

City of Rio Communities Council Minutes
Regular Business Meeting
January 28, 2020

Call to Order

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

Pledge of Allegiance

- Tina Dziuk led the Pledge of Allegiance.

Roll Call

- Present: Mayor Pro-tem Peggy Gutjahr, Councilors; Bill Brown, Joshua Ramsell and Jim Winters
Present: Municipal Clerk Lisa Adair, Finance Officer/Treasurer Stephanie Finch, Finance Clerk Angela Valadez and Deputy Marcos Hernandez.
- Mayor Pro-tem Gutjahr introduced our Deputy Marcos Hernandez and then gave instructions on how to sign in for public comments and gave a reminder to the audience to be respectful of all that are giving presentations and following. She then asked to amend the agenda to include a presentation from Ron Gentry and remove from the agenda the Manager Report.

Approval of Agenda

- Councilor Brown moved for the acceptance of the agenda as amended. The motion was second by Councilor Ramsell. With a 4-0 vote the agenda for the regular business meeting for January 28, 2020 was approved as amended.

Approval of Workshop Minutes

- Councilor Brown moved for approval of the workshop minutes of November 26, 2019 as presented. The motion was second by Councilor Ramsell. Vote Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote workshop minutes of November 26, 2019 was approved as written.

Approval of City Council Minutes

- Councilor Ramsell moved to approve city council minutes of November 26, 2019. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 the minutes for the city council meeting held on November 26, 2019, 2019 was approved as written.

Organizational Meeting

- **Appointment of Mayor Pro-tem**
 - Councilor Brown moved for the appointment/reappointment of Peggy Gutjahr as Mayor Pro-tem. The motion was second by Councilor Ramsell. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Councilor Gutjahr was approved as Mayor Pro-tem.
- **Re-Appointment of all Commissions & Boards**
 - Mayor Pro-tem Gutjahr read the names of all the Commissions and Boards. Planning & Zoning – Tom Scroggins, John Thompson, LE Rubin, Scott Adair, Lawrence Gordon and Dennis Kintzler. Economic Development Commission – Frank Logan, Kuan Tikkun, Fran Rossberg, Loedi Silva and Tom Zanotti. Personnel Board Robert Chavez, Jerry Martinez and Sil Saavedra.

She then stated she would like to reappoint all of these members to the respective board or commission.

- Councilor Ramsell moved to reappoint everyone that is on a commission or board. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote all Commission and board members were reappointed to their positions.
- **Appointment of Councilor to Personnel Board**
 - Councilor Ramsell moved to reappoint Councilor Brown to the personnel Board. The motion was second by Councilor Winters. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Gutjahr-yes and Councilor Brown-yes. With a 4-0 vote Councilor Brown was reappointed to the Personnel Board.

Ron Gentry

- ❖ Ron Gentry stated that he has been looking forward to speak with Council that he has been working on for many, many years, and way back when he was on the County Commission he had helped to work on a hospital, which still has not come about. He then mentioned that he took and found the only opportunity here in the community and would like to announce the ribbon cutting for Sina medical center. He further explained he bought the building next door and after getting things up and good shape and said he had said a year ago he had stated in the paper when he purchased the building that he would donate it to a hospital, but there were no takers. He further said he finally have a doctor and a medical group, they have acquired the building and they will be putting in an urgent care center, with full services, a pharmacy and a drug store with a drive-up window in the back and further explained what else they will be doing. He then said February 3 at 11:00 am the ribbon cutting.

Public Comment

- Robert Kaneshiro, El Mundo Rio Communities; talked about Rio Communities having one trash hauling company, and he is not happy about it, he feels if he has to pay for it he should be able to pick the provider. He then said he has feels we have a local company in Belen and should be the company chosen for our City to do the hauling.
- Sherry Ulibarri, Rio Communities; said on behave of several residents, New Mexico is a small business State and lets support local business such as AC disposal. She then further explained her issues with Universal Waste also being a foreign LLC not local being based in California and further explained her desire to go with AC disposal a local company.
- Garth Tallman, President of Pecos Homes; talked about economic development in this community, working for the past 9 months with Leisa Haynes, Jim Winters, Ralph Mims and others and has been very impressed with their visions they have had. He then stated that Leisa Haynes has put together a plan for the City, maybe a little ambitious perhaps but better than no plan at all. He then said his and his company's goal is to work with the City to advance your goals where everyone benefits.
- Kyle Falls, property owner in Rio Communities; said he is in support of Leisa Haynes, making a difference for Rio Communities, the contacts that she has made, it is a better community because of all her efforts. There is a bright future for Leisa Haynes where you retain her or not.
- David Guerrero pastor of the First Baptist Church in Belen, but lives in Rio Communities; said he wants to see this Community grow, feels there is a lot of potential and then said he appreciates Leisa's vision, ambitious perhaps, but wants to see our community move forward and he would

