

***REGULAR CITY COUNCIL MEETING***

**April 6, 2009**

**6:00 P.M.**

Mayor Ronnie Torres called the Regular Meeting of the Belen City Council to order at 6:00 P.M.  
Roll call taken by Audrey Torres, Procurement Specialist.

***PRESENT:***

Ronnie Torres, Mayor  
David Lopez, Councilor  
Terese Ulivarri, Councilor  
Rudy Jaramillo, Mayor Pro-Tem  
Wayne Gallegos, Councilor

***CITY STAFF:***

Audrey Torres, Procurement Specialist  
Mike Chavez, Chief of Police  
Lawrence Kanishero, IT  
Mike Chavez, Police Chief  
Damian Rivera, BFD  
Mario Sisneros, Solid Waste Supervisor  
Shannon Davis, WW/Sign Shop  
Sharolyn Graber, WWTP  
Cheryl L. Mora, BPD  
Karen Nunez, WWTP  
Joseph Chavez, BPD  
Brent Woodard, BPD  
Vidal Torres, ACO  
Roseann Peralta, Finance Dept.  
Delma Campbell, Water Dept.  
Dale Tafoya, WWTP Supervisor  
Deborah Graham, Library Director  
Valerie Mitchell, Library  
Christine Franzoy, Library  
Kathy Savilla, Judicial  
Kathryn Baldonado, Library  
Randy Otero, Water  
Bill Griffith, WWWTP  
Andrew DiCamillo, Planning & Zoning Director

***OTHERS:***

Norman McDonald, City Attorney  
Brent Raffner, VCNB

Gilbert Tabet, Circle T  
Timothy Karpoff, CDM  
Kelly Collins, CDM  
Teresa Perez, Liquor License  
Jose Perez, Liquor License  
Jerah R. Cordova, Our Tomorrow  
Elizabeth Baca, Citizen  
Jerry Baca, Citizen  
John Edward, Self/Family

***PLEDGE OF ALLEGIANCE:***

Mayor Ronnie Torres asked Katherine to lead the pledge of allegiance.

***APPROVAL OF AGENDA:***

Mayor Ronnie Torres requested approval of tonight's agenda. Councilor Rudy Jaramillo moved to approve. Councilor David Lopez seconds the motion, motion carried.

***APPROVAL OF MINUTES:***

***Regular Meeting: March 16, 2009***

Mayor Ronnie Torres requested approval of minutes for March 16, 2009. Councilor Terese Ulivarri moved to approve the minutes. Mayor Pro-Tem Wayne Gallegos seconds the motion, motion carried.

***CITIZENS PETITIONS:***

Mayor Torres read the next agenda item referring to citizen petitions, and asked if there were any citizen petitions. There were no citizen petitions presented at this meeting.

***PUBLIC HEARING TO CONSIDER A NEW RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY) LOCATED AT 925 S MAIN: Sally G. Garley, City Manager***

Mayor Ronnie Torres read the next agenda item and opened the public hearing to consider a new restaurant liquor license (beer and wine on-premise consumption only) located at 925 S. Main. Sally G. Garley, City Manager advised that an application had been submitted to the NM Alcohol and Gaming Division by Jose de Jesus Peres doing business as Pescado Loco proposed location is 925 South Main Street. The application is for a new restaurant liquor license beer and wine on-premise consumption only. The fees have been paid. Mayor Torres advised those who have not attended a public hearing the process is to open the public hearing and listen to comments and concerning pertaining to the beer and wine license, after which the public hearing

will be closed and continue with the agenda items. After those agenda items have been heard then we will go to the action items where action will be taken on the liquor license. Mayor Ronnie Torres asked if there are there any comments on the beer and wine license. Mayor Torres asked the applicants if they wanted to say anything. Teresa Perez said they like being in Belen it is a nice charming community and environment. They hope to be here for a long time. Mayor Torres said it was a nice restaurant there were seven people who went there for dinner and they tried seven different plates to try different things on the menu. If you don't understand Spanish it doesn't matter because everything is there by picture and it looks just like the picture when you get it too. The meals were great.

