

**REGULAR CITY COUNCIL MEETING**

**April 17, 2017**

**6:00 p.m.**

Mayor Jerah Cordova called the Regular Meeting of the Belen City council to order at 6:00 p.m. Roll Call taken by Leona Vigil, City Manager.

**PRESENT:** Councilor David Carter  
Mayor Pro-Tem Frank Ortega  
Mayor Jerah Cordova  
Councilor Darleen Aragon  
Councilor Wayne Gallegos

**CITY MANAGER:** Leona Vigil

**CITY CLERK:**

**REPORTER:** Clara Garcia, VC News Bulletin

**OTHERS:** See attached Sign-in Sheet

**PLEDGE OF ALLEGIANCE**

Mayor Cordova led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor Cordova asked for a motion to approve the agenda. Councilor Aragon made a motion to approve the agenda. Mayor Cordova asked for a second. Councilor Gallegos seconded the motion.

Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

**APPROVAL OF MINUTES**

Mayor Cordova asked for an approval of the minutes dated April 3, 2017. Councilor Gallegos made a motion to approve the minutes. Mayor Cordova asked for a second. Councilor seconded the motion.

Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

**PUBLIC COMMENTS**

Mayor Cordova asked if there was anyone with a public comment.

Pete Armstrong requested the Mayor and Council to look at a log from a tree that was cut down in his neighborhood today. He asked the Mayor and Council if the tree looked dead to them. He pointed out the concentric rings.

Councilor Aragon asked where the tree was. Mr. Armstrong stated it was from his neighbor's yard.

Mr. Armstrong stated he was arrested today for talking to the contractor the city hired to take down trees in his neighborhood. He stated the tree represents the eighth tree removed from his neighborhood on Fifth Street. He stated he tried to talk to the contractor today; he tried to call the City Manager, Steve and a friend in the city but received got no answer. By the time Mr. Armstrong was through making phone calls, it was too late to rescue this tree. He stated he has talked with the City Manager about this in the past. Mr. Armstrong stated the trees taken out by the city's contractor are not dead but need judicious pruning. He stated the trees could have been pollarded and allowed to recover. Mr. Armstrong referenced a couple of trees on Ross that have been pollarded and are coming back nicely. He stated these trees in the neighborhood are what make the city special. Mr. Armstrong stated that cutting the trees down without trying to rejuvenate or regenerate these trees is unacceptable. He wanted the contractor to talk with him but the contractor had nothing to say and proceeded to cut the tree down. Mr. Armstrong stated the neighborhoods and ambience need to be protected. The contractor told Mr. Armstrong they were going to take out the trees from his neighbor's front yard all the way to the corner. He stated he has discussed with the city that there is no ordinance that speaks to this issue. Everyone understands that this is city property but there has to be communication between the city and the residents in these neighborhoods about what is going to happen to the old trees. Mr. Armstrong stated he was very frustrated. He stated his expectation of the Mayor and Council is to have his arrest expunged. Mr. Armstrong stated the residents pay for the water to maintain the trees and manicure the area called the parkway. He said there is nothing in the ordinance that speaks to the area between the street and the residential property line. Mr. Armstrong stated the city council needs to establish what the relationship will be and how it is going to be implemented. He stated the contractor told him all the trees on the west side of Fifth Street were going to be removed. Mr. Armstrong stated he was willing to work with the Mayor and Council on how to better implement this.

Mayor Cordova stated city staff was asked to halt all trimming and cutting of trees on Thursday of last week. He stated they will be having another conversation with staff.

Councilor Aragon asked why this was happening. Mayor Cordova stated he believed some trees were identified as a safety risk but instead of trimming appropriately, some trees have been fully removed. Staff has been asked to pull back on that process until the city could determine what was most appropriate.

