

REGULAR CITY COUNCIL MEETING

April 18, 2016

6:00 P.M.

Mayor Pro-Tem Darleen Aragon called the Regular Meeting of the Belen City Council to order at 6:00 P.M. Roll call taken by Leona Vigil, Interim City Manager/City Clerk.

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

ABSENT: Mayor Jerah Cordova

**INTERIM
CITY MANAGER/
CITY CLERK:** Leona Vigil, CMC

REPORTER: Clara Garcia, VC News Bulletin

OTHERS: See attached sign-in sheet

PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Darleen Aragon led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Pro-Tem Darleen Aragon asked for a motion to approve the agenda. Councilor Frank Ortega motioned to approve the agenda. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

APPROVAL OF MINUTES

Mayor Pro-Tem Darleen Aragon asked for an approval of the minutes dated March 7, 2016. Councilor Wayne Gallegos motioned to approve the minutes dated March 7, 2016. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

Mayor Pro-Tem Darleen Aragon asked for an approval of the minutes dated April 4, 2016. Councilor Frank Ortega motioned to approve the minutes dated April 4, 2016. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

Councilor David Carter	Yes
Councilor Darleen Aragon	Yes
Councilor Frank Ortega	Yes

Councilor Wayne Gallegos Yes Motion Carries

PUBLIC COMMENT 3 MINUTE PRESENTATIONS: Mayor Pro-Tem Darlene Aragon asked if there was anyone with a public comment.

Holly Chavez and her daughter Noelle Chavez approached the podium. Mrs. Chavez, H2 Academic Solutions, a local business, stated that she was concerned because last week there was a bomb threat, and a stranger running at large at the Belen Middle School. Her concern is that as a business in the community where children are present they had no idea this was going on. She wanted to know if there was a way that that the schools, the police department and the city could provide some kind of notification to businesses and residents in these situations, similar to the “Amber Alert”. Mayor Pro-Tem Darleen Aragon stated that we would look into it.

Dale Sonnenburg a resident of the city expressed his concerns regarding two residents on South Main that are in violation of the zoning ordinances. He stated there are several junked cars, boats and trash. He feels that that is a deterrent to new businesses coming in. He stated that he had previously reported the situation and felt that nothing had been done. He said that the residents were trying to camouflage the problem by placing netting along the fence lines. Councilor Wayne Gallegos thanked him for coming in and voicing his concerns, he informed him that one of the residents had already been contacted, and had been given 30 days to clear up the property. He assured him that the other resident would be contacted immediately. He asked Mr. Sonnenberg to leave his telephone number with Interim City Manager Leona Vigil.

PRESENTATIONS

City Project Up Dates: Interim City Manager, Leona Vigil addressed the Mayor Pro-Tem and Council. She stated that her main goal was to ensure that all ongoing projects were being addressed. She mentioned that she and Councilor Frank Orgeta had review the list prior to the meeting, and they felt confident that every item was being addressed. The council reviewed the project list.

HR Director, Lorenzo Carrillo addressed the Mayor Pro-Tem and council and informed them that 3 new hires had been added to the Street Dept. He also mentioned that there would be additional funding for the Summer Youth Program which will allow an additional 2 weeks in June and July and employ 4 additional youths per session. He stated that an informational flyer would be sent out to all the Departments to provide them an opportunity to request some summer help. The help can be for office work, painting, planting flowers, city beautification, etc.

Leona Vigil stated that the public hearings regarding the sidewalks are scheduled for May 6, 2016.

The LED sign is ready to be picked up. Discussion was held regarding the steps needed to install, to operate it, and the costs involved. Councilor Wayne Gallegos requested that staff look into the details, that there was an agreement in place, and it was understood that it would be regulated by Department of Health. He stressed the importance of ironing out the details, to include grant money available, who would incur the costs, etc. before we move forward. John Best reported that the clock would be removed. Steve Ethridge recommended that it would be best placed at the Harvey House, because of its historical value.

The VA Memorial was discussed. We have received \$70,000 Capital Outlay Funds. Mr. Gene Green has a preliminary model of the memorial, we will be coordinating with a local architect Jim Rindi. The money will be available late summer. Ms. Vigil was directed to schedule a meeting in order to move forward.

Councilor Wayne Gallegos discussed the status of the Martha Jean infrastructure. He addressed Mr. Jaramillo, who was in attendance, and advised him that we had submitted a grant application for well # 5. We will know by mid May if the application was approved. Mr. Jaramillo, thanked Mr. Gallegos and requested that he be notified if approved. Councilor David Carter commented on the importance of this project, and agreed that if the application is approved the monies could be moved to the Martha Jean project.

