

REGULAR CITY COUNCIL MEETING

November 16, 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 Sally G. Garley, City Manager.

PRESENT: Ronnie Torres, Mayor
David Lopez, Councilor
Terese Ulivarri, Councilor
Rudy Jaramillo, Councilor

ABSENT: Wayne Gallegos, Mayor Pro-Tem

CITY STAFF: Audrey Torres CMC, Procurement Specialist
Robert Rimorin, Utility Director
Mike Chavez, Chief of Police
Manny Garcia, Fire Chief

OTHERS: Norman McDonald, City Attorney
Brent Ruffner, VCNB
Jerah Cordova, Our Tomorrow
Gilbert Tabet, Circle T
Clayton Ten Eyck, Molzen Corbin & Assoc.
Bridgette Chavez, BHS, Student Liaison
Donald Woodman, Citizen

PLEDGE OF ALLEGIANCE:

Mayor Ronnie Torres asked Donald Woodman to lead the pledge of allegiance.

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

Regular Meeting: November 2, 2009

Mayor Ronnie Torres requested approval of minutes for November 2, 2009. 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.

Gilbert Tabet: said “I want to thank the council for starting up that highway or road going up to Camino Del Llano because they are already working on it. Mayor Ronnie Torres asked Mr. Tabet to please advise his neighbors so they can also be informed.

Mayor Ronnie Torres asked if there was anyone else with a citizen petition if not he closed the citizen petitions.

PUBLIC HEARING ON NOTICE OF INTENT TO ADOPT A POINT OF USE ORDINANCE BELEN INDUSTRIAL PARK WATER SYSTEMS: Clayton TenEyck, Tara Davenport-Molzen Corbin & Associates.

Mayor Ronnie Torres read the next agenda item and opened the public hearing on notice of intent to adopt a point of use ordinance Belen Industrial park water systems as presented by Clayton TenEyck of Molzen Corbin and Associate. Clayton wanted to briefly discuss the proposed ordinance for the point of use treatment units for the Belen industrial park water system. Well #6 which is completely separated from the water system is located in the industrial park area and serves three users, the NM National Guard Armory, Middle Rio Grande Conservancy District and the Department of Transportation Patrol Yard. The well is out of compliance with the arsenic rule established by the Environmental Protection Agency. In this state the NMED is responsible for compliance of water quality. In order to obtain compliance the water has to be treated used for consumption. In cooperation with the NMED the decision has been made to install point-of-use treatment units they are under the counter reverse osmosis style at each of the three users to provide drinking water.

The ordinance outlines the basic requirements for the users that are currently there any future users that may locate in the industrial park as well as the City and their requirements for assuring and maintaining compliance with the arsenic rule. The ordinance establishes that each user has to enter into an agreement with the City allowing the City to install the point-of-use units and also allow the access for maintenance as well as sampling and testing. The ordinance states that the ownership of the treatment units is the responsibility of the City being the party ultimately responsible for compliance. It also addresses any emergency or non emergency situations where water would need to be shut off to the system. With the non-emergency shut off it is intended to

outline the requirements if the user is not willing to enter into an agreement with the City to allow access the water service will be shut off, reason being the City is responsible for compliance for the system as a whole. There would be labeling for potable and non potable water. There will be an annual filter change required and the membrane on the unit needs to be changed every three to five years. There will be grant money used to pay for installation of treatment units the ongoing maintenance will be the responsibility of the City. The actual arsenic that is filtered out would be going through the tap and it would be rooted to a drain line which goes to the septic.

Mayor Ronnie Torres asked if there were any questions from the Council or the audience. There were no questions presented at this time public hearing was closed.

ACTION ITEMS:

APPROVAL OR DISAPPROVAL OF A POINT OF USE ORDINANCE BELEN INDUSTRIAL PARK WATER SYSTEMS: Clayton TenEyck, Tara Davenport-Molzen Corbin & Associates.

Mayor Ronnie Torres read the next agenda item in reference to approval or disapproval of a point of use ordinance Belen industrial park water systems. Mayor Ronnie Torres asked if there were any questions if none he so entertains a motion. Councilor Terese Ulivarri moved to approve as presented. Councilor Rudy Jaramillo, seconds the motion, motion carries.

APPROVAL OR DISAPPROVAL OF HISTORIC PROPERTY REVIEW BOARD BY-LAWS: Donald Woodman, Andrew DiCamillo, Planning & Zoning Director

Mayor Torres read the next agenda item referring to approval or disapproval of historic property review board by-laws as presented by Donald Woodman and Andrew DiCamillo, Director of the Planning and Zoning department. Andrew advised as per the Ordinance 1983-8 Chapter 15.16 of the City of Belen Municipal Code which states the name for the Historic district will be Historic Properties Review Board and these are the by-laws that set that guide and set out the aura for which the board will act. Andrew asked if there were any questions or comments.

Councilor David Lopez asked how often these by-laws are reviewed. Andrew advised they can be reviewed at any time but the board feels that they need to have any amendments or additions generally it is once a year.