Councilor Carter asked Mr. Armstrong if he knew what the dead branches on the top of the tree were called. Mr. Armstrong answered dead wood. Councilor Carter replied they are called widow makers. Mr. Armstrong stated if the widow makers are pruned down, the tree will revive itself. He stated the trees that were taken out had been there for 75 years minimum and were strong. Mr. Armstrong stated it is a matter of working with the trees opposed to against them.

Councilor Aragon stated she would drive by and check it out.

Mayor Cordova and the council thanked Mr. Armstrong for his concern.

## **PRESENTATION**

**PRESENTATION OF RING DOORBELL TO MIDDLE SCHOOL ESSAY WINNERS** – *Police Chief Scott Conner*  
Chief Conner stated the first contest produced a limited number of essays and the giveaway occurred. In the neighborhood watch meeting, an anonymous donor approached Chief Conner and provided money to buy two more doorbells. Felicia Salazar received an email from Stella who contacted the police department and advised there were 100 essays to review. Chief Conner presented Belen Middle Schoolers Katherine Sanchez and Dayanara Carrasco with the Ring doorbells. These students were chosen out of the 100 essays. Felicia Salazar accepted the doorbell for Dayanara.

## **DISCUSSION**

### **GROSS RECEIPTS INVESTMENT POLICY (GRIP) ORDINANCE** – *Steve Tomita*

A copy of the proposed ordinance is attached hereto and made an integral part of these minutes by reference. Steve advised the Mayor and Council that the GRIP ordinance came about as a result of the issue the city was facing on Interstate 25 and the request to extend the on and off ramps and how that would be funded. It was recommended by the New Mexico Economic Development Department (EDD) that the city incorporate the GRIP ordinance for monies to be spent on such items. On review of the ordinance, the main intent is a mechanism to promote retail businesses coming into the city. As a developer or business comes in and public infrastructure improvements are needed, the city can use a

portion of the gross receipts tax that the city collects to invest back into that project to offset some of the cost of public parking, paving, streets, utilities and the like. Steve stated this ordinance would help draw in retail businesses and, if it is a good business and the city feels it warrants using the gross receipts tax to offset some of their public infrastructure costs, the business can come before the city council and ask for that to be done. He stated Tractor Supply would be a possibility to offset some of the cost that the school would incorporate to do the repaving, any moving or relocating of the public utilities. Steve spoke with the city's legal counsel and, in the case of Tractor Supply, it would not be prudent to use GRIP funds for asbestos abatement, only for such things as the public parking. He referenced the Rio Rancho Ordinance which states the city will set aside 50 percent of the gross receipts tax collected. Steve's recommendation would be to state up to 50 percent so the city is not mandated to provide 50 percent of the gross receipts tax collected. He stated, in the case of Tractor Supply, it is only for the gross receipts tax collected from Tractor Supply, not the overall gross receipts taxes collected citywide.

Councilor Gallegos asked for a little more detail and asked if it was an additional tax or separated a little differently from the business the city is targeting. Steve stated he inquired of Tractor Supply regarding their average annual sales nationwide. They said their typical store sells about four million dollars a year. The gross receipts tax collected is 1.8 percent. Steve stated the city would take 50 percent of what was collected from Tractor Supply and invest it back into that development. Councilor Gallegos stated it is a creative way of dividing the gross receipts taxes coming in from a new business but there would be no additional taxes imposed on the customer or the city. Steve stated that was correct. Councilor stated there are probably rules or laws on how to use the funds without trying to overdo. Steve stated it would follow the Local Economic Development Act (LEDA) process. The city would review it and consider what the benefits are and decide if that is a viable project to do. Councilor Gallegos asked if this could be handled through the city's Department of Finance. Steve stated he did not know if this had to go to the Department of Finance and Administration (DFA). He stated, once this ordinance is passed, it sets the boundaries, policies and procedures as the LEDA does. Steve stated the city has the ability to invest in retail because the city's population is under 10,000. When the city exceeds a population 10,000, the GRIP would be in effect and could be used for further investments beyond that population. Councilor Gallegos advised that the Department of Finance should be involved so they can be aware. Steve stated he would check into it.

