

City of Rio Communities Council Minutes  
Regular Business Meeting  
November 12, 2019

**Call to Order**

- Mayor Pro-Tem Peggy Gutjahr called to order the city council regular business meeting at 6:00 pm.

**Pledge of Allegiance**

- Stephanie Finch led the Pledge of Allegiance.

**Roll Call**

- Present: Mayor Pro-Tem Peggy Gutjahr, Councilors; Bill Brown, Arturo Sais and Joshua Ramsell.  
Absent: Mayor Mark Gwinn.  
Present: City Manager Leisa Haynes, Municipal Clerk Lisa Adair, Finance Officer/Treasurer Stephanie Finch, Finance Clerk Angela Valadez, Code Enforcer Gordon Reeves, EDC Chairman Frank Logan, P&Z Chairman Thomas Scroggins, RFEFD Fire Chief Nathan Gonzales, Court Clerk Lisa Adair.

**Approval of Agenda**

- Councilor Brown moved for the approval of the agenda as presented. The motion was second by Councilor Ramsell. 4-0 vote the agenda for the regular business meeting for November 12, 2019 was approved as presented.

**Approval of Workshop Minutes**

- Councilor Sais moved for the approval of the workshop minutes of 10/8/2019. The motion was second by Councilor Ramsell. With a 4-0 vote the workshop minutes of October 18, 2019 was approved as written.

**Approval of City Council Minutes**

- Councilor Brown moved for the approval of the City Council minutes of September 24, 2019. The motion was second by Councilor Sais. With a 4-0 vote the minutes for the city council meeting held on September 24, 2019 was approved as written.

**Approval of Public Hearing Minutes**

- Councilor Sais moved to approve the public hearing minutes of 10/10/2019. The motion was second by Councilor Ramsell. With a 4-0 vote the minutes for the public hearing held on October 10, 2019 was approved as written.

**Presentation of Park Study – MRWM Landscape Architects**

- ❖ Jeff Stuart with MRWM Landscape Architects explained that MRWM has been in business for over 25 years and then gave a park preliminary review of a park plan for our City.
  - Resident said several years ago there was informal study done and in that study there was talk about having a place to fly drones and then asked could this be a possibility.
- ❖ Mr. Stuart said absolutely and since this is a preliminary study they can incorporate and get any and all studies that had been previously done when moving forward.
  - Resident said playgrounds are great but not everyone needs one and said in the past we had ponds.
- ❖ Mr. Stuart said agreed that not every park needs a playground and the process going forward they would address these areas.
  - Resident asked would the public have access to these plans to look at.

- ❖ Mr. Stuart said he has given these plans to Council and the City Manager, that who they would need to contact for the plans.
  - Resident asked regarding the green spot on the westside of 47, where exactly is that located.
- ❖ Mr. Stuart said that is right behind City Hall and explained that this would be a great visual place for a park.
  - Resident said the reason he brings up parks around families is because we rely on roof tops and we have to attract families with children.
- ❖ Mr. Stuart said a strong vital park system is so wonderful for a community and expires and creates a demand for people to move in and also helps raise property values.
  - Resident asked who contracted with you all.
- ❖ Mr. Stuart said he believes they were approached by the Manager and they have a CES contract and that is how they were hired.
- ❖ Mayor Pro-tem Gutjahr explained this is a beginning and money was put aside to do the park study and begin this process.

### **Public Comment**

- Charlie Alvarenga from Albuquerque; has been responding to Rio Communities for the past 7 years, he is a local paramedic in the City of Albuquerque, he has been working with RGEFD for the last 4 years, teaching. He said he started at a volunteer fire department and the reason he is bring up this matter is he believes in this department and his leadership staff is doing a good job.
- Kuan Tikkun Rio Communities, representing today the Rio Communities Action Network and explained at their next meeting they want to prioritize ideas and projects they want to move forward with and then said for those people interested in coming to the next meeting, it will be held on November 21 at the Coffee shop from 2 – 4 pm.
- Tom Zanotti Rio Communities; is here to talk about a neighborhood specific issue of a significant illegal structures, derelict cars, unsightly unkept properties and a specific concern of his is he lives next to this mess.