Mayor Ronnie Torres asked if there were any questions if none he so entertains a motion. Councilor David Lopez moved to approve the historic property by-laws. Councilor Terese Ulivarri, seconds the motion, motion carries

INFORMATIONAL ITEMS:

CITY MANAGER'S REPORT

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

COMMUNICATIONS FROM CITY COUNCIL:

Student Liaison Bridgette Chavez: advised student council seniors had the sock hop on Friday it was good but she thinks they lost more money than they made but everyone had fun. Staters are still doing a can food drive and she dropped a box off early last week. They are still doing luminarias and operation Christmas child.

Councilor Rudy Jaramillo: said "as Sally mentioned our football team well done and they are playing well. I think Jason has got to be one the, they only recognized Dillon and Daniel but Jason is a tremendous ball player I hope that he gets looked at by some schools because he is really a good football player. But they are up there and they are going to play Deming on Friday and we are rooting for them.

Mike commending on the Police Department they have really been doing a lot of work on the school zones, they have car after car after car on that thing and daily, not just once in a while and I think its really getting traffic controlled through that area and people are beginning to realize the seriousness of going through that school zone. I commend the Police Department for that and I see them every single day and that is a good thing.

Mayor Pro-Tem Wayne Gallegos: Absent from this meeting

Mayor Ronnie Torres: said "if you noticed the lights are starting to be turned on for the Christmas festival I saw them today. The parks and recreation have been doing a lot of work on that and also Brenda has been doing a fantastic job getting this whole festival ready it has been a lot a lot of work. She has been on top of the whole thing so when you tell her (posing comment to Sally G. Garley, City Manager) make sure that we recognize the hard job that she is doing she is doing a really really good job.

Mayor Ronnie Torres introduced Roger Baldwin and his wife Kelly the former Mayor of Bosque Farms and he also helped with the Balloon Glow and the Balloon Rally that we have going on and we could not have done it without their help we appreciate it. People are so excited seeing

you fly over our town. Mr. Baldwin thanked Terese as they would not have flown on Wednesday if it were not for her help.

Councilor Terese Ulivarri: said “I attended three meetings but I can only remember two because I forgot my phone. I attended the workforce connection meeting I do that for the Mayor because he cannot attend. They received some stimulus money and so they had to redo their budget and we approved that.

I also attended the COG (Council of Governments) meeting and just to let you know Lawrence Rael is stepping down as the Executive Director effective December 1, 2009 as he will be running for Lieutenant Governor. That is the big news out of the COG. He did a fantastic job and I had to speak up because he always took care of the little people “us” the little towns and not just Belen we are talking about Mountainair, Estancia and Jemez and all those small towns. He brought a lot of people back into the COG that were no longer utilizing it anymore. The pueblos are now working with us so it’s a really good community that has evolved out of the COG and it’s attributed to him and the good staff that he has put together it is sad to see him go but they are going to start looking for a new one.

Congratulations to the football team doing fantastic and I hope everybody turns out to support them this Friday. We don’t get a home game playoff very often so this is going to be fantastic.

Councilor David Lopez: said “there is a grantee board meeting coming up this Saturday and it’s a board meeting that represents the five counties throughout the area we are going over the policies and procedures of the head starts to make sure that everything is copasetic with the state requirements.

Also Thanksgiving is coming up be careful out there and hopefully we can all spend some time with our families and not burn the turkey.

We are working on the giving tree program at work and that giving tree program is everybody goes to the tree and there are all kinds of cards on the tree and we usually grab one hundred to one hundred thirty cards a year, they go to needy children. My wife had a lot of fun with it last year because I picked a little boy who wanted to be spider man so we bought all the spider man attire and all the toys and shoes and socks that went with it so he had a blast.

Mike did you have a taser class that you went to. Chief Mike Chavez advised they went through taser training where the Mayor, Council and Chief’s of Police were invited to. It dealt with how taser has been abused. What he got out of that training was it is a wonderful tool to have but it has to be used correctly. They showed us some videos of how it is not used correctly and basically that is what is going to get everyone into trouble. But if we get back on track and everyone is using the proper policies and procedures to use this it is a wonderful tool. They are

trying to give us the means to do that. If there is any litigation their attorneys come down and handle the case. They just wanted to bring everybody up to speed on where it is at right now. There will be groups going to the legislature in January wanted tasers stopped. It is difficult

because that one percent that has been abused is the part that is being looked at. They take these one or two instances and they blow them out of proportion and keep playing them over and over again. When you are talking about millions of times the tasers are used and used correctly. The reason the Council and everyone decided to go to this training was to bring everyone up to speed that this is a good tool when used correctly and governed properly meaning that the administration at the PD will hold everyone accountable for how the tasers are used and we do have a policy for it and we have been in line with everything. Hopefully we won't be in jeopardy of losing that tool. It does save lives and it does bring down our injury rates.

Councilor Terese Ulivarri: “Wayne and I attended that with the Chief and learned a lot and he is right there is bad perception on how that weapon is used but I would rather have someone tased as opposed to shot. That is the difference right there and it is just another tool in the tool kit that they can use instead of going to deadly force. Except for someone who is on PCP that doesn't do anything. It renders people so that they are not struggling they are not going to fight you anymore. I think it is a great tool.

ADJOURNMENT:

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

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

/ss
Ronnie Torres, Mayor

ATTEST:

/ss
Sally G. Garley, City Manager