

***REGULAR CITY COUNCIL MEETING***

**November 17, 2008**

**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, Mayor Pro-Tem  
Terese Ulivarri, Councilor  
Rudy Jaramillo, Councilor  
Wayne Gallegos, Councilor

***CITY STAFF:***

Audrey Torres, Procurement Specialist  
Lenore Pena, HR/City of Belen  
Mike Chavez, Chief of Police  
Dan Robb, Police Department  
Officer Hub, Police Department Mascot

***OTHERS:***

Norman McDonald, City Attorney  
Brent Ruffner, VCNB  
Jerah Cordova, Our Tomorrow  
Gilbert Tabet, Citizen  
Bryant Arnink, City of Belen Resident  
April Chavez, Belen High School  
Donna Jaramillo, Belen High School  
Britney Lardner, Belen High School  
Gloria Sanchez, Citizen  
Regina and Edwin Griego, Citizens

***PLEDGE OF ALLEGIANCE:***

Mayor Ronnie Torres asked Gloria Sanchez to lead the pledge of allegiance.

***APPROVAL OF AGENDA:***

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

***APPROVAL OF MINUTES:***

***Regular Meeting: November 3, 2008***

Mayor Ronnie Torres requested approval of minutes for November 3, 2008. Councilor Terese Ulivarri moved to approve the minutes. Councilor Rudy Jaramillo 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.

1. **Regina and Edwin Griego:** of 425 North Second Street asked the Council how slumlords are handled. She asked if Council knew where they lived and that she had a really nice place. They try to keep it up but it is their luck to live next to neighbors that do not care about their property, she handed out pictures. She advised there was a neighbor to the south and Dolores Bustamante owns the home, they believe. Two or three years ago it was vacant and there was all sorts of traffic and drug trafficking. There were no utilities but individuals were living in the home, as they would borrow electricity and water. She feels the person who rents the residence needs to have a little more responsibility. Lately they noticed the residents, who are friendly and nice, were doing mechanic work and have many junked cars. They also store appliances around the residence. She also took pictures of the residents trying to place the engine in the dumpster, which was stopped when she called police. Also, the Hacienda Apartments are in bad shape and they need a lot of attention there is a lot of trash in front of the apartments near the dumpster, which should be in the back of the apartments and not in the front. Also the sign "residents only" is placed in the wrong location and they wish to have that moved. They would like the Planning and Zoning department to contact the residents who are running a business out of a residential and advise them to stop or site them for violation of the ordinances. They also asked if the City could do something about the Casey Luna vacant lot north of Walgreen's that is full of trash. They advised this is their City and trashed yards makes it look bad.

Mayor Ronnie Torres advised he had a list of things he wants to do. One of them is to meet with the residents of the home next door, then meet with the owners of the Hacienda Apartments so they are advised of the ordinances and if they have any large appliances or furniture/junk that needs to be disposed of, they can call City Hall and have them picked up, also the sign needs to be moved.

- 2. Bryant Arnink:** advised he lives on Camino Del Llano and he wanted to say he enjoyed sitting in on Council Meetings but he is moving to Los Lunas on Thursday. He said he lives in apartment buildings owned by a slumlord and nothing in the building is up to code. He wanted to know what he could do to prevent problems for future citizens who need to rent. Mayor Ronnie Torres advised he knew where he lived and they are working on the problem apartments. Mayor Torres advised there are individuals that are working on them but they are not licensed and they have not pulled any type of permit. Bryant said he enjoyed being in Belen. He said he would be back on Christmas Eve to help Yvonne of Lady Hawk with the Christmas dinner. Mayor Ronnie Torres asked Mr. Arnink to please have Yvonne call him, because he needs to let her know they have some money for the dinner. The money is being raised through the Snow Queen contest. That money will be dedicated for that dinner, so if he could please have Yvonne call.
- 3. Gloria Sanchez:** she appreciated the concerns of Mr. and Mrs. Griego and Bryant because there needs to be a lot of citizen involvement. She advised she and her husband moved back to the City of Belen to retire, they are active volunteers, and they are natives. Initially they started a neighborhood watch and it helped. They recently had a problem with noise and ATV's and thanks to the police department, Captain Robb, it is no longer a problem. Because of their volunteer work she wants to ask the council and administration to emphasize to the administration that their time, though it is volunteer, it is precious. Sometimes they do not necessarily have the time but they make time to volunteer, and all they want is when they place a phone call and leave a message they expect to have the call returned. When they get involved in an event, they have to push and push because if anything goes wrong in the end it does not look good for anyone. She does have problems when people do not return phone calls, some do but some do not recognize her as an authority to deserve a returned call. She was involved with National Night Out for two years, and then she got involved with the 911 Memorial Park, seven years of ceremonies. She emphasized to the Mayor to please advise the administration to return her phone calls, so that she can go on to the next step.
- 4. Chief Mike Chavez:** introduced the newest member of the police department "Officer Hub". Officer Hub is the City of Belen Mascot who will be going to all the schools, doing the stranger danger program; he will be at all of the events and talking to kids. The Public will start seeing him out on the streets. Gloria Sanchez wanted to ask Chief Chavez if he was aware of the incident in Bosque Farms concerning a business individual that was burglarized twice and decided to close shop. She offered a \$1,000 dollar reward for any information leading to an arrest because she felt sad for the businessperson who was trying to do good not only for the community but for the County as well. Chief Chavez advised he did talk to the Chief of Police from Bosque Farms, who was out of the office. The Chief would call Chief Chavez back, upon his return. Chief Chavez advised Gloria Sanchez that during his phone call last week, Thursday, he advised her that he would call her back in a couple of days, and the Chief of Bosque Farms would not be in the office all week. Mayor Ronnie Torres thanked Gloria for the donation.

