

**REGULAR CITY COUNCIL MEETING**

**October 20, 2014**

**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 Clerk.

**PRESENT:** Councilor Frank Ortega  
Mayor Jerah Cordova  
Councilor Darleen Aragon  
Councilor Wayne Gallegos

**ABSENT:** Councilor David Carter

**CITY MANAGER:** Jay Ruybalid

**CITY CLERK:** Leona Vigil

**CITY STAFF:** See Attached Sign-In Sheet

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

**OTHERS:** See Attached sign-In sheet

**PLEDGE OF ALLEGIANCE:**

Mayor Jerah Cordova led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor Cordova asked to remove 8(f) from the Agenda, and he asked if there were any questions or comments. There were no questions or comments on the Agenda. Mayor Cordova then asked for a motion. Councilor Wayne Gallegos moved to approve. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

**APPROVAL OF MINUTES**

**APPROVAL OF THE MINUTES DATED OCTOBER 6, 2014**

Mayor Cordova asked for a motion to approve the minutes dated October 6, 2014. Councilor Wayne Gallegos moved to accept the Minutes of October 6, 2014. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

**PUBLIC COMMENTS**

**David Mintz:** He was there in reference to the rundown properties located at 1212 and 1212 ½ Reinken Ave. He claims that the citations that P & Z sent the owner were not valid, because the individual is deceased. Mr. Mintz took some pictures of the property and claims it is still in violation of the property code. He feels he is

being discriminated against by Lisa Miller. He strongly suggested that the Council take corrective action on Lisa Miller, and he does not want retaliation against him.

**Tom Greer:** He wanted to go on record as an Economic Development and Tourism Specialist in Belen. He reported that he is working very hard to get visitors here from the Rail Runner and off the highway connectors. He expressed that he is very concerned with the relationship between the Model Railroad Club and the Harvey House. He claims it is a potentially strong tourist stop for younger people. He wants to make sure that no decision be made until “all” of us are engaged in that process because it’s housed in a City building.

**Ronnie Torres:** He reported that the Bugg Lights are about 50% complete and at times he has up to ten volunteers a day. He then read a provision in the City’s Personnel Policy regarding the City of Belen zero tolerance policy in the workplace. He read this in reference to what is going on between the Model Rail Road Club and the Harvey House.

**Stephanie Eagle:** She wanted to thank the City for the Recycling Program. She also wanted to thank the City for cardboard pick up from the public schools.

**Mark Rosenblum:** He stressed the importance of the 2014 Library GO Bond B. The Bond will support Library financing for several public libraries. He urged the public to talk to everyone they know and make sure that they vote for this issue.

**Jim Randy:** He is a member of the MainStreet Partnership. He stated that in reference to the Railroad issue, violence should not be tolerated. He requested that the City focus on the *individuals* that are the problem, because we don’t want to lose the other interest in developing this town.

**Deanna Montoya:** She is the owner of Extreme Fitness. She has been in business for 6 years and for years she has been competing with the Recreation Center. She wants to involve the City of Belen and the town of Belen in a weight loss challenge. She informed the Council that half of the money from the challenge would be for prizes and half the money would be donated to the City. She is asking if the City would be able to donate the Recreation Center for weigh-ins, and then she can do a workout with the clients.

**Julie Cervantes:** She is the new Librarian at the Belen Public Library. She reminded everyone that the Harvey House is now a part of the Belen public Library. She reported that it is in line with their mission and the mission of the Harvey House to continue to provide information of the history of Belen, the history of the Railroad in Belen, and to provide services that the people of Belen are looking for. She feels that it is appropriate and needed to expand into the Harvey House and provide exhibits that are relevant and historical and preserve the integrity of the Harvey House.

**Mike Moreno:** He wanted to address the Harvey House issue. For him, the importance that has come out of this is the City valuing its buildings especial that building which is a state historical site. He values what the Railroad Club has done. He stated that “we” need to look at what we are charging for people to be in that building.

**Lauren Zabicki:** She is here in support of Deanna’s Weight Loss Challenge. She is hoping that the City would help promote get the City healthy.

## **PRESENTATION**

### **INTRODUCTION OF NEW HIRES: DEPARTMENT HEADS**

**Leona Vigil,** City Clerk introduced **Julie Cervantes,** the new Belen Public Librarian. Julie is originally from Illinois. She has 5 sisters and 3 brothers. She holds a BA in Political Science, MA in Organizational

Management, ABD in Adult Education and was accepted into the MLIS Program at San Jose State. She has 10 years in management, 7 years in adult education, and 1 year of library experience. She has flown a plane, rebuilt a Mercedes, and walked the Appalachian Trail.