Councilor Aragon stated the GRIP is basically earmarking money to go toward something and asked if it would only be new business. Steve stated GRIP is set up for new business or a major expansion of a business and further investments were needed. It only relates to public infrastructure and cannot be used for the business' own cause.

Steve stated this is gross receipts tax the city is not collecting. This encourages a business to come in and the city will be getting gross receipts tax not seen before, thus boosting that growth.

Councilor Carter stated the city does not get a lot of cooperation out of the county on determining what entity or business pays or the amount of gross receipts tax they pay and asked how the city would know what Tractor Supply is contributing. Steve stated the city would have to find out what the business' sales are because the city should be getting 1.8 percent of the sales.

Mayor Cordova added that the way this ordinance works, the city and the developer would be required to get an independent analysis of that business' future gross receipts tax (GRT). Once that analysis is obtained, the city's contribution would be based on that. He agreed that the city will not know 100 percent and definitely will not get that information from the county or the state of New Mexico.

Councilor Carter expressed a concern that the city will be projecting what the contributions or sales are; the city will not know what the taxes are and asked if the city would be returning too much. He stated the city needs cooperation from a couple other entities and the state. Steve stated that was correct. Councilor Carter stated this is a tax and the business needs to disclose the tax they are paying. Steve stated that is something where the city could enter into an agreement with the retailer that they disclose what they have been collecting.

Councilor Ortega asked if the state tried to pass a bill like this throughout the state for new businesses and stated he was not sure if it passed. Councilor Gallegos stated it was similar but nothing was definitive on the new business. Steve stated this is focused toward new business. The city has the ability to take so much of the gross receipts tax across the board

towards economic development which is not necessarily just new business. It is anything that can promote and make the city grow. Steve stated this ordinance is specific to a new business.

Councilor Ortega asked how the ordinance would affect the city's gross receipts and asked if the 1.8 percent comes out of that. Steve stated that the city has its own municipal tax that is imposed and it is only a portion of that tax that affects that new business. Councilor Ortega asked what would happen if the city does not meet its expectation and if that money would revert back to the city's gross receipts or if it goes back to the county. Mayor Cordova stated the city was still collecting the GRT at the same rate so it is still going into city funds at the same rate. It is just a matter of how much is going to get divided for whatever project of public infrastructure improvement was authorized per the agreement.

Councilor Ortega asked how this would affect the city's general fund. Steve stated it would not as much as this is new funds coming in and at least 50 percent of the funds are going directly into the city's general fund and the other would be going toward investments. If that improvement did not happen, those funds would go back into the city's general fund.

Councilor Ortega asked if Steve had checked with the city's attorney and started the process in making the ordinance for this. Steve stated the report in front of the Mayor and Council was the draft.

Mayor Cordova asked Steve if the city has the ability to invest in public infrastructure any time it wants. He asked, if the city wanted to put traffic lights up any day of the week, it could be brought to the council and advised that this is what is wanted, this the money we need and the council could authorize that special project even without this ordinance. Steve stated that was correct. Mayor Cordova stated this ordinance ties it to a specific development which is safeguarding the city because it says if we invest in this new infrastructure, the business will develop there. Steve stated that was correct. He stated the business has to build because they have to already have everything in place before this goes into effect because the city is collecting from their sales. Everything would have to be done and put in place to be able to start selling. It is a reimbursement after the fact. Councilor Carter stated the business has to do the improvements first. Steve stated yes. They have to have the business up and running to be able to start selling and collecting the tax that they receive a portion of.

Councilor Ortega asked how long the business has to be open before the determination is made on how much gross receipts would be coming from that area. Steve stated the business would have to do a projection. He stated the GRIP is after large retail but the city could consider small retail. Steve stated the city is trying to attract strong businesses that are more national or statewide that are established and want to expand into our community. The city would be looking at a company that is sound and already has a background and history. A startup would not be the most prudent investment.