Leona Vigil thanked the Mayor Pro-Tem and council for their guidance.

DISCUSSION WITH POSSIBLE ACTION

Approval or Disapproval of the Mid West NM Community Action Program Grantee Board 2 year Appointment: Jaime Diaz

Jaime Diaz addressed the Mayor Pro-Tem and Council, he thanked them for their past participation and requested an extension to the existing appointee to the NMCAP grantee board. He stated that the current appointee, Joe Saiz was doing a great job in representing the City of Belen. He is compassionate, kind and community driven. He provides pertinent information and always has the City's best interest at heart. He was previously given a one yr appointment; Mr. Diaz is now requesting a 2 yr. term. Mr. Diaz mentioned that meetings are currently held quarterly on Saturday mornings.

Mayor Pro-Tem Darleen Aragon asked for a motion to approve the Appointment . Councilor Wayne Gallegos motioned to approve the appointment. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

Approval or Disapproval of the Speed Hump Resolution

Approval or Disapproval of the Resolution to install speed humps on Vivian Road: Frank Ortega, Councilor

Councilor Frank Ortega reported that he had received several requests from the community regarding the need for speed humps on Vivian Rd because of safety issues for Little League Families and children (excessive speed). The existing ordinance allows for an exception to the established policy when health and safety factors are a concern. Upon review, a resolution citing the allowable exemption 10-20-40 a. was drafted and presented for approval. The Resolution was read.

Councilor Wayne Gallegos commented that the existing ordinance regarding Speed humps is still in effect. He mentioned that in the past, there were some other areas that had been administratively approved, he stated that he was more comfortable with the process introduced by Ms. Vigil, where sites are approved by resolution, as it promotes public awareness. He commended Councilor Frank Ortega and Interim City Manager, Leona Vigil for researching and drafting the resolution. He stated that by incorporating the resolution process, there are no surprises. Little League President, Jaime Diaz commented that there are over 300 children (30 teams) that play Monday through Saturday. He stated that there is no longer access to the baseball fields off of Vivian, people are still parking there and crossing the street to get to the park. He commented that safety is critical and is in favor of the speed humps. Mayor Pro-Tem Darleen Aragon asked

about the cost of installing the speed humps, and questioned if the Police & Fire Departments had been included in the discussions, wondering if the speed humps would impede safety, she also questioned if the property owners had received proper notification. Ms. Vigil interjected that she had spoke with Dale Tafoya and he quoted her a price of \$6,700 for both speed humps. The funding would come out of the Street Department Maintenance. Mayor Pro-Tem Darleen Aragon asked about the need for street signs and asked if painting was required indicating the presence of speed humps. Ms. Vigil indicated that Public Works Department staff would paint the humps. Councilor Frank Ortega commented on the need to repair or replace the chain link fence, and the installation of walk in gates, apparently people are parking on private property to access the fields. Mr. Diaz indicated that there is approximately \$400,000 in grant money available to make the entrance ADA accessible and to repair or replace some fencing. Councilor David Carter suggested that a meeting be schedule between the City, Mr. Diaz and other key members to create a Master Plan and review all the issues, repairs, replacements, gates and available funding. Acting Police Chief Robert Miller was asked if they had received complaints regarding speeders in the area. He was not aware of any reports, but said that he would run mobile radar checks and report back. Mr. Miller stated that ultimately the safety of the children was crucial and should be addressed accordingly. As far as the speed humps impeding response time, he stated that officers would be aware of the speed humps they could utilize alternate routes. Councilor David Carter indicated that he had reviewed the copy of the Ordinance outlining the process and was comfortable with the exemption granting authority to the council, he was also pleased with the resolution process. Councilor Wayne Gallegos stated that if the speed humps are put in place correctly there should be no issues. He said he would look into the city owned property west of Vivian Fields to address some of the parking issues. A copy of the Resolution is attached hereto and made an integral part of these minutes by reference.

