

**REGULAR CITY COUNCIL MEETING**

**April 21, 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, Deputy Clerk.

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

**CITY MANAGER, CMC:** Mary Lucy Baca

**DEPUTY CLERK, CMC:** 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 Jerah Cordova advised the Council that staff requested an Executive Session added on to the end of the agenda, after informational items. Councilor Wayne Gallegos made a motion to accept the agenda with that amendment. Mayor Cordova added that the Executive Session is for pending or threatened litigation. Mayor Cordova asked for a second. Councilor Darleen Aragon seconds the agenda. Roll Call Vote:

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

**APPROVAL OF MINUTES**

Leona advised the Council that the minutes were not ready for action.

**PUBLIC COMMENTS:**

**Margarita Sanchez:** She informed the Council that this Wednesday is the last Criminal Justice Reform Subcommittee Meeting in Santa Fe. She handed out copies of the agenda for that meeting.

There were no more individuals with public comments; therefore, Mayor Cordova closed this section of the meeting.

**PRESENTATIONS**

**PROCLAMATION PROCLAIMING ERNESTINE B. SANCHEZ DAY (100<sup>TH</sup> BIRTHDAY): Jerah Cordova, Mayor**

Mayor Cordova read, and presented the Proclamation for Ernestine B. Sanchez Day to her children whom were present at the meeting. A copy of the proclamation is attached hereto and made an

integral part of these minutes by reference.

**NEW HIRE INTRODUCTIONS: Mary Lucy Baca, City Manager**

Mary Lucy Baca asked Chief Manny Garcia to come before the Council to introduce the new hire in his department. Chief Manny Garcia introduced Gary Trujillo who will start work the first part of May. Manny stated that Gary comes to us from Valencia County and started as volunteer firefighter with Station 1. In 2012, he was able to obtain a career position with Valencia County Emergency Services. He is a Firefighter II and has an EMT Basic. He has goals of becoming an EMT Intermediate and Fire Instructor. Gary stated that he is happy to be here and he hopes to serve the citizens of Belen to the best of his ability.

**PUBLIC HEARING**

**AMENDMENTS TO ORDINANCE 1998-17; CHAPTER 2.12, SECTION 2.12.50 "OFFICES COMBINED": Jerah Cordova, Mayor**

Mayor Cordova informed the public that the City's Municipal Code has a section that is inconsistent with state law. The section combines a number of appointed positions that by state law are supposed to be unique positions or combined in a certain way. The City is looking into rescinding that provision which would then default to state law. A copy of the proposed amended ordinance is attached hereto and made an integral part of these minutes by reference.

Mayor Cordova asked if there was anybody with public comments. Margarita Sanchez asked how many positions was anticipated, and what can the City afford after the ordinance is amended. Mayor Cordova answered that the City under state law is required to appoint three positions; police chief, city clerk and treasure. He went on to explain that the City can also opt to appoint for City Manager which the City did some time ago. The City will rescind that provision of the ordinance and create the three separate positions according to state law and from there determine how to work it into the City's budget.

There were no more public comments, and Mayor Cordova closed this Public Hearing.

**AMENDMENTS TO CHAPTER 2-1-7 OF THE MUNICIPAL CODE, "CRIMINAL CODE ORDINANCE": Steve Tomita P & Z Director**

Steve Tomita informed the Council that the amendment is due to several complaints referring to engine brakes being used within the City, predominately over by Donut King. During a recent meeting with NMDOT, it was brought up as to whether DOT would place restrictions signs along State Roads. NMDOT replied that they could not place signs unless the City had an ordinance that prohibited the use of engine brakes. He wanted comments on the amendments regarding if the City wants to do this and if so, would it be City wide. He felt that leaving the freeway out would be appropriate because of the speeds of the traffic.

Mayor Cordova advised the public that a paragraph would be added to the Criminal Code. A copy of the amendment is attached hereto and made an integral part of these minutes by reference. Councilor Carter asked if there was going to be a fine attached to this provision. Steve answered that it falls under the fines set by the Criminal Code. Councilor Carter asked if the issue should be under the noise ordinance or the traffic code. Steve answered that other municipalities have placed the issue under this same ordinance. Councilor Carter then asked who would enforce the ordinance. Steve answered code enforcement. Steve added that the nuisances are under the criminal code. Councilor Carter asked Police Chief Dan Robb for his thought. Chief Robb stated that he thinks the Police Department would have to enforce it, and in his opinion, it should be under the traffic code, because it is a traffic violation.