Councilor Ortega asked if this would be reviewed by the city's finance manager. Steve stated it would.

## **DISCUSSION WITH POSSIBLE ACTION**

### **APPROVAL/DISAPPROVAL OF THE ANNEXATION OF #7 LOPEZ LOOP – *Steve Tomita***

A copy of the report is attached hereto and made an integral part of these minutes by reference.

Steve stated this is a request for annexation of a residence on Lopez Loop and provided the location of the residence. He stated the reason for the annexation is the resident wants to attach the house to the city's sewer system and that cannot be done unless the residence is annexed into the city. Steve stated there were a few concerns that arose with the annexation and explained those to the council. He stated the residence will not be attaching to the city's water. One question that did not arise during the commission meetings was how the city would invoice and track the use of the sewer if water is not being used. Councilor Ortega referenced the Gonzales Road improvement. Steve stated the city would be annexing that portion of Lopez Loop. It does not meet the city standard and the applicant has agreed that, until that road can be dedicated to meet the city's standards and be improved, the city would not be obligated to provide improvements to that road.

Councilor Gallegos asked if the applicant was tied into Lopez Road or to the highway itself. Steve stated it was tied into Main Street. Councilor Gallegos asked if the agreement was the applicant wanted to come in and have access to the sewer. Steve stated that was correct. Councilor Gallegos asked if that could be done. Steve stated it could. He stated the Fire Department was also questioned because the fire hydrant is on Main Street and Lopez. The concern was whether that was

too far away to provide proper fire protection. The Fire Department assessed the situation and advised the distance was close enough that they would be able to put out a fire at the house.

Councilor Ortega asked about the recommendation of Planning and Zoning. Steve stated the vote was to recommend approval.

Councilor Carter asked if the residence marked #4 on the map provided to the council was in the city. Steve stated one of the homes is not in the city. Councilor Carter asked if there was a property within the city adjacent to the property in question. Steve stated yes and it is annexed. Councilor Carter asked which property it was. Steve advised the property was 19245. Mr. Sanchez stated the whole corner is annexed. Mayor Cordova asked including #4.

Mayor Cordova asked for further clarification and asked if 19241, just to the south of Lopez Loop, was in city limits. Steve stated that was in. Mayor Cordova asked if number 4, to the north of that, was also in the city limits. Steve answered yes. Mayor Cordova stated he also knew that some of Castillo Concrete was in city limits and asked if it was just number 6 without extending to the west. Steve answered yes. Mayor Cordova asked how far back the city currently controlled the road, all the way to number 10 or before that. Steve stated the city controlled road does not go all the way to number 10. It goes up to the applicant's property. Mayor Cordova asked if that was where the number 25 was written in. Steve stated that was correct.

Steve also stated the applicant agreed to work with the city. The driveways are pretty close to the road but there is a strip and, if there is a strip between the driveway and the road, he would dedicate that.

Councilor Ortega asked what the expectation was of the city, if the property is annexed, to put in sewer and water. Steve stated there is no expectation for the city to do anything on Lopez Loop. Councilor Ortega asked if this was just to prepare it and get it ready. Steve stated yes. The applicant is using a private sewer line. Mayor Cordova asked how far the sewer and water currently extends. Steve stated it extends to the Castillo office but that it is a private line. Mayor Cordova asked if the applicant knows how he is going to connect to the city line. Steve stated the residences at 19245 are connected. They have their own individual wells but they are all connected to the sewer and go down to Main Street.

Steve stated there is an easement along the front of both residences at 19245 that go up to the house and that is how the Fire Department can also serve the homes there.

Councilor Aragon stated that a lot of the properties need to be annexed. She provided a map of the annexations and spot annexations. Councilor Aragon stated it is not cohesive. She stated the council needs to look at how little spots of annexation are occurring.