Mayor Pro-Tem Wayne Gallegos asked Andrew DiCamillo if everything was clear on the zoning issue. Andrew advised it was okay. Mayor Pro-Tem Wayne Gallegos asked if there was a problem with the pre-school in the area. Andrew advised it was his understanding that the proximity from schools is determined by the Alcohol and Gaming. If the Alcohol and Gaming has an issue they would reject the application and send it back to the City and ask for a waiver or do something to where it would allow the license.

Councilor Rudy Jaramillo said that as long as alcohol and gaming is fine with the preschool there then it is okay. I don't want them to put an application and then come back and say that there is something going on with the school. Andrew DiCamillo advised that was correct, but he was not familiar what was going on with the process or if anything has been said by Alcohol and Gaming. From his experience with other licensing like the Lardner Winery that came through was sent back for a waiver because of the distance requirement needing approval.

Mayor Ronnie Torres asked if there were any further questions. Councilor Rudy Jaramillo asked if the school has to be a state funded school or does that matter. City Attorney Norm McDonald advised that the letter from Alcohol and Gaming Division states that the proposed liquor license is within three hundred feet of the nearest school-BNT Preschool. He said "I am assuming they have received notice of the hearing and apparently are not here to object. I remember with the Lardner situation the Baptist Church appeared at the meeting and stated they were in agreement with the application. So if BNT Preschool and Kindergarten does not object then it is up to the Council.

Mayor Ronnie Torres asked if there were any further questions, none were presented, public hearing was closed.

***INTRODUCTION OF NEW CITY EMPLOYEES: Sally G. Garley, City Manager***

Mayor Torres read the next agenda item referring to introduction of new City employees as presented by Sally G. Garley, City Manager who asked each department supervisor to introduce the new employees as follows: Administration, Roseann Peralta and Anita Romero; Animal Control Officer, Vidal Torres; Fire Department, Jonalyn Kohoe and Damian Rivera; Library, Kathryn Baldonado, Christine Franzoy and Valene Mitchell; Judicial, Jerry Baca; Parks Department, Brenda Baca and Millie Blanco; Police Department, Joseph Esquibel, Derek Eteeyan, Stephen Hall, John Lytle, Eric Montano, Gilbert Montano and Cheryl Mora; RSVP, Daniel Krow; Street Department, John Best; Water Department, Randy Otero, Stephen Habal

and Delma Campbell; Waste Water Department, Shannon Davis, Sharolyn Graber, William Griffith and Karen Nunez.

Mayor Ronnie Torres welcomed all the new employees and thanked them for attending the meeting.

***PRESENTATION OF BELEN MAIN STREET PROJECT:***

Mayor Torres read the next agenda item referring to presentation of Belen Main Street Project as presented by Claudette Riley who advised she was here a couple of weeks ago and advised she would give a presentation on the Main Street Project. She said “the Mayor, Andrew and I went up to Santa Fe and did a presentation; hence the presentation that is on the agenda, that I want to share with today it is just a small brief portion. The exciting thing is that we have made it to the next phase for Main Street we are going to have five NM Main Street members come down on Thursday. I have put the agenda on your desk that we are going to be working on. The wait it will work is they will come down and talk to different community members. We spoke with several downtown business owners property owners and banks and have about 35 to 40 people who have agreed to sit and talk with NM Main Street members. Once the information is gathered they will take it back and report to Secretary Mondragon who is the Secretary of NM Economic Development Department-who at that time will review the two communities, and from what I understand there are only two, we and Tor C. Then decide by the end of the month which community will be accepted into the program and then make an announcement the first part of May.

At this time Claudette Riley presented a slide show presentation. After the presentation Mayor Ronnie Torres commented on the song which the group thought represented the City of Belen and they connected with the pictures. Claudette Riley gave credit to John Anderson-Small Town which was the song used in conjunction with the presentation. Thanks to Lenore Pena for her submission of photos.

***VALENCIA COUNTY WATER WASTEWATER MASTER PLAN PRESENTATION: Kelly Collins and Timothy Karpoff:***

Mayor Torres read the next agenda item referring to the Valencia County Water Wastewater Master Plan presentation by Kelly Collins and Timothy Karpoff. Kelly advised there was a power point presentation in the packet and she would be going over those as her presentation and would accept questions afterward. A copy of the power point presentation is attached hereto and made an integral part of these minutes by reference.