Mayor Pro-Tem Darleen Aragon asked for an approval of the resolution. Councilor Frank Ortega motioned to approve the resolution . Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

Approval or Disapproval of the Resolution to close off a portion of the alleyway south of the Police Department: Steve Tomita, P & E Director

Steve Tomita addressed the Mayor Pro-Tem and Council. He reiterated that former Police Chief Dan Robb had requested that this alley be closed between 6th Street and Main on the South side of the Police Department Building, and behind City Hall thus providing security to the police dept. He stated that this issue had been discussed in detail by the Planning & Zoning Commission, he said that a public hearing had been held on March 14, 2016. The Department of Health submitted a letter supporting the closure. P&Z had expressed some concerns regarding the shut down because of the significant impact it would have on current traffic flow. They also had concerns about alley availability during special events, since it is sometimes used as an alternate route. They mentioned the impact it will have on City Hall's parking, as DOH will be utilizing this area. Again the safety concern of exiting onto Main Street was discussed. Acting Police Chief Robert Miller mentioned that the safety of the Police Officers and the Police Departments equipment was crucial. He stated that this action would not eliminate the risks faced by police officers nationwide, but it would minimize it substantially. Councilor Wayne Gallegos stated that the bottom line was the safety of the police officers, and felt that there was enough support in favor of the closure, and reiterated that the closure would constitute fencing in the Police Department and using free flowing gates to allow controlled accessibility as needed. He also asked about the funding, Roseann Peralta, Finance Manager, stated that it would come out of the police dept. building maintenance budget. A copy of the resolution is attached hereto and made an integral part of these minutes by reference.

Mayor Pro-Tem Darleen Aragon asked for an approval of the Resolution. Councilor Wayne Gallegos motioned to approve the award. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

Approval or Disapproval of the out-of-state travel for Steve Tomita, Planning & Economic Development Director: Steve Tomita, P& E Director

Steve Tomita addressed the Mayor Pro-Tem and council . He stated that he was requesting out of state travel to attend a conference in Chicago. He mentioned that he had budgeted some funds for Economic Development training. He also mentioned that he was very pleased that the current P&Z Commissioners have expressed an interest in attending training. They will all be attending a NMMLP&Z training in Las Cruces, New Mexico May 4-6, 2016. He had planned on attending training with the New Mexico Partnership. He met with NM Partnership and mutually decided to attend the training in Chicago. The training dates are May 16-19, 2016. The itinerary is still being developed and will be provided upon completion. Mayor Pro-Tem Darleen Aragon commented that training is very important. Councilor Wayne Gallegos agreed. He suggested that Steve Tomita provide a follow up/summary of the training. A copy of the Preliminary Agenda is attached hereto and made an integral part of these minutes by reference. Steve Tomita thanked the Board.

Mayor Pro-Tem Darleen Aragon asked for an approval of the out of state travel. Mayor Pro-Tem Darleen Aragon motioned to approve the award. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

Discussion

Greater Belen Economic Development Corporation Donation, Steve Tomita

The Greater Belen Economic Development Corporation dis-banned last year. The Corporation donated \$26,000 to the City of Belen, as per NinoTrujillo, the intent was for that money to be used for landscaping at the I-25 interchange off ramps. A letter was drafted by Steve Tomita indicating the amount of the donation and the intended use for it. The letter was never executed. The donation was brought to light when discussions were being held as to what the money could be used for. Discussion was held, and it was determined that the money had been earmarked for a specific project and that was the only allowable use. Councilor Wayne Gallegos thanked Interim City Manager Leona Vigil for addressing this issue. He stated that a policy needed to be put in place outlining the process of accepting and disbursing donations. Leona Vigil stated that there was an ordinance in place, and she would review it and create a policy to ensure the process.

INFORMATIONAL ITEMS

City Manager's Report

Interim City Manager Leona Vigil addressed the Mayor Pro-Tem and Council.

She informed them that she would be attending the New Mexico Municipal League Spring Training April 20-22, 2016 in Albuquerque.

She reported on the successful DCE Sewer line Extension meeting. She stated that all the key players were at the table and open discussion was beneficial to everyone present.

She thanked Berta Flores for the outstanding RSVP Luncheon. She mentioned that there are over 200 volunteers and they all look forward to this one day. The food, the decorations, the atmosphere was all great. She mentioned that Robert Uecker, Airport Manager had submitted his letter of intent to retire effective May 30, 2016.

She said she met with the Attorneys, Charles Rennick and Renee Barela-Gutierrez on April 11, 2016 to transfer records and files. She has provided a list of files to Mayor and Council (under separate cover)

COMMUNICATION FROM CITY COUNCIL

Councilor David Carter: Reported that he was very pleased to have had the opportunity to observe a “Point of Distribution” exercise conducted by Valencia County Emergency Management Agency. This was held on April 8, 2016. Belen High School is the distribution point in the event of an emergency.

He thanked the officers that handled the bomb threat at the Belen Middle School on April 12, 2016. He commended their expertise. They cleared the Middle School and got all the students over to the gym safely.

He commended Councilor Frank Ortega for the great job on presenting the information at the DCE Sewer Line Extension Forum. He stated that all entities were represented. He commented that it was a great meeting.

He said that he had enjoyed the RSVP luncheon.

He thanked Acting Police Chief Robert Miller for his outreach efforts. He had received positive comments from schools, businesses and the community.

Councilor Wayne Gallegos: Reported that he, Fire Chief Manny Garcia and Gloria Sanchez had attended the first 9/11 Memorial Planning Meeting on April 7, 2016. He stated that a second meeting was forthcoming. They are planning the event for a Sunday afternoon. They still need to discuss several issues. A follow up meeting will be scheduled more information will follow.

He said that on April 11, 2016 he had met with some citizen regarding abandoned houses and excessive traffic activity in a certain neighborhood. He has subsequently reported the situation to Interim City Manager and to the Police Dept. and will be following up on it this week.

He was pleased to hear from a local business owner who wanted to inform him that Acting Police Chief Miller had stopped by to visit with him and provided an opportunity to discuss any issues. Upon further discussion it was apparent that Chief Miller had been visiting several business owners. Councilor Gallegos commended Chief Miller, saying this was a very positive approach.

The Our Lady of Belen Fiestas held their first meeting on April 13, 2016. He stated that these fiestas have a huge impact on the City. The Fiestas are scheduled for Aug.

He reported that on Apr 14 He, Roseann Peralta and Officer Portillo had attended a “Dispatch” meeting sponsored by Valencia County. He mentioned that there are several issues that will affect the City of Belen. He mentioned that the voting members of this board are outdated. He advised Interim City Manager Leona Vigil and Acting Police Chief Robert Miller that they would be considered the voting members, until the positions are filled. Ms. Shirley Valdez was invited to attend the May 2, 2016 Council Meeting and present an update.

He was very pleased with the RSVP Appreciation Luncheon. He was pleased to see representatives from the State Senior Corp who oversees the RSVP programs. It was well attended. RSVP is a countywide program but City of Belen is the fiscal agent.

Councilor Frank Ortega: Reported: DCE sewer line meeting was a great success. He was impressed with the attendance which included Valencia County Manager, Belen Schools Superintendent, 2 School board members, DOT, City Staff, and Molzen Corbin. He directed Interim City Manager Leona Vigil to prepare an MOA between the City of Belen and the Belen Schools. Ms. Vigil stated that the MOA had been drafted and presented to the Belen School. He said he is expecting ground breaking either in October or November.

He also commented that the RSVP Luncheon was a great success.

Councilor Darleen Aragon: Reported that she did not have a lot to report as she attended her Continuing Education Class requirements.

She regretted not being able to attend the RSVP Luncheon.

She attended the Economic Development meeting on April 13, 2016.

She attended the Ladies Pilot Club Luncheon held at the Holiday Inn Express on Saturday April 16. This group is comprised of ladies from throughout the Unites States. She presented them with a gift basket from the Belen Main Street Partnership. She also provided Rhona Baca from the Belen Chamber of Commerce with a gift basket for a door prize.

EXECUTIVE SESSION

An executive session to discuss threatened litigation in reference to sewer damage on private property, as allowed per the Open Meetings Act; 10-15-1 (H-7). And Personnel Matters regarding the investigation of complaints by an individual, as allowed per the Open Meetings Act; 10-15-1 (H-2).

Mayor Pro-Tem Darleen Aragon asked for a motion to enter into executive session. Councilor Wayne Gallegos so moved. Mayor Pro-Tem Darleen Aragon asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

Mayor Pro-Tem Darleen Aragon asked for a motion to re-enter into an open meeting from a closed meeting. Councilor Frank Ortega, so moved. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

Mayor Pro-Tem Darleen Aragon asked for attestation that discussion was limited to discussions of threatened litigation in reference to sewer damage on private property as allowed by the Open Meetings Act along with and Personnel Matters regarding the investigation of complaints by an individual, as allowed by the Open Meetings Act and no action was taken. Councilor Wayne Gallegos so moved. Councilor David Carter seconds the motion. Roll Call Vote:

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

ADJOURNMENT:

Mayor Pro-Tem Darleen Aragon asked for a motion to adjourn tonight's Regular City Council Meeting. Councilor David Carter motioned to adjourn. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

/s/ _____
Darleen Aragon, Mayor Pro-Tem

/s/ _____
Leona Vigil, City Clerk, CMC