Councilor Ortega stated spot annexations were brought up once before to try to square the city off but the city has to be petitioned in order to square off mapping. He referenced the issues with running the sewer line to Dennis Chavez School and stated hopefully everything will be annexed and squared off to do whatever needs to be done to make sure the city can get utilities to everybody who needs them.

Mayor Cordova asked for a motion to approve the annexation of #7 Lopez Loop. Councilor Gallegos made a motion to approve. Mayor Cordova asked for a second. Councilor Ortega seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

#### **APPROVAL/DISAPPROVAL OF THE REMEDIAL MAINTENANCE AND PROTECTION FOR PRIVATE ROADS WITHIN CITY LIMITS – Leona Vigil**

A copy of the report is attached hereto and made an integral part of these minutes by reference.

Leona stated that one of the paragraphs was inadvertently left out and spoke to the attorney briefly. She does not recommend tabling the resolution and will word it to approve it as amended. Leona dictated the language left out as

follows: *Whereas the maintenance of such road is necessary for an efficient response time for police, fire and rescue.* Leona is seeking approval of the resolution.

Councilor Ortega stated he was glad the council was doing this as it will protect the city's equipment and personnel who respond, protect the roads and the utilities. The city will be able to take care of what has to be done as well as the trash trucks and everyone the city sends there.

Councilor Carter stated some citizens live at the end of a private road and maintain their road. He stated this resolution may open the city up to too much cost.

Councilor Aragon asked if the city was just maintaining the road and not actually paving the road. Mayor Cordova stated dirt millings are base coarse. Mayor Cordova stated the language in the resolution leaves it open ended. The language states preventive maintenance and does not limit it to dirt millings or base coarse and would be up to interpretation by the administration.

Councilor Gallegos stated the council does not want to get the city in the business of doing a driveway for someone and that is why the resolution states two or more residences. He also stated the city is collecting water, solid waste and liquid waste from these residents. The city is already providing services to the residence.

Councilor Ortega asked if the council could go ahead with a motion to approve with the amendment as stated above and add, if any pavement needs to take place, it would be between the property owner and the city.

Renee Barela-Gutierrez stated this resolution is completely at the city's discretion and, with input from the respective professionals, will decide what maintenance should be done, to what level the maintenance should be done, when, how often, et cetera. As long as it is in the city's hands, she did not really see a large challenge with that.

Mayor Cordova asked for the current language for clarification and asked for a re-read of the Whereas clause as stated above. He asked Councilor Ortega for additional language. Councilor Ortega stated it would be for the paving but restated Ms. Barela-Gutierrez's statement that the decision is at the city's discretion and did not think additional language was needed.

Mayor Cordova asked for a motion to approve the resolution with the amendment as stated by Leona. Councilor Ortega made a motion to approve. Mayor Cordova asked for a second. Councilor Gallegos seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	No	Motion Carried

#### **APPROVAL/DISAPPROVAL OF THE AUCTION LISTING – Ashley Horton**

A copy of the report is attached hereto and made an integral part of these minutes by reference.

Ashley stated she was seeking approval of the list of auction items. She stated the items are from the Community Maintenance Department and are no longer being used.

Councilor Aragon asked if the heaters on the list are safe. Ashley stated that was why they were not being kept. She stated people take them for the parts and rebuild them. Ashley stated they are not safe in their current condition and that is why they are not being used.

Mayor Cordova asked for a motion to approve the auction listing. Councilor Aragon made a motion to approve. Mayor Cordova asked for a second. Councilor Ortega seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

**APPROVAL/DISAPPROVAL OF THE CITY OF BELEN ANNUAL FINANCIAL AUDIT CONTRACT FISCAL YEAR 2017 – Leona Vigil**

A copy of the report is attached hereto and made an integral part of these minutes by reference.