Mayor Pro-Tem Wayne Gallegos said “on number two on a prior community type meeting I heard something about Belen North and our wastewater plan to take it to South of Belen has that been included. We talked about Peralta going north to Bosque Farms because it is a new community but also we have a new community coming into Belen and there was a little bit of question on that and where do we stand on that on the Belen North Wastewater?”.

Kelly Collins answered saying “the recommendation that we’ve made here is for Belen North to have a satellite treatment plant and the biggest reason for that is to be able to use the effluent coming from that plant for irrigation. The other reason is that you don’t have to build that entire pipeline.

Councilor David Lopez said”we had talked about getting all of the citizens from Jarales area off of domestic wells and domestic septic. I see the plan does not even address it until 2021 is that too long into the future to address that issue. I know that there is a lot of contamination in that area a lot of people are on private wells, I was just thinking from a health aspect point of view if that was considered.

Kelly Collins said “it was considered. In terms of staying on domestic wells which was the water alternative that was what we had a representative from the Southern Valencia Community Association. The recommendation was to stay on domestic wells because they like domestic wells and because the growth projections are very low. For the next forty years the projected growth in that area is about 40 people and building a water system for that much growth didn’t seem to be warranted for the cost. Moving to clustered septic system was to protect groundwater quality because their leach fields are more robustly engineered so that it cleans the effluent from the tanks much better. I will note your comments when I get back to the office”.

Councilor David Lopez asked Kelly Collins to “please put that down as a STRONG comment because those people that are in the area it is a big deal and I know the water is contaminated there with all the refuse from the rail road”. Kelly Collins said “and that was primarily the railroad plume in the groundwater rose the primary reason for moving the Los Trujillo’s water system expansion from Belen up.

Councilor Terese Ulivarri questioned the septic systems that have been in the ground for quite some time in Tome, Los Chavez and Jarales. Kelly Collins advised they did not want the clustered septic system. Councilor Terese Ulivarri asked what the Environment Department said about that. Kelly Collins advised the Environment Department tested the groundwater in those areas and found the nitrate, which is the tracer they use to look for contamination from septic tanks, is by and large within the county below the standard and quite a bit below the standard. There are a couple of places in the southern part of the county near dairies that nitrate is a little high but generally speaking within the county it is low. It may be that the recharge to the irrigated agriculture keeps flushing the shallow aquifer through.

Councilor Terese Ulivarri asked if this dovetails with the Council of Governments Regional Water Plan that they have in place. Kelly Collins said it does in as much as it can. The Regional water plan for this area is for the Middle Rio Grande and it focuses largely on Albuquerque and you will find Valencia County mentioned in but to a minimum. This plan is a much more extensive description of the hydrology and a look at the water supply. At some point if it became a question we could very easily make this a sub-plan of the MRG water plan and that would be a good idea. That is one of the criteria for state funding under the water board, which is to be part of a regional water plan.

Councilor Terese Ulivarri asked if the State Engineer has taken a look at this or is it not finalized. Kelly Collins advised this was not finalized they have given briefings.

***EMPLOYEE OF THE FIRST QUARTER: Councilor Terese Ulivarri***

Mayor Torres read the next agenda item referring to employee of the first quarter as presented by Councilor Terese Ulivarri who asked Oscar Diaz to please stand and be recognized as employee of the first quarter 2009. A copy of the letter read aloud by Councilor Terese Ulivarri is attached hereto and made an integral part of these minutes by reference.

***SOLID WASTE DEPARTMENTAL REPORT: Mario Sisneros, Solid Waste Director***

Mayor Torres read the next agenda item referring to Solid Waste Departmental report submitted by Mario Sisneros, Solid Waste Director. Mario presented the Council with a pamphlet of his presentation which included what's new, staff, audit, recycling grant and Osha. A copy of the report is attached hereto and made an integral part of these minutes by reference. Mario said he was doing an audit of poly carts in cooperation with Waste Management which is an ongoing project because of residents moving from location to location. He is working on a recycling grant which is being reviewed by someone who has done recycling grants previously and it looks like it is coming along. In the handout there is a diagram of what the recycling center will look like and it will be located on north Main Street next to the water department shop. The grant asks for fencing, landscaping and building and a bailer for the corrugated cardboard. Another page in the handout will give you a description of the items included in the single stream recycling. He is working with the NM State Highway Department to put up a sign that shows where the transfer station is located. In reference to OSHA he is in the clear there are not violations.