***PUBLIC HEARING ON INTENT TO ADOPT AN ORDINANCE AMENDING THE 2004 NM UNIFORM TRAFFIC CODE SECTIONS 12-1-1 THROUGH 12-13-6: Norman McDonald City Attorney***

Mayor Torres read the next agenda item and opened the Public Hearing on intent to adopt an ordinance amending the 2004 NM Uniform Traffic Code Sections 12-1-1 through 12-13-6 as presented by Norm McDonald, City Attorney. Mr. McDonald advised-every year the legislature modifies the NM Uniform Traffic Ordinance and is always making changes especially in DWI laws. The City of Belen needed to adopt those as changed and what we have is an update of our ordinance to incorporate by reference the modifications made at the State level so that our officers can site under the most current revisions.

Councilor Wayne Gallegos asked if these are ordinances or laws we already have. Norman McDonald, City Attorney advised this updates our current City Ordinances to bring them in line with New Mexico State Statutes.

Mayor Ronnie Torres asked if there were any questions or comments. No questions or comments were reported; Mayor Ronnie Torres closed the public hearing.

***ACTION ITEMS:***

***ADOPTION OF ORDINANCE No. 2008-07 AMENDING THE 2004 NM UNIFORM TRAFFIC CODE SECTIONS 12-1-1 THROUGH 12-13-6: Norman McDonald, City Attorney***

Mayor Torres read the next agenda item in reference to adoption of Ordinance No. 2008-07 amending the 2004 Uniform Traffic Code Sections 12-1-1 through 12-13-6 as presented by City Attorney, Norm McDonald who recommended adoption.

Councilor Terese Ulivarri asked if there are not further questions or comments she so moves to adopt the ordinance. Councilor Rudy Jaramillo seconds the motion, motion carried.

***ADOPTION OF RESOLUTION 2008-17 SETTLEMENT AGREEMENT-EDWARDS VS CITYOF BELEN: Norman McDonald City Attorney***

Mayor Torres read the next agenda item in reference to adoption of Resolution 2008-17 Settlement Agreement-Edwards vs. City of Belen as presented by City Attorney, Norm McDonald added-there was a meeting, in executive session, two months ago to approve the settlement that had been negotiated between many different parties in this particular case. Mr. Beiler appeared, as the city attorney, on the matter and the council voted to accept the settlement, and put it on the record. The attorney for Edwards thinks that that form of an approval, just

being in the minutes of the City Council Meeting is not enough, he would not dismiss the case without the settlement being acted upon in the form of resolution. One of his main reasons was that Edwards had a certain amount of acres broken out and he wanted to make sure, basically, they could proceed independently from NM Development Partners from Rancho Cielo, its properties vs. Edwards's properties. That was part of the settlement, this resolution basically just approves through a different form that which had already been approved. Jim Woods is present with a plat to be recorded, to carry out that split.

Mr. Woods advised it took two months to get Los Lunas and the County of Valencia's approval, payment of back taxes and the like, now everything has been cleared and signed of by Valencia County we just need Planning and Zoning of the City of Belen to sign and Michael Cadigan, the attorney for Edwards will immediately sign or file a notice to dismiss the lawsuit which will finally go away. It has taken long tedious bunch of discussions but this will be the end of the Edward's lawsuit.

Councilor Rudy Jaramillo asked if there are no further questions or comments he so moved to approve the resolution. Mayor Pro-Tem David Lopez seconds the motion, motion carries.

### ***INFORMATIONAL ITEMS:***

#### ***COMMUNICATIONS FROM CITY COUNCIL:***

Student Liaison-**April Chavez:** reported that the Belen football team is District Champions so they are planning a huge pep assembly for them.