Leona stated Southwest Accounting Solutions performed the city's 2016 annual audit. She and Roseann want to extend the contract for the firm to perform the 2017 audit. Southwest Accounting Solutions has provided a three year proposal. This went out to Request for Proposal (RFP) with a provision to extend up to four years. The amount of the audit did not change and would be \$45,071.25 for the next three years. Leona asked for approval to extend the contract agreement for one year. She stated Southwest Accounting Solutions are familiar with the city and know the city's processes, know the employees and the staff and restated her recommendation to approve extension of the contract for one year.

Councilor Carter asked for clarification that the city approved this last year with extension if so desired and stated he liked the audit firm.

Councilor Ortega stated he liked that the City Manager placed this in an annual term.

Mayor Cordova asked for a motion to approve the financial audit contract. Councilor Carter made a motion to approve. Mayor Cordova asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

**APPROVAL/DISAPPROVAL TO RESCIND THE INCENTIVE PAY PLAN RESOLUTION – Leona Vigil**

Leona stated it was discussed at last week's workshop that the Human Resources (HR) manager would conjoin the Incentive Plan and the Salary Schedule. The HR manager thought the Incentive Pay Plan had been rescinded and already worked into the Salary Schedule. Leona stated it has been for the most part but there are some incentives that were left out. The HR manager is going to work diligently with her to put some steps together. If there are no incentives an employee can reach, they will do some kind of longevity. In the meantime, Leona is asking the council to rescind the city's current Incentive Pay Plan as it is outdated. It was first adopted in 2009.

Mayor Cordova asked for a motion to rescind the current Incentive Pay Plan Resolution. Councilor Ortega made a motion to rescind. Mayor Cordova asked for a second. Councilor Gallegos seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Abstain	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

**CITY MANAGER'S REPORT - Leona Vigil**

Leona stated she attended the District 8 meeting on 4/17/2017 where there was a legislative update. There was a workshop on 4/13/2017 to discuss the Fire Station Remedial issue, the Incentive Pay Plan and the Fence Ordinance. On 4/20/2017, Doug from Molzen-Corben will be meeting with Roseann, Dale, Lisa Miller and Ralph to tighten up the sewer ordinance and a draft will be brought to the council for review. The Retired Senior Volunteer Program (RSVP) Luncheon will be on 4/21/2017. A budget hearing will be on 4/25/2017. Leona will be attending the New Mexico Municipal League Spring Meeting Training 4/19/2017 through 4/21/2017. The community newsletter has been finalized and approved and will be issued the last week of April. The City of Belen currently has an after-hours service call for water reconnections that has not been enforced but will be. Leona stated the public needs to be educated and reminded so that will be put in the newsletter, on the website and also on the bottom of the water bills. Employees are being paid time-and-a-half to respond and the city adopted an after-house call of \$50 that was not being charged. The Remediation for the soil at the Fire Station site is going to cost approximately \$250,000. The City of Belen purchased 100 small flags. Mayor Cordova suggested putting some at the Harvey House to sell, some in the Water Department and hand out for special occasions.

Steve Ethridge gave a report on Willie Chavez Park and stated the schools have been very helpful. The students at Infinity High School do community service on Fridays. Steve stated the city needs to encourage citizens to go over to the park.

Leona stated Steve has been spearheading the cleanup at Willie Chavez Park and thanked him.

Councilor Aragon advised Steve to send it through the Chamber of Commerce to get more volunteers.

Councilor Gallegos stated he wanted a parking zone to be established right away.

Leona stated a Spring Cleanup occurred with some Roll-Offs at City Hall and another one will be held 4/22/2017. Councilor Carter asked about collecting hazardous wastes. Leona asked Dan Darnell from Waste Management if that was something the city could set up. Dan stated Waste Management could get the containers and pricing. He stated the city also has three additional free Roll-Offs available. Dan stated Waste Management does not handle hazardous waste but have partners who do. Councilor Aragon asked about opening paint cans and letting them dry. Dan stated, if that is done, Waste Management will take those at the landfill.