Councilor Terese Ulivarri questioned the recycling and asked when the recycling starts. Mario advised he did not know until after he gets information on the grant. He submitted a grant for eighty thousand if he gets half it should be good. Sally G. Garley, City Manager wanted to note that part of her City Manager's report included information on Solid Waste which has gone out for RFP which includes recycling. Sally G. Garley, City Manager also wanted to mention that Mario passed his recycling certification.

***LIBRARY DEPARTMENT REPORT: Deborah Graham, Director***

Mayor Torres read the next agenda item referring to the Library departmental report by Deborah Graham, Library Director. Deborah distributed some handouts on what is going on at the library, copies of which are attached hereto and made an integral part of these minutes by reference. She said she was looking at ways to serve the public better. They are hoping soon to be open one night a week, they have been experimenting with running computer classes on Wednesday nights by Katherine Baldonado who has put together a package of computer courses aimed at the business community which was called "Taking Care of Business" and it ran through the month of March it will be repeated in April and they run from 6:30 to 7:30. We are hoping to pick up some more people. Feedback from the users refer Thursday night to be open. We are trying to recruit volunteers this is neither a time nor an economy where we can afford more staff so we are looking at possibly augmenting staff at night with volunteers through the Friends of the Belen Public Library. Once we get up to four volunteers we will get them signed up through the RSVP

program and then we will be open at least one night a week until 8:00 at night especially for those who commute.

We are looking to expand our computer access, of course, with Lawrence-IT-the Wi-Fi will be coming in a couple of weeks which will substantially assist our users. We have a lot of users who are asking when it will be up and running. With the new backbone we have brought in we have been able to dedicate more of our T1 line to our public computers. We are tracking our use on the public computers and three to four times a day we will report that all computers in the main reading area are full. We assist people with using them and what we are seeing is the trend that libraries are seeing everywhere we have a lot of people using the computers to look for work. We have a lot of people using computers because they have canceled their internet services and that is going to continue until the economy picks us again. If we can help fill that gap we will surely try. The basic beginner computers classes will start this month in the daytime on Tuesday and an open lab on Thursday mornings at 10:00.

Our children's and Teen librarians have planned an outrageous program for this summer and she invites anyone who wants to drop by and see some of these things to please come in. The theme this summer is "Be Creative at Your Library". It fits in very well with the grant we received for some artwork in the library as well they should be going up in the middle of the summer reading program. There will be an artist in the large lecture hall and the students will be able to make their own abstract paintings.

There is going to be an adult reading program this summer for the first time which is a lot of fun and very exciting. There was an experimental winter program and people really enjoyed that we need to stop leaving the adults out. We had the birthday party which you saw in the paper, we were so fortunate because the Rio Grand Valley Community Band happened to want to play that day. People enjoyed the event so much that I hope we can get them to come back it was a nice way to pass a Saturday afternoon.

#### ***ACTION ITEMS:***

#### ***MEMORANDUM OF AGREEMENT (MOA) MASS PROPHYLAXIS DISTRIBUTION FOR (CRI) INCIDENT: Tommy Sanchez, Emergency Manager***

Mayor Ronnie Torres read the next agenda item in reference to a Memorandum of Agreement Mass Prophylaxis Distribution for Citizens Readiness Initiative (CRI) Incident as presented by Tommy Sanchez, Emergency Manager who advised he was talking about a CRI agreement between the City EMO and the City of Albuquerque. It is for; in the event of a biological release requiring the use of Prophylaxis medicine it is the goal of the OEM to distribute the medicine to the population to the City of Belen within 48 hours. This would be done utilizing assets from the Albuquerque operations center via the Mutual Aid Agreement presented. Tommy read from a prepared statement on how this would be distributed. This plan involves 72 cities nationwide which includes those cities in which CDC thought a threat may occur. The main objective of

CRI is to provide medical countermeasures and gives access to a national repository of antibiotics, chemical antidotes and other life support medications. It is targeted towards an aerosol anthrax attack which is the program in a quick synopsis.