### **City Manager**

- Manager Leisa Haynes gave her departmental report; we are starting a public works department and we are waiting on paperwork for the new employees; the builder of Pecos homes will be closing on 14 lots on Nancy Lopez Rd and there will be a housing seminar this Thursday; Valencia County Business Incubator is looking at putting their incubator business here in Rio Communities; street signs have been ordered; storm water study, we have a grant but waiting for the RFP for an engineer to go out; Census count committee is stressing how important it is to get everyone counted; Solid waste RFP will go out this week the announcement for who was awarded will go out January 28<sup>th</sup>; and engineering RFP will also be done this week.

### **Economic Development**

- EDC Chairman Frank Logan, getting into a whole new process of where we are and what we want to do, starting by reding our website, business brochures, sending address labels to all in Rio Communities, then we will be looking for new projects.

## **Planning and Zoning**

- P&Z Chairman Thomas Scroggins, said they are working on Abatement and explained we will need inspections which would involve the Fire Chief, moving forward and looking at a lot of different things; first working on organizing a list or registry of vacant properties.
- Councilor Sais asked if there was a form to send out to the owners of vacant homes
- Chairman Scroggins explained the registry has not been created yet and it would have to begin with an ordinance and began a discussion.
- Councilor Sais said Abatement can be tricky and costly and began a discussion.

## **Rio Grande Estates Fire Department**

- RGEFD Fire Chief Nathan Gonzales, said they are doing a lot of training, got hose tested and it passed, pump test also passed, engines have passed, tools and appliances have been put into service from the recent PO; EMT block 4 exam is next week and we are halfway finished; it has been 2 weeks since he has been fired but he is still Chief since he has not heard anything else.

## **Code Enforcement**

- Code Enforcement Officer Gordon Reeves, wrote up 26 violations, had 5 illegal dumping moving to court on December 5<sup>th</sup>, had phone in complaints and I have made site visits, abatement would help his job tremendously with 8 problem properties.

## **Municipal Court**

- Court Clerk Lisa Adair gave the court report for the month of October: 3 code violation(s) and 4 traffic citation(s) were filled in the courts; amounts collected are: Correction fees \$140; Court Automation fees \$42; Judicial Education fees \$21; Court Fines of \$113 giving a total of \$316 was collected in the courts for the month of October.

## **Accounts Payable approval**

- Finance Officer/Treasurer asked if there were any further questions since this morning after the discussion at the workshop and then asked for permission to pay accounts payable for the City and Fire department.
- Councilor Ramsell moved to pay the accounts payable for the fire department and for the City. The motion was second by Councilor Sais. Vote: Councilor Brown-yes; Councilor Sais-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote the accounts payable for the Fire Department and the City were approved for payment.

## **Closing Fire Department checking account**

- Finance Officer Finch explained once again why there is the request to close the fire departments checking account, Incode will eliminate the need for a separate account.
- Mayor Pro-tem Gutjahr further explained to the public why the Fire Department account is not necessary.
- Councilor Brown move to close the checking account for the Fire Department. The motion was second by Councilor Sais Vote: Councilor Ramsell-yes; Councilor Sais-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved the motion to close the checking account for the Fire Department.

### **Resolution 2019-xx BAR #1 (budget amendments)**

- Finance Officer Finch said the adjustments had been covered in the workshop and asked for an approval if there weren't any questions regarding the changes.
- Councilor Sais moved that they approve the Resolution 2019-160 BAR #1, Budget Amendment. The motion was second by Councilor Brown. Vote: Councilor Ramsell-yes; Councilor Brown-yes; Councilor Sais-yes and Councilor Gutjahr-yes. With a 4-0 vote Resolution 2019-160 BAR #1 (budget amendments) was passed, approved, adopted and signed.

### **Resolution 2019-xx 1<sup>st</sup> Quarter Financial Report**

- Finance Officer Finch asked if they could move on to approve the 1<sup>st</sup> Quarter Financial Report.
- Councilor Ramsell made a motion to approve the Resolution 2019-161, 1<sup>st</sup> Quarter Financial Report. The motion was second by Councilor Sais. Vote: Councilor Brown-yes; Councilor Sais-yes; Councilor Ramsell-yes and Mayor Pro-tem Gutjahr-yes. With a 4-0 vote Resolution 2019-161 1<sup>st</sup> Quarter Finance Report was passed, approved, adopted and signed.