Leona stated doors that will match those at the Water Department will be installed at the east hallway of City Hall. Mayor Cordova asked if the doors will be in front of or behind Lisa's desk. Leona advised in front of. Mayor Cordova advised they are access control doors.

Leona stated an issue with special events forms arose while she was out of the office. Leona has directed Lisa to turn over all special event forms to Ashley.

Leona has directed Deborah to hire someone for the management of the airport.

Benefits open enrollment is scheduled for 5/2/2017.

Councilor Carter stated he went to the transfer station and asked about the plan for the chipper. Leona stated an RFP has to be sent out because it is over the \$60,000. Councilor Carter asked about the city's chipper. Leona stated her understanding is the chipper is not going to produce as fast as what needs to be done. Councilor Gallegos stated the chipper is good to maintain as brush waste comes in but the amount that is at the transfer station needs to be taken away. Councilor Gallegos stated the city was written up by the Environmental Department (ED) who stated the city would be given some time to clean up the brush pile at the transfer station. Leona stated she has asked for an extension to fix the violation because of the RFP process. Councilor Aragon asked if chipping was occurring. Leona stated it was not. Mayor Cordova directed Leona to send the RFP out.

Councilor Ortega stated he knew there was money to repair the fire hydrants and noticed the hydrants are color coded. He stated there are a lot of black coded hydrants which means they are down or not working properly. He asked if there was something in place to start repairing those and stated the city's Insurance Service Office (ISO) depends on all the fire hydrants operating. Leona stated she has not seen the plan on how many to repair per year but will see what the budget has available. Councilor Ortega asked for the Fire Chief to bring a report on the hydrant repair in the next council meeting. Ashley stated, if repair of the hydrants is over the budget available, she will try to work something out with the insurance company. Councilor Ortega asked how many hydrants have been color coded black. Ashley stated there are approximately 300 hydrants citywide and 60 are below grade level or pressure level required. Councilor Carter asked Councilor Gallegos if this project had been started three years ago. Councilor Gallegos stated yes.

#### **COMMUNICATIONS FROM THE CITY COUNCIL**

Councilor Ortega stated the New Mexico Municipal League Meeting at the Holiday Inn was great. He enjoyed the workshop on 4/13/2017. It was very informative. He learned some things and was reminded of some things that were going on with some of the city's projects. Councilor Ortega attended a Block Committee Meeting with Chief Conner with 21 or 22 block captains in attendance. He stated there are 1,400 volunteers. He stated Chief Conner's and the committee's efforts are having an effect. Councilor Aragon asked if the Neighborhood Watch was being sent out in the water bills because some citizens do not use social media. Mayor Cordova stated post cards are being sent. Councilor Ortega stated he attended Belen Fire with American Medical Response (AMR) Ambulance Service and the Fire Chief in Los Lunas. Living Cross Ambulance is no longer in service with the county and are no longer transporting. AMR is taking over the county. There are five ambulances in the area. The fire departments were concerned that, when Living Cross left, there

were no ambulances in the area and were afraid the fire department would need to transport with the rescues. AMR is trying to put on as many units as they can and have five fully staffed units. AMR is stationed in different sites, one in Los Lunas, one in Belen, one in Rio Communities and two on the east side. Councilor Ortega stated, between November 2016 and April 2017, AMR had over 4,000 calls. It is unknown how many calls resulted in transports. He stated that is a call for having a hospital in the county. Councilor Ortega stated he advised the fire chiefs and AMR to present the statistics they have to the county commissioners. Quality of life depends on healthcare and the city is trying to provide it. Councilor Ortega asked Fire Chief Garcia to bring a report to the council in the next few weeks.

Loretta Chavez stated her parents grew up in Belen. She is from California and is trying to buy a house and investment properties to bring her 94-year-old father back to Belen. She stated she is afraid to bring her father here without a hospital available.