Mayor Pro-Tem Wayne Gallegos said he was glad this has come up as it has been worked on for ten years. The bigger cities received this first as they were the most vulnerable and would require help from the outside communities which includes our City. This is a good plan in place and the Department of Health has been working on it a long time and he has seen the pods in conferences.

Tommy Sanchez said that because this may be an act of terrorism, he wanted to thank Police Chief Mike Chavez for his support in helping get this done, he sent Captain Dan Robb to the meetings and now knows the security concerns of the agreement. The planning has been done and all the details have been worked out.

Mayor Pro-Tem Wayne Gallegos asked if they had worked out the medical direction part and the responsibilities. Tommy advised he has, and it addresses everything down to how many pens and paper needed it is very detailed. Belen is going to be the first stem since the City represents Valencia County and then he will need to meet with each respective jurisdiction to let them know what their roles are.

Mayor Ronnie Torres asked if there are any questions. Councilor Terese Ulivarri asked if there are no questions she so moves to approve the Memorandum of Agreement. Mayor Pro-Tem Wayne Gallegos seconds the motion, motion carries.

***APPROVAL OR DENIAL OF A NEW RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY) LOCATED AT 925 S MAIN: Sally G. Garley, City Manager***

Mayor Ronnie Torres read the next agenda item to consider approval or denial of a new restaurant liquor license (beer and wine on-premise consumption only) located at 925 S. Main. Mayor Ronnie Torres recognized Councilor Terese Ulivarri who asked to make a comment, “I have been in that restaurant once a week since it opened. I love that food, if you love shrimp folks you need to get over there. It is fantastic and so I appreciate them coming into town. You have added a lot of spice to my life. Additionally if there are no comments or questions I so move to approve their request.” Councilor Rudy Jaramillo seconds the motion, motion carries.

***INFORMATIONAL ITEMS:***

***CITY MANAGERS REPORT:***

The City Managers report is attached hereto and made an integral part of these minutes by reference.

***COMMUNICATIONS FROM CITY COUNCIL:***

**Councilor Rudy Jaramillo:** said “ Oscar congratulations, I was thinking when the presentation was being made of a water leak and Oscar responded, it looked like it was about 10 o'clock at night and I did not tell him who I was, he just went and turned of the water for my dads house because his water heater was leaking. I see his response and Ralph the way you handle your crews, not just Oscar, but others too have done the same whenever you need something.

The library Deborah I am glad you are really going forward with that and Katherine welcome back, you have been here before and doing well. I have been saying that I am going to go and learn computers and Wednesday night is a good time for me.

All those new employees that were recognized tonight wow, they say there is an economic crisis; I commend the City for putting people to work. There were some twenty plus employees, it is a good say for our City; we are moving forward and getting people to work.

**Councilor Wayne Gallegos:** said “ on the restaurant congratulations and through the grapevine I hear another one is coming but I am not going t announce where but it will be coming and we will be looking at opening another restaurant and that is good. Also Oscar thank you, also I have seen him in action when I was conducting business in another neighborhood and the lady asks me aren't you something with the City or something. But she was having a landlord issue, when she comes home there is no water and I told her I would get a hold of someone. I had Ralph's number and dialed it and he answers it as being on call. I told him what was going on and he said he was right there and he had already received the call. These were not just regular business hours it was at 7 or 8 at night. So thank you Oscar and the Water Department.

The other thing is Mrs. Graham I am proud to be on the advisory board, and I am glad that the policy updates, we started them since last year, and I know there have been some final ones but I am glad they are in place because we have different people coming in. Thanks to you and all your staff.

The next thing is to Tommy thanks we have been waiting for that for ten years and having to wait for that because we are a small community. I think it finally sunk into their heads they are going to need some outside help. Good luck with that and thanks to Police Chief Mike Chavez for helping.

The new people in the city, like Councilman Jaramillo said, our budgets are tight and GRT's are down but we are not cutting back on people, we are not hiring new people, but thanks to the staff that we can maintain what we do have and it does show. Thanks to all the administration”.