**Police Chief Dan Robb** introduced Officer **Jerome Cordova**. Jerome began working with the City of Belen on June 31<sup>st</sup>; he came from T or C as a certified officer. Chief Robb then introduced **Kari Falardeau** who is the new Code Enforcement Officer. She began working two weeks ago today and has a background in Real Estate. Chief Robb stated that Kari has already addressed a number of problem properties in the community.

**Fire Chief Manny Garcia** introduced **Justin Thomas**; he began at the Belen Fire Department as a volunteer in 2011. Justin is now a career member as a Certified Firefighter I and an EMT. **Jeremy Olivas** started in 2012 through the CNM Program; he is a Certified Firefighter I and an EMT-B. **Gary Trujillo** started in the early part of this year from Valencia County; he was a volunteer at Station I, from Rio Communities. Gary is a Firefighter II and EMT Basic.

### **BATTLE OF THE BADGES: MONICA HERRERA, UNITED BLOOD SERVICES**

Monica Herrera works for United Blood Services. She informed the public that they are the only blood collector and provider in the State of New Mexico. She was there to celebrate and thank the City of Belen for a successful *Battle of the Badges* they recently had. She explained the battle is friendly competition between the fire and law departments. Individuals go to donate blood, they vote for either law or fire. She asked Police Chief Dan Robb to present Chief Manny Garcia with the Traveling Trophy. The next drive will be at the Fire Station on Saturday, November 8, 2014. Chief Garcia will send notice to the public. Monica stressed the importance of donating blood. She asked everyone to give the ultimate gift; "Give the Gift of Life".

### **PUBLIC WORKS DEPARTMENT UPDATE: DALE TAFOYA**

Dale went over his Public Works Department Report. A copy of the report is attached hereto and made an integral part of these minutes by reference. The Mayor and Council thanked Dale and his crews for all his work.

### **DISCUSSION WITH POSSIBLE ACTION**

#### **APPROVAL OR DISAPPROVAL OF THE MOU BETWEEN THE CITY OF BELEN AND RIO COMMUNITIES FOR ANIMAL CONTROL SERVICES: WAYNE GALLEGOS, COUNCILOR**

Councilor Gallegos informed the public that this MOU was discussed at the last Council Meeting; a copy of which is attached hereto and made an integral part of these minutes by reference. At that meeting a few changes were requested; those changes have been made by the City Attorney. Councilor Gallegos stressed this is for emergency purposes ONLY. Councilor Gallegos stated that the calls will be handled through Rio Communities. Police Chief Robb informed the public that there are details that still need to be worked out with Rio Communities. Chief Robb stated that 911 calls are going to have to be worked out in more detail. Lisa Miller, P & Z who is in charge of GIS had concerns with dispatch. Lisa informed the Council that dispatch does not have the Rio Communities boundaries yet. Councilor Gallegos replied that is why we are going to accept the calls from Rio Communities. Lisa had concerns with nights and weekends. Councilor Ortega confirmed that the calls for service will be charged at \$32.50 and there is a two day call limit. Jay went over the revisions of the contract; either party has the right to reject the agreement, Belen calls takes precedence, procedure to resolve billing disputes, non-payments-termination of agreement and shared liability. Mary Lee Serna, Rio Communities Councilor stated that their Municipal Clerk will be making the calls to dispatch. Councilor Serna reported that their Boundary Maps are filed with the County. She also mentioned if Belen needed a map, they would supply one. Mayor Cordova stated that this Agreement is different than the last agreement. The Mayor stated that the Agreement now provides more detail and more assurances. He also pointed out that the agreement now increases the level of service that will be provided to Rio Communities. Mayor Cordova explained in the prior Agreement it was stipulated for emergencies; this agreement states