Councilor Carter attended the City Workshop for payroll. He stated he read that New Mexico is the 45th worst state in the nation to do business in and stated it cannot continue like this. New Mexico is on the bottom of all the lists, not because we do not have smart people but we are sending the wrong people.

Councilor Gallegos also attended the New Mexico Municipal League District 8 on 4/7/2017 and stated it went very well. He thanked Mayor Cordova for the nice welcome and opening. Councilor Gallegos also attended the Payroll Workshop on 4/13/2017. On 4/15/2017 he attended an Easter egg hunt for the Valencia County Fair Board where hundreds of children with their families attended. There was also a dance for the teens that night. Councilor Gallegos stated the City of Belen had a spring cleanup and saw two of the three dumpsters filled by Saturday afternoon with citizens still bringing waste. He stated the city needs to continue to do that and stated maybe advertising in the paper would help spread the word. Councilor Gallegos stated the special event mix-up was during Little League with a parade planned. He stated there are two special events forms being used and a note was made regarding a permit needed from the state.

Councilor Aragon also attended the New Mexico Municipal League. She attended the Greater Belen Chamber of Commerce at the Library. Councilor Aragon stated the Chamber has been trying to get the word out about Main Street and they have giveaways that explain what Main Street is so people start understanding. She stated a group from the chamber cleaned El Corazon de Belen Park and stated a fourth grade class will be planting and painting the boxes on 4/23/2017. Councilor Aragon agreed with Pete Armstrong and stated the city cannot afford to lose trees.

Mayor Cordova had a meeting on 4/7/2017 with staff regarding the budget and stated that will be ready to be presented to the council next week. He was also at the Municipal League Meeting for the introduction. On 4/13/2017, he attended the council workshop and hopes a few things were cleared up on the fire station which is a critical issue. Right after that meeting, Mayor Cordova had a meeting with Medical Advocacy who have been pushing for the micro-hospital and told them it is up to the county commission to act and put a plan together.

#### **EXECUTIVE SESSION**

#### **EXECUTIVE SESSION FOR THE DISCUSSION OF ONGOING LITIGATION, IN REFERENCE TO THE HOSPITAL, AS ALLOWED PER THE OPEN MEETINGS ACT SECTION 10-15-1(H-7)**

Mayor Cordova asked for a motion to enter into executive session. Councilor Gallegos made a motion. Mayor Cordova asked for a second. Councilor Ortega seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

Mayor Cordova asked for a motion to re-enter an open meeting from a closed meeting. Councilor Carter made a motion. Mayor Cordova asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes
Councilor Darleen Aragon	Yes
Councilor Wayne Gallegos	Yes

Councilor David Carter            Yes    Motion Carried

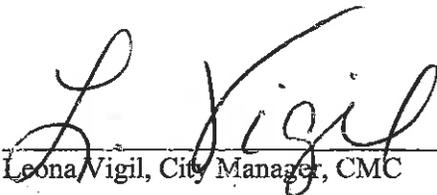
Mayor Cordova asked for an attestation that discussion was limited to the ongoing litigation in reference to the hospital as allowed per the Open Meetings Act Section 10-15-1(H-7). Councilor Aragon made a motion. Mayor Cordova asked for a second. Councilor Gallegos seconded the motion. Roll Call Vote:

Councilor Frank Ortega            Yes  
Councilor Darleen Aragon        Yes  
Councilor Wayne Gallegos        Yes  
Councilor David Carter            Yes    Motion Carried

**ADJOURNMENT:**

Mayor Cordova asked for a motion to adjourn tonight's Regular Council Meeting. Councilor Gallegos made a motion to adjourn. Councilor Aragon seconded the motion. Roll Call Vote:

Councilor Frank Ortega            Yes  
Councilor Darleen Aragon        Yes  
Councilor Wayne Gallegos        Yes  
Councilor David Carter            Yes    Motion Carried

  
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Leona Vigil, City Manager, CMC

  
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Jerah Cordova, Mayor