

**REGULAR CITY COUNCIL MEETING**

**June 16, 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 Pro-Tem David Carter  
Mayor Jerah Cordova  
Councilor Darleen Aragon

**ABSENT** Councilor Wayne Gallegos

**ACTING CITY MANAGER:**  
**CITY 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 Cordova asked for an approval of the agenda. Councilor Frank Ortega moved approval of the agenda. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

**APPROVAL OF MINUTES**  
**APPROVAL OF THE MINUTES DATED JUNE 2, 2014**  
Mayor Cordova asked for a motion to approve the minutes dated June 2, 2014. Councilor Frank Ortega motioned to approve the Minutes dated June 2nd. Councilor David Carter seconds the motion. Roll Call Vote:

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

**PUBLIC COMMENTS**  
**Judge John Chavez:** He expressed appreciation for everyone’s support on the Magistrate Court’s Open House. He informed the Council that members of his Community Service Program are focusing on the Mesa area and the court house including the public buildings around that area.

## **PRESENTATIONS**

### **SHERIFF'S POSSE SUPPORT REQUEST: LEONARD CARRILLO**

Leonard introduced himself as the Captain of the Sheriff's Posse, along beside him was Chief of the Sheriff's Posse Eddy Erving. Leonard gave a history of the Sheriff's Posse. He was at tonight's meeting to ask for in-kind services for their upcoming Rodeo to be held on August