regular service Tuesday through Saturday 8 to 4. Neither Council Representatives were aware of that change. Councilor Gallegos believes the intent was to let people know when regular service is ran for animal control. Mayor Cordova stated that in section 2, under scope of service, item (A) states Belen shall provide regular and emergency animal control service. The Mayor’s recommendation is to strike out regular and combine i and ii for lack of confusion. Mayor Cordova asked if the charge for service included administration processing costs and insurance fees that the City is required to carry. Councilor Gallegos answered that the fee includes the benefits for the officer, but no administration fees. Mayor Cordova would like to see cost sharing for insurance, because the City is increasing its liability by providing service outside municipal limits. Rio Communities City Councilor Stasi informed the Council that he spoke with their attorney, and he explained to Councilor Stasi that if anything happens in Rio Communities, Rio Communities is liable, and Belen is responsible for Belen. Mayor Cordova and Rio Communities Councilor Serna agreed that the agreement should reflect that statement. Chief Dan Robb advised the Council that he spoke with the City’s Insurance Agent, and they stated that the insurance fees will not go up. Chief Robb informed the Council that the insurance rate goes by how many officers the department has not by area. Steve Tomita suggested Rio Communities list the City of Belen on their insurance. Mayor Cordova advised the two Councilors from Rio Communities that the agreement needs a little more work. Mayor Cordova asked the Councilors from Rio Communities if their attorney is still Marcus Rael. Councilor Stasi answered yes. Mayor Cordova stated he would like for everyone to be cautious about conflict of interest, because Robles, Rael and Anya also represents the City of Belen. Mayor Cordova suggested wrapping up this issue and in the future one of the entities will need to have a different attorney.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos asked to table the MOU. Mayor Jerah stated he has a motion and asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

The Rio Communities Councilors asked for a copy of the MOU which they had not received, and they would also like the MOU with the revisions before the next Council Meeting.

**APPROVAL OR DISAPPROVAL OF THE BELEN SENIOR CENTER UTILITY COST SHARING AGREEMENT: JOSE CAMPOS**

A copy of the proposed agreement between the City of Belen and Valencia County is attached hereto and made an integral part of these minutes by reference. Councilor Gallegos informed the public that when cut backs happen a few years ago at the City, the City had to cut back on several departments including the Senior Center. The City moved their employees out of the Senior Center building, and stopped the cost sharing for utilities. Councilor Gallegos would like for the City to do what it can do for its senior population. Councilor Gallegos advised the Council that Roseann, Finance Director, is aware of this proposal and money was budgeted for this. Councilor Wayne Gallegos introduced Jose Campos the Director of the Senior Center. Mr. Campos started off by thanking the City of Belen for their support. Mr. Campos reported that there has been a large increase in individuals utilizing the Senior Center and with the Baby Boomers about to retire he is anticipating a much larger increase. The Center will serve approximately 140,000 meals, right now they are at a 38% increase from last year. He reported that the cost of food has gone up significantly, and support from the City for utilities would help them continue feeding our seniors. Councilor Gallegos reported that the agreement indicates that the County will pick up 75% of the costs and the City will pay 25% of utilities included in the agreement. The Senior Center will bill the City quarterly. Mayor Cordova clarified that the cost would be approximately 7 to 8 thousand annually. Roseann asked if the Agreement can have a cap at \$8,000. Jose Campos and the Council agreed to the cap.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos made a motion to approve the Senior Center Utility Cost Sharing Agreement with a cap of 8,000 per year. Mayor Cordova asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

Jose Campos will have their attorney make the change to the agreement and take the Agreement to the County. Jose Campos asked the public to support GO Bond A for Senior Centers.

**APPROVAL OR DISAPPROVAL OF THE PROPOSED DEMOLITION RESOLUTIONS: LISA MILLER, P & Z**

Lisa proposed a couple of resolutions for the demolition of dilapidated building. The first resolution was for the demolition of 701 N. Fifth Street. The second resolution is for the demolition of 312 S. Third Street. She reported that the due process has been completed on both properties. Councilor Gallegos asked if the funding was available. Lisa answered that there is enough money for at least one, depending on the cost; she may be able to do both of them. Mayor Cordova asked for an update on the last resolutions that were passed for demolition. Lisa informed the Council that the home on 124 S. Tenth St. has been demolished, and the owner of 925 Cavalier wants to have her grandson take down the house. She advised the Council that she gave the owner a time limit.

Mayor Jerah Cordova asked for a motion. Councilor Frank Ortega motioned to approve the resolutions as presented. Mayor Jerah Cordova asked for a second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

**APPROVAL OR DISAPPROVAL OF THE ECONOMIC DEVELOPMENT COMMITTEE BOARD MEMBERS: STEVE TOMITA, P & Z DIRECTOR**

Steve Tomita advised the Council that the Economic Development Committee Board is set by the Mayor appointing the majority of the Board. The Council has already appointed two members of the Board, Robert Noblin and Joaquin Sisneros. Mayor Jerah Cordova nominated Paul Baca as the third member of the Board. Mayor Cordova informed the Council that those members will be responsible for adding two more members to the Board.