### **Ordinance 2019-xx Uniform Traffic Ordinance (14-day review)**

- Mayor Pro-tem said the Ordinance comes from the State and we have to adopt it within the City.
- Councilor Sais made a motion to adopt 2019-xx Uniform Traffic Ordinance (14-day review). The motion was second by Councilor Ramsell. Vote: Councilor Sais-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Ordinance 2019-xx Uniform Traffic Ordinance was approved for a 14-day review.

### **Ordinance 2019-xx UTO Penalty Assessment Program (14-day review)**

- Councilor Brown made a motion to approve Ordinance 2019-xx UTO Penalty Assessment Program (14-day review). The motion was second by Councilor Ramsell. Vote: Councilor Sais-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Ordinance 2019-xx UTO Penalty Assessment Program was approved for a 14-day review.

### **Charging Station status**

- Councilor Brown explained when we considered putting a charging station and why we are unable to place the station at this time.

### **Job Description Fire Chief**

- Mayor Pro-tem Gutjahr said our job description was revised by the Fire Department and the only change was regarding ISO; once the Abatement ordinance is passed the job description will change, but we will be approving the job description tonight.
- Councilor Ramsell made a motion to accept the EMS/Fire Chief job description. The motion was second by Councilor Sais. Vote: Councilor Brown-yes, Councilor Sais-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote the job description for the Fire Chief was approved by Council.

### **Council Reports**

- Councilor Ramsell had no report.

- Councilor Sais mentioned outstanding projects such as annexation, garbage, unfinished RFP, road calming program, fire chief and flood/drainage study are all forthcoming.
- Councilor Brown said about a year ago we were in the discussion on having a paid fire chief and it fragmented our Council and community, his personal opinion was to have we should have 4 EMT/Firefighters that would cover four 12 hour shifts, he still has that belief and then explained that in 8 months there were 789 calls for rescue and for fire and the major was for rescue, 267 answered by our station only making it 34% of all the calls that we were called to respond to. He then said he thinks it would be most productive to have 12-hour shifts, 7 days a week, and thinks that would be better than having a fire chief.
- Mayor Pro-tem Gutjahr said that Mayor Gwinn will be coming home possibly this week and he is feeling better all the time, she went to a safety workshop and what kind of safety training a city needs and how they are beginning training.

**Executive Session on the 6-month Evaluation of the City Manager & limited personnel matters. NM Section 10-15-1 (B)(H)(2)**

- Mayor Pro-tem Gutjahr asked for a motion to go into Executive Session for 6-month evaluation of City Manager Haynes & limited personnel matters according to NM Section 10-15-1 (B)(H)(2) by roll call vote.
- **Motion and roll call vote to go into close session**
  - Councilor Ramsell made a motion to go into Executive Session for 6-month evaluation of City Manager Haynes & limited personnel matters. The motion was second by Councilor Brown. Vote: Councilor Brown-yes; Councilor Sais-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went into executive session for 6-month evaluation of City Manager Haynes & limited personnel matters. NM Section 10-15-1(B)(H)(2) at 7:33 pm.
- **Motion and roll call to go back into regular business meeting session**
  - Councilor Sais made a motion to return from executive session to regular business meeting. The motion was second by Councilor Ramsell. Vote: Councilor Brown-yes; Councilor Sais-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote council went back into the regular business meeting session at 9:52 pm.
- **Welcome everyone back and statement by the Mayor Pro-tem: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on November 12, 2019 a Closed Executive Session was held and the matters discussed in the closed meeting were limited only to the 6-month evaluation of the City Manager & limited personnel matters as posted on the agenda**
  - Mayor Pro-tem Gutjahr read the above statement into the minutes.

**Action results from Executive Session**

- Mayor Pro-Tem Gutjahr said during the executive session we met with the City Manager and established goals and will meet again at the end of February.

**Adjourn**

- Councilor Ramsell moved to adjourn. The motion was second by Councilor Sais. With a 4-0 vote the City Council regular business meeting was adjourned at 9:54 pm.

Respectfully submitted,

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Elizabeth (Lisa) Adair, Municipal Clerk  
(Transcribed by Amy L. Lopez, Deputy Clerk)

Date: \_\_\_\_\_

Approved:

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Mark Gwinn,  
Mayor

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Margaret (Peggy) Gutjahr,  
Councilor Mayor Pro-tem

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Bill Brown,  
Councilor

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Joshua Ramsell,  
Councilor

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Jim Winters,  
Councilor