**Councilor Rudy Jaramillo:** said we might have state champions this time around, it is like the first time in the history of Belen. Back when he was in high school, they went to the state champion and lost but hopefully they come out as victors. He will not continue talking about when he was in high school, like his brother remarks "when it was in black and white". Thanksgiving is coming and Yvonne is getting ready to do the Christmas holiday dinner. He asked the Mayor today and-they finished the window painting at his restaurant and wanted to know if the businesses had a heads up as to start. He asked if the lights are close to being finished and done. Mayor Ronnie Torres advised that they are working on them "every day".

**Councilor Wayne Gallegos:** reported on a couple of items-the library advisory he got some emails on the problem smell apparently they did a smoke test done and the problem solved. On the senior advisory everything is going good over there, they had a few sign problems in the parking lot that have been taken care of. Everyone is busy and getting geared up for the holidays. Some concerns from the citizens that have already been addressed, are residents on Third Street speed bumps need to be painted. Driveways on Delgado, he did get some calls, but by the time he got there Robert Rimorin was already there talking to the residents and he wanted

to thank them for the quick response. He wanted to tell Gloria to not give up, it may be frustrating, he knows she does a lot for the City and it is appreciated you are a good advocate. We have had some changes in City Hall some of the people you were used to working with are no longer here but hang in there, like the Mayor said you have our numbers, just call.

**Mayor Ronnie Torres:** the final meeting for the Miracle on Main Street is tomorrow and we should get a lot of the things finalized. Decorations are not completely up but the employees from the City are working very hard to get those done. The advertisement has already started on a couple of radio stations, rail runner is on track for that night, and we may be getting some information from Jerah Cordova on the brochure. Jerah said it should be ready by the morning. People are pretty excited, he has had some calls for booths. The star on the tank please do not forget that, to Fire Chief Manny Garcia. Manny advised that the star is halfway complete and they are working on it as we speak, so it is almost there. Mayor Torres continued saying, there have been a lot of people working on this project, volunteering a lot of their time and they are a good group. We are using everyone for different things, they are really good at doing. This is going to be the first time the change is made to the Heart of Belen. He has talked to some of the businesses around the area and they are excited about it. This is also the first year they will have fireworks, which is the next step up after 21 years.

**Councilor Terese Ulivarri:** attended a couple of meetings and ceremonies, she attended the Whitfield Wildlife Conservation area dedication, which took place on a Saturday morning, and there were many dignitaries there. It is going to be something pretty big like the Bosque Del Apache. If you have never been there, it is located just on the other side of the river bridge about a quarter mile down and it where the old dairy used to be. He Whitfield family gave the property for the conservation area, trees are being planted and there is wildlife there already-the sandhill cranes are there also. She also attended the First Assembly of God 80<sup>th</sup> anniversary banquet, they are praying for another eighty, and it was really nice. She attended a water board meeting where they finalized the water board portion of the plan that will go to COG. A couple of comments-she is working on the cells for the lights on the trees at the library. There are four lights that are out right now so if we can get those fixed it would be great. In addition, the new streetlights in front of the library are out completely. And there is a couple on Main Street that are also out. She also reminded Gloria Sanchez that she has her number as well so feel free to call, your help is appreciated. She also thanked the students present for their time at the meeting and hopes that it does not interfere with their grades. And tell the football player's good luck we are behind them all the way and if you need help from us let us know. She mentioned to Bryant Arnink, Citizen advocate, that he would be missed, he was the voice on the street and his work was appreciated.

**Councilor David Lopez:** he wanted to make a comment to Mr. Woods, the City Council has worked on the project for quite a long time, and if there was such a thing as a snag in the road this was one of them. For those who do not know many lawyers interviewed the City Council and it was a mess but he is glad to see it is resolved. Also the light parade, he heard commercials on the radio this morning, they are advertising fireworks this year and he thinks it will be a good turnout. It is the 24<sup>th</sup> annual light parade and they are pushing the rail runner to come to the City of Belen. Also as the Mayor said, the Snow Queen fundraiser, now it seems like every country

in the cosmos is in a recession but if you listen to the news stories as far as the roadrunner food banks and all these places where people go to find subsidies, they are empty right now. We just have to tighten our bootstraps and see if we can donate. The fundraiser is a project where they go out and sell tickets, the winner of the contest gets a small portion and they donate the remainder of the proceeds to a worthy cause. The UNM Valencia Campus has been running a food drive all week and the Belen Schools are doing one also. We are coming up on Thanksgiving so enjoy your families.

Mayor Ronnie Torres added that the Baptist Church is placing a booth for the food pantry during the Main Street celebration and they will be taking donations.

***EXECUTIVE SESSION:***

Mayor Torres called for executive session

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

Mayor Torres reconvened this regular meeting and stated for the record that no action was taken.

***ADJOURNMENT:***

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

Councilor Rudy Jaramillo moved to adjourn this meeting. Mayor Pro-tem David Lopez second the motion, motion carried.

ss/  
Ronnie Torres, Mayor

ATTEST:

ss/  
Sally G. Garley, City Manager