Mayor Jerah Cordova asked for a motion. Councilor Darleen Aragon motion to approve Paul Baca as a member of the Economic Development Committee. Mayor Jerah Cordova asked for a second. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

**APPROVAL OR DISAPPROVAL OF REPEALING RESOLUTION NO. 2014-14 ADOPTED BY THE CITY COUNCIL ON AUGUST 18, 2014; CANCELLING A SPECIAL GENERAL OBLIGATION BOND ELECTION TO BE HELD ON NOVEMBER 4, 2014; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH: LEONA VIGIL, CITY CLERK**

Leona Vigil is seeking approval of the resolution to repeal resolution No. 2014-14 as stated above. Leona advised the public that the question was not able to be placed on the general election ballot due to the lack of experience, because this is a fairly new process.

Mayor Jerah Cordova asked for a motion. Councilor Frank Ortega motioned to approve. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

Fire Chief Manny Garcia is very disappointed that this did not happen, but he is hoping when the time is right the Council will continue to support him.

**APPROVAL OR DISAPPROVAL OF THE RECORDS DESTRUCTION RESOLUTION: LEONA VIGIL, CITY CLERK**

Leona informed the Council that a destruction of records has not taken place in some time. She and Valene have worked on the project together. The first phase is to destroy records that are in compliance with the Records Retention Schedule to create room. Secondly they will scan all contracts and place them in the new Document Management Program. Leona asked for approval of the Destruction Resolution.

Mayor Jerah Cordova asked for a motion. Councilor Frank Ortega moved approval of the Resolution. Mayor Jerah Cordova asked for a second. Councilor Wayne Gallegos seconds the motion.

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

**DISCUSSION**

**SUNRISE BLUFFS WATER AND SEWER MAINTENANCE: JERAH CORDOVA, MAYOR**

Mayor Cordova advised the Council that they have two agreements that outline the responsibility of the City in reference to Sunrise Bluffs in their packets; a copy of which is attached hereto and made an integral part of these minutes by reference. Mayor Cordova pointed out that the agreements do not allow for the City to provide any maintenance of water and sewer infrastructure within the community. He went on to say with those agreements in place, Ron Brown, the developer of Sunrise Bluffs at the time, would be able to develop independently of the City and independent of any costs to the City. As Sunrise Bluffs continues to grow, the Community would like the City to consider providing assistance with their maintenance of water and sewer infrastructure. Bob Pruitt, President of the Sunrise Bluffs Association, informed the Council that Sunrise Bluffs is a gated community with home owner owned units for residents 55 plus. Mr. Pruitt informed the Council that every unit has its own water meter and residents pay their water bills to the City. Councilor Gallegos asked what utilities are the residents in that area are paying for. Pamela Reeds, resident of Sunrise Bluffs, informed the Council that she pays for water, sewer, and garbage, along with other maintenance fees. Councilor Gallegos reported that there is a master meter to the Community as well, but it is not being used because individuals have their own meters. Steve Tomita recommended the utilities be inspected to see if they are up to City standards. Councilor Gallegos asked Dale Tafoya, Public Works Director, if the City or an Engineer would be able to inspect the water and sewer in that area. Dale recommended hiring someone to camera the lines in that area. Dale informed the Council that the water lines are not in too good of shape. He stated that there was a water break in that area about a month ago, the City went to assist with the break and none of the shut off valves worked. Councilor Ortega asked if there was a main shut off going into the trailer court; Dale answered no.

Dale also reported that the lift station for that area is not up to City code. Bob Pruitt anticipated that the City would have to engineer the property and the infrastructure would have to meet the City's standards. Councilor Ortega asked about the flood control in that area. Bob informed the Council that over the years they have deteriorated somewhat and some work will need to be done. Dale reiterated that he recommends hiring a contractor. Mayor Cordova mentioned that we can handle the costs administratively and then bring it back to the Council. Councilor Ortega strongly suggested a workshop be held to discuss details.