Mayor Ronnie Torres clarified that we have not created new positions but we have hired quite a few people.

**Mayor Ronnie Torres:** said “the recycling project, Mario you are doing a good job on that. And library staff good job too on the computer thing. As a matter of fact I had someone wanted

to teach a class, which I think makes total sense, on how to use a cell phone. There are a lot of people who just have no clue, me being one of them all I do is answer and that is it.

In reference to some of the new employees we have hired, Delma I have heard some real nice comments on your professionalism and how you handle a lot of the clients. That is a tough position; I know you have to have a lot of patience. Mildred has given me some really good comments also. Roseann congratulations on your new job and Oscar congratulations that was nice. It is nice to see the employees we have and doing a good job. Like this Emergency Management, people have a passion for what they are doing and Tommy you obviously do that for your position because it is like “why” but you get it and run with it and you know all the details and anytime we hand a project to you, like to Christmas festival and we asked you to do a report on what needs to be done in case of an emergency. You give us this detailed report on exactly who has to do what. It is nice to have professional people working for us. Thanks to all of you and the old employees too.

In reference to the restaurant everyone always says we don't have enough restaurants in this town to eat. To those of you who have not gone to this new restaurant to eat please make it a point to try these little restaurants. Give them a try you will enjoy them. Support your local business we need to support them or they won't last here. It is up to us to make an effort, instead of thinking “let's go to Chili's” let's go to the “Pescado Loco”.

**Councilor Terese Ulivarri:** said “you called them old employees actually they are seasoned employees. Welcome to all the new employees it is nice to see new faces. You know when you come in new you are going to hit the ground running and wanting to do all kinds of neat stuff. Don't let our seasoned employees talk you out of it. Because they will try they will say you are making us look bad and I hear this all the time. No they need to step it up, you are coming in and you are ready to work and they just need to step it up. Don't let them put you down for being enthusiastic about your job.

I attended a meeting with the Little League and the Rio Abajo League for baseball for this year, Sally was there including other players that are involved. We negotiated uses of the field because that was becoming an issue. And so that turned out to be positive we got everything straightened out next year we are going to meet in January so if anything becomes an issue and we don't even know we have one. We think we have plenty of fields and it turns out we do not so you have to move people around but everything works out. We are going to meet next week to see about putting together a tot T-ball field at Vivian Fields. Vivian is a used field and it is time to put some money into it and that is our next push.

**Councilor David Lopez:** said “just stuff that I have noticed around the community that I think it is the Whitfield Refuge they are coming up with the building and the visitor's center is going up really nice. They have all the field dirt and behind it the area is being constantly flooded and there is a lot of wildlife coming into the area so that's going according to schedule.

The committee for the Belen Fiestas started up two weeks ago and so maybe the second Wednesday or third Wednesday the committee is going to get together and plan the fiesta committee again. Wayne is on the board and we have been working on that to see what deals we

can do different. The economy is affecting everything and we are taking that into consideration but hopefully we will have a good Fiesta now in August.

The scary part about it is that we are running into May and going to have to start another graduation so another year has gone by and it makes me feel a lot older, especially when Mike is hiring younger kids.

Congratulations on your restaurant, the City Council worked pretty hard a few years ago to get business to have a beer and wine served on weekends. We put that on an election ballot and we got that passed, it was a lot of work for the council and the community but we made that so that business could serve beer and wine on weekends so I hope you have good luck with that aspect of your business.

Also it has been said five times but I will say it again, congratulations to our new employees. The City of Belen does tighten our belts but we see the need for services. The Public Library is providing a lot of services to the community as well as the RSVP who helps provide lunches to the children in the summer months. And if you have heard the news lately the foods banks have been running really low so I am sure all the lunches we can provide for our community are deeply appreciated. Thanks to Claudette for presenting us with the small town presentation.

***ADJOURNMENT:***

Mayor Ronnie Torres asked for a motion to adjourn tonight's meeting.

Councilor Rudy Jaramillo moved to adjourn this meeting. Mayor Pro-Tem Wayne Gallegos seconds the motion, motion carried.

/ss  
Ronnie Torres, Mayor

**ATTEST:**

/ss  
Sally G. Garley, City Manager