like to see what Leisa has proposed, improve and continue, we are in this together and it is long overdue for us to patient with each other, kind with one another, respectful and understanding.

- Kenneth Knowles, with Invest NM.US an opportunity fund; and said they have established an business and investment into the community, and then said he has worked with Leisa for a few months and the vision for the City is admirable. He further said he is looking forward to working with us, and further said we are the only whole City in the opportunity zone.
- Michelle Figg, the new manager for Rivers Edge mobile home park; and said her issue is policing and they were broken into two times this week and would really love to see more police presences.
- Reghanne Vaughan, representative from Universal Waste Management; said she was initially not going to speak today, but then felt she needed to clear-up some misconceptions that were presented to the board and the public; with regard to the company, yes they started in California and proud of it, however, 100% of their New Mexico operations are conducted by New Mexico residents, ownership does live here in Albuquerque, they proudly employ 44 New Mexico, 14 from Valencia County, service 17,000 accounts Statewide, and one of the major haulers in the area of Rio Communities. She further went on to explain regarding billing, they are made in their office on Broadway as well as their call center and anyone is welcome to go there and make payments. She further went on to explain UWS cleanups for Valencia County and other programs that they are involved in.

Manager Report

- Removed

Accounts Payable approval

- Finance Director/Treasurer Finch asked if there was any questions.
- Mayor Pro-tem explained that there was some charges from accounts payable under the fire department: a sit-up chair; and for the City animal control and the rest is for keeping with running of the City.
- Councilor Ramsell moved to pay the bills as presented. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote the accounts payable for the Fire Department and the City were approved for payment.

Selection of opening a Saving Account

- Mayor Pro-tem Gutjahr explained the reason the City is in of opening a savings account.
- Finance Clerk Valadez explained regarding a savings account and CD, that currently the City has in reserve \$430,010.00 in a checking account. She then gave her recommendations to close the checking account, move \$330,000.00 into an interest baring savings account with United Business bank in Rio Communities yielding an interest rate of 0.15% and put \$100,000 into a 13-month CD with United Business bank in Rio Communities with an interest rate of 1.35 – 1.65%.
- Councilor Ramsell explained that this money is addition and above to the 1/12% that the State requires.
- Councilor Brown said we must do banking within our community and those banks are one.
- Councilor Brown moved to move the \$330,000 to an interest baring account and \$100,000 in a 13-month CD. The motion was second by Councilor Ramsell. Vote: Councilor Winters-yes; Councilor Brown-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council

has approved the opening of a savings account and CD with United Business Bank in Rio Communities.

Adding Stephanie Finch – Finance Officer/Treasurer as signatory to bank account

- Finance Officer/Treasurer Finch explained currently, Mayor Gwinn, Mayor Pro-tem Gutjahr and Angela Valadez from the finance department sign the checks and further explained a situation happened last month were the finance clerk was out sick and there was not the 2 people required to sign the checks. She further explained the need to not only add her as a signatory on the checks, but this would allow her to have access to the online banking account as well.
- Councilor Ramsell moved to accept Ms. Finch as a signatory to the bank account for the City of Rio Communities. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved adding Finance Officer/Treasurer Stephanie Finch as signatory to the bank account.

Resolution 2020-xx 2nd Quarter Financial Report

- Finance Officer/Treasurer Finch gave a recap of our general fund cash balance, revenues, transfer in, expenditures, reserve account, the revenues and expenditures of all funds and ending cash balance.
- Finance Officer/Treasurer Finch read into the minutes Resolution 2020-165 2nd Quarter Financial Report. She then mentioned our big funds such as of December 31st the general fund is at 31.07% of the revenues 29.04% of expenditures; fire protection fund is at 67.96% revenues, 45.69% of expenditures; Capital projects 100% revenues and 93.6% of expenditures and all together the funds are at 55.32% of the revenues and 31.47% of the expenditures showing us that the City of Rio Communities is being fiscally responsible, because normally at the end of the 2nd quarter you should be at 50% at both revenues and expenditures.
- Councilor Brown approval of Resolution 2020-165 2nd quarter financial report. The motion was second by Councilor Ramsell. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Resolution 2020-165 2nd Quarter Financial report was passed, approved, adopted and signed.

Selling of Department Vehicles

- Finance Officer/Treasurer Finch explained the suburban we have for the public works department wish for the City to put the vehicle up for auction and began to explain the cost on Kelly blue book and the procedures to allow finance to head the request for auction.
 - Audience member stated that the suburban was donated by the City of Belen and it if it would be sold the funds would have to go back to the City of Belen because Belen had bought with EMS funds.
- Finance Officer Finch asked if they got approval from EMS to use the funds and was there any stipulations for the City after accepting it.
 - Audience member said it was EMS funds that was used.
- Finance Officer Finch asked for this item to be table pending further investigation.
- Councilor Brown moved to table the selling of the department vehicles until further investigation. The motion was second by Councilor Ramsell. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote the selling of department vehicles pending further investigation.

Council Reports

- Councilor Winters said he recently had conversation with some of the elected officials at the legislative meeting and they made a couple of statements made that the City does not have

transportation; he then made aware that we have 3 groups RSVP and the Older American program both through the senior program and the other is the Rio Metro.

- Councilor Ramsell had no report.
- Councilor Brown had no report.
- Mayor Pro-tem Gutjahr reported that Mark Gwinn is doing better; February 3 will be the ribbon cutting at 11; the investment event that was on the 12th has been moved to EDC has been postponed; staff has giving them their priorities and what they are working on, the issues regarding the selection if you go onto our website there is the passing of the Solid Waste Ordinance and there is also an RFP and process on the website.

Executive Session limited personnel matters. NM Section 10-15-1 (H)(2) – City Manager Position

- Mayor Pro-tem Gutjahr asked for the pleasure of Council regarding the executive session.
- **Motion and roll call vote to go into close session**
 - Councilor Ramsell moved to go into executive session limited personnel matters. According to NM section 10-15-1 (H)(2) regarding city manager position by roll call vote. The motion was second by Councilor Brown. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went into executive session on limited personnel matters. NM Section 10-15-1(B)(H)(2) – City Manager Position at 7:17 pm.
- **Motion and roll call to go back into regular business meeting session**
 - Councilor Brown moved with a roll call vote to go back into regular business meeting session. The motion was second by Councilor Ramsell. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went back into the regular business meeting session at 8:07 pm.
- **Welcome everyone back and statement by the Mayor Pro-tem**
 - Mayor Pro-tem Gutjahr stated: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on January 28, 2020 an executive session was held, and the matters discussed were limited only to the limited personnel matters NM Section 10-15-1 (H)(2) – City Manager Position as posted on the agenda.

Action Item – Consideration & Decision – Mayor Pro-tem recommendation regarding City Manager Position

- Mayor Pro-tem Gutjahr stated the recommendation is that Leisa Haynes will remain on paid administrative leave until further notice. She then asked what the pleasure of the Council is.
- Councilor Brown moved to accept the recommendation that the City Manager remain on paid administrative leave until further notice. The motion was second by Councilor Ramsell. Vote: Councilor Winters-yes; Councilor Ramsell-yes; Councilor Brown-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved the administrative leave of City Manager Leisa Haynes to remain until further notice.

Adjourn

- Councilor Ramsell moved to adjourn. The motion was second by Councilor Brown. With a 4-0 vote the City Council regular business meeting was adjourned at 8:09 pm.

Respectfully submitted,

Elizabeth (Lisa) Adair, Municipal Clerk

Date: _____

Approved:

Mark Gwinn,
Mayor

Margaret (Peggy) Gutjahr,
Mayor Pro-tem

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Jim Winters,
Councilor