roll call vote to go into closed session**

Motion made by Councilor Apodaca to go into closed session for the purpose listed above. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote at 7:29pm.

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

Motion made by Councilor Nelson to go back into the regular business meeting session. Seconded by Councilor Godon.

Voting Yea:

Councilor Gordon

Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote at 9:01

**Welcome everyone back and statement by the Mayor:**

Motion made by Councilor Nelson to approve the Mayor's statement. Seconded by Councilor Gordon.

Voting Yea:

Councilor Gordon  
Councilor Apodaca  
Councilor Nelson  
Councilor Marquez

Motion passed with a 4-0 vote

**Adjourn**

Motion made by Councilor Gordon to adjourn. Seconded by Councilor Apodaca. Motion carried at 9:02pm.

Respectfully submitted,



Dr. Martin Moore, Municipal Clerk  
(Taken and Transcribed by Lalena Aragon, Deputy Clerk)

Date: 12/23/2024

Approved:



Joshua Ramsell,  
Mayor



Lawrence R. Gordon,  
Mayor Pro-tem/Councilor



Arthur Apodaca,  
Councilor

12-23-24  
Thomas Nelson,  
Councilor



Matthew Marquez,  
Councilor