Mayor Cordova asked if there were any public comments or questions. Margarita Sanchez asked if companies would get notice or warnings the first time around.

There were no more concerns, and Mayor Cordova closed the Public Hearing.

### **INFORMATIONAL ITEMS**

**City Manager's Report:** A copy of the City Manager's Report is attached hereto and made an integral part of these minutes by reference. She reminded the Council about Open Enrollment for insurance purposes. She and the Mayor went to a meeting with Valencia County where they discussed working together. She had a meeting with Valencia County Planning and discussed recycling of mobile homes. She attended the Hispano Chamber Luncheon where the City of Belen was the member of the month. She met with Mr. Avalos to discuss retirement plans; he would like to have a class for City employees to teach them what to look for in retirement. She participated in the Budget Hearings which were held today. The overlay of Main Street started today; they will be down to one lane on the west side of Main Street; they will repave from Aragon to Hwy 116. A company will follow DOT to cut the manholes and meter boxes in the road.

**Councilor David Carter:** On the 9<sup>th</sup> he attended the Recreation Meeting; Belen Little League is in full swing until the middle of June. There are three hundred plus kids in the All-stars program. AYSO last game was Saturday; there were 250 kids participating. Summer Recreation will be held in conjunction with the Schools and will take place at Central School. He reminded the Council that the City provides an in-kind service to fill the School's swimming pool. He weighed in for the Weight Challenge that several City employees are participating in. He attended the Celebrate Belen Meeting they discussed National Day of Prayer which will be at Anna Becker Park on the 2<sup>nd</sup> starting at 5:30, a possible Outreach Concert in July or August, the Follow the Star Event, and a local business outreach. He participated in the Budget Hearings that took place today. He mentioned that once the budget is approved, the frame work for the City is complete.

**Councilor Frank Ortega:** He reported on the demolition taking place at Bargain Center; they are planning to rebuild. He also reported that he noticed a lot of people utilizing Anna Becker Park on Easter and Dollar Tree is now going up on Main Street. He advised the Council that he has received concerns on customer service and directed the City Manager, that whatever department we have, we need to say yes sir, no sir, please and thank you.

**Mayor Jerah Cordova:** He toured the City with Code Enforcement. He had a meeting with MainStreet and they are looking at two grant opportunities; the New Mexico COOP Grant which would be used for promotion along I25 to attract people into town using billboards and the PNM Grant \$50,000 for water tower improvements. He participated in the City Council Workshop and the meeting with the County Manager and Chairman Eaton to discuss Economic Development Opportunities. He attended the Special City Council Meeting for consideration of a City Manager. He attended the Albuquerque screening of Transcendence. He had a Constituent Meeting on Saturday and participated in the Budget Hearings today. He is looking into a tax study that would be fully funded by the GBED Corporation to take a look at our tax competitiveness to the communities around us.

**Councilor Wayne Gallegos:** He attended the Hispano Chamber Luncheon. He participated in the workshop for the elected officials to discuss which way the City is going to go. On the 16<sup>th</sup> he attended the capital outlay training in Santa Fe; the training this year was trying to meet an executive order from the Governor. On the 21<sup>st</sup> he participated in City's Budget Hearings. He reported that Valencia County Fair Board held an Easter Egg Hunt for the community.

**Councilor Darleen Aragon:** She attended the Hispano Luncheon, and she participated in the Budget Workshop today. She mentioned that volunteering is a great way to give back to the community.

### **EXECUTIVE SESSION**

Mayor Jerah Cordova asked for a motion to go into Executive Session to discuss limited pending and threatened litigation.

Councilor Wayne Gallegos made a motion to go into Executive Session for those stated. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

Mayor Jerah Cordova asked for a motion to leave the executive session and return to the open meeting. Councilor David Carter made a motion to return to the open meeting. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

Mayor Jerah Cordova asked for a motion that discussion was limited to those mentioned and no action was taken. Councilor David Carter made a motion. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

**ADJOURNMENT**

Mayor Jerah Cordova asked for a motion to adjourn tonight's meeting. Councilor David Carter motioned to adjourn the meeting. Councilor Wayne Gallegos seconds the motion.

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

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

ATTEST:

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