### **INFORMATIONAL ITEMS**

**City Manager's Report:** Jay Ruybalid reported that the fencing at Gallegos Park will be completed in January by City Staff. The signs were painted at City Hall and the Library. The City's internet carrier went from Century Link to Plateau. The turn-outs were good for the Fly-In and the Business Expo this weekend. The Human Resources Manager will be out on leave until November. A MRCOG meeting will be held tomorrow; he will be attending the meeting. Terry Brunner from USDA has agreed to give a presentation on funding opportunities for community economic development on November 17, 2014. The Library Café is set to open November 1, 2014. He is currently working on revising the employee evaluation form. The Camino del Llano Ponds and the Water Tank are in the works; the tank will come before the ponds. Christopher Rd Phase II project is on-going. Another Memorial Service for Mike Esquibel will be held on Saturday, October 25, 2014 at 10:30 AM in Las Vegas. Dale's crew is focusing on sidewalks this month, next month will be potholes. Dale and his crew are going to take out the cement slab and old shade structure at the Garden Park to save money, and use the money saved on a better shade structure. Leona is still waiting on signatures on the Food Pantry Lease Agreement. Tree stumps are being removed. The Legislative Dinner is planned for November 12<sup>th</sup> at 6:30 PM to discuss the top 5 ICIP projects. Valene has talked to the attorney on selling the City properties. The sewer line break on 7<sup>th</sup> and Gilbert will be fixed within the next couple of days. He split the duties of the Risk Manager position; Hermann Madrid and Valene will split the position. He will have the attorney work on the changes to the Animal Control MOU. He expressed that he finds it difficult to listen to someone speak publically, in a derogatory fashion, about one of the staff he supervises. He mentioned that he has worked with Lisa regarding the properties mentioned in public comment, and he wanted the Council to know that the properties have improved tremendously. He wanted to stress that he supports the new librarian in her decision to not renew The Belen Model Railroad Club Agreement. Councilor Wayne Gallegos referenced the Projects Report submitted by John Best, and he asked for an update on Lorraine Court. Steve Tomita will get an update on the issue. Councilor Frank Ortega asked for an update on the Fire Hydrants; Dale answered they will be taking care of two hydrants per month. He also asked that Jay have the attorney make revisions to the Sign Ordinance.

### **CITY COUNCIL'S REPORT**

**Councilor Wayne Gallegos:** He attended the Memorial for Deborah Graham which was well attended. On the 14<sup>th</sup> he attended the MainStreet Meeting. On the 15<sup>th</sup> he attended the Older American Meeting to discuss several issues to include property maintenance and staff. He attended the Fly-In and the Business Expo on Saturday which both turned out great.

**Councilor Aragon:** She met with Nino Trujillo in regards Economic Development. She attended several Expo Meetings and Deborah Grahams Memorial. She attended the Eagle Park Fire Safety Expo which was a lot of fun. On October 14<sup>th</sup> she participated in the NM MainStreet site visit. Kinder Morgan is doing a pipe line south of Belen. She participated in the City Council Workshop. On the 17<sup>th</sup>, St. Mary's student helped with a clean up at the Corazon Park. She expressed that the Business Expo was a success. She attended the Fly-In Open House at the airport. She also attended the Harvey House train show where she received many complaints.

**Councilor Ortega:** He mentioned that the City needs to start thinking about the annual Matanza that is held at Eagle Park; Mayor Cordova mentioned there is a meeting next Monday. He thanked the Department Heads for attending the meetings, and thinks it's important to have them there. He reminded everyone to go out and vote.

**Mayor Jerah Cordova:** He and Dale have been doing ride-alongs, things are going good overall. He is excited for the parks improvements. He attended the Memorial for Debbie Graham. He attended the Mayors Caucus; they discussed the ground contamination work they are doing at Kirtland. He attended a fundraiser for kids, which was hosted by the Moose Lodge. He mentioned the NM MainStreet site visit and evaluation. He had a couple of meetings with Sunrise Bluffs to help them coordinate the effort in discussion tonight. He had meetings with Belen MainStreet discussing visions for Belen. He attended the Council Workshop that discussed the City's Web-Site and incentives. He mentioned the Airport Fly-In. He participated in monthly constituent Meetings. He also attended the Business Expo and the premier of Sunbelt Express in Santa Fe. He, Councilor Gallegos and Steve went to Santa Fe today to meet with officials in the Governor's Office and NMED in reference to the Manufacturing Company.

**ADJOURNMENT**

Mayor Jerah Cordova asked for a motion to adjourn tonight's meeting. Councilor Darleen Aragon motioned to adjourn the meeting. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

/s/ \_\_\_\_\_  
Jerah R. Cordova, Mayor

ATTEST:

/s/ \_\_\_\_\_  
Leona Vigil, City Clerk, CMC