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### **Call to Order**

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

### **Pledge of Allegiance**

- Dr. Martin Moore led the Pledge of Allegiance.

### **Roll Call**

- Present: Mayor Pro Peggy Gutjahr, Councilors; Bill Brown, Joshua Ramsell (virtual), and Jim Winters (virtual)  
Present: City Manager Dr. Martin Moore (virtual), Municipal Clerk Lisa Adair, Finance Officer Stephanie Finch (virtual), Public Works Director Gordon Reeves (virtual), City Attorney Bill Zarr (virtual) and Valencia County News-Bulletin Editor Clara Garcia.

### **Approval of Agenda**

- Councilor Ramsell move the approve the agenda for January 26, 2021. The motion was second by Councilor Brown, Vote: Councilor Winters-yes; Councilor Brown-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. with a 4-0 vote the agenda for the City Council Regular business meeting was approved as presented.

### **Approval of Minutes for the Workshop and City Council Regular Business Meeting held on January 12, 2021**

- Councilor Ramsell moved to approve the minutes for the Workshop and City Council Regular Business Meeting held on January 12, 2021 as written. The motion was second by Councilor Winters. Vote: Councilor Ramsell-yes; Councilor Brown-yes; Councilor Winters-yes and Councilor Gutjahr-yes. With a 4-0 vote the minutes for the workshop and regular business meeting held on January 12, 2021 were approved as written.

### **Public Hearing**

- **Motion and roll call vote to recess Regular Business Meeting session and to go into Public Hearing:**
  - Councilor Ramsell moved with a roll call vote to recess the regular business meeting session and go into the public hearing for consideration of the proposed ordinance of the 2020-xx Zoning Code. The motion was second by Councilor Winters. Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote the motion to recess the Regular Business Meeting session and to go into Public Hearing was approved.
- **Consideration of the proposed Ordinance 2021-XX Zoning Code**
  - John Thompson said he has had input and sent it on to you.
  - LE Rubin said he did not have anything to add.
  - Councilor Brown said this was handled during our workshop looks like a very long and thorough document.

- **Motion and roll call to go back into Regular Business Meeting session**

- Councilor Brown moved to go back into the regular business meeting session. 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 resumed the regular business meeting session.

**Discussion, Consideration, and Decision – Approval of Ordinance 2021-xx Zoning Code**

- Councilor Ramsell moved to approve Ordinance 2021-xx Zoning Code. The motion was second by Councilor Winters. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Ordinance 2021-76 Chapter 4 Zoning Code was passed, approved, adopted, and signed.

**Public Comment**

- No public comments

**Manager Report**

- Manager Dr. Moore said we are moving forward with the budget, looking at ways to cost savings and repairs to City Hall and as we have researched those, we will give you recommendations. He then said we have had staff meetings and we are continuing to settle in. He then gave a report on the drainage study and a report on grants.

**Discussion, Consideration, and Decision - Approval of Accounts Payable**

- Finance Officer Finch began a discussion on the accounts payable going over payments that were over \$500: TLC Plumbing for the contract for City Hall for \$1,307.20; Wells Fargo Financial Leasing for the servers in the amount of \$2,497.73; Monthly legal fees for November and December the attorneys Robles, Rael, and Anaya for \$1,833.88 each; TLC Plumbing for the contract for the Fire Station in the amount of \$1,307.20; December billing for Universal Constructors for the road/street project in the amount of \$12,276.38.
- Councilor Ramsell moved to approve accounts payable as presented. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote accounts payable was approved to be paid.

**Discussion, Consideration, and Decision - Resolution 2021-xx Records Retention**

- Clerk Adair read and explained the history on how the new retention schedule was created. She then read into the minutes Resolution 2021 – 04 records retention.
- Councilor Ramsell moved to approve Resolution 2021-xx Records Retention. The motion was second by Councilor Winters. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote, Resolution 2021 - 04 Records Retention was passed, approved, adopted, and signed.

**Discussion, Consideration, and Decision - ATV placement of City signs**

- Manager Dr. Moore explained we are requesting Council's approval to place signs that reference the appropriate ordinance in the correct locations.

- Councilor Winters said that it started out as a simple issue, but it has become more complex with legal issues and is very happy it is moving forward.
- Councilor Ramsell said we have been trying to find a solution to for homeowners and this is the beginning of the overall process. He then said he is very happy the process has gone through legal channels to move it forward.
- Councilor Brown said he is very pleased to see a decision will be reached this evening, there was some significant issues raised at our workshop, he is in favor of proceeding.
- Councilor Ramsell moved that the City Manager move forward with the placement and purchase of the ATV signs. The motion was second by Councilor Winters. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council approved the City Manager to move forward on the placement and purchase of the ATV signs.

### **Council Reports**

- Councilor Brown had no report.
- Councilor Ramsell had no report.
- Councilor Winters had no report.
- Mayor Pro tem Gutjahr had no report.

### **Executive Session NMSA 10-15-1(H)(8) - for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body.**

- **Motion and roll call vote to go into close session**
  - Councilor Ramsell moved with a roll call vote to go into executive session pursuant to NMSA 10-15-1(H)(8) for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body. The motion was second by Councilor Winters. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went into executive session for the purpose of discussing the purchase, acquisition or disposal of real property or water rights by the public body at 6:32 pm.
- **Motion and roll call to go back into regular business meeting session**
  - Councilor Ramsell moved with a roll call vote to go back into the regular business meeting session. The motion was second by Councilor Winters. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote Council went back into the regular business meeting session at 7:18 pm.
- **Welcome everyone back and statement by the Mayor Pro-tem**
  - Mayor Pro-tem Gutjahr stated the governing body of Rio Communities, NM states that it had an executive session and that matters discussed were pursuant to New Mexico statute 10-15-18A, which was the discussion of purchase acquisition, or disposal of real property or water rights by the public body.

### **Action Item – Consideration & Decision – Mayor Pro-tem of the purchase, acquisition or disposal of real property or water rights by the public body.**

- Councilor Winters stated no action was taken. The motion was second by Councilor Ramsell. Vote: Councilor Brown-yes; Councilor Winters-yes; Councilor Ramsell-yes and Councilor Gutjahr-yes. With a 4-0 vote no action was taken at this time.

**Adjourn**

- Councilor Ramsell moved to adjourn. The motion was second by Councilor Winters. With a 4-0 vote the City Council regular business meeting was adjourned at 7:19 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

\_\_\_\_\_  
Margaret (Peggy) Gutjahr,  
Mayor Pro-tem/Councilor

\_\_\_\_\_  
Bill Brown,  
Councilor

\_\_\_\_\_  
Joshua Ramsell,  
Councilor

\_\_\_\_\_  
Jim Winters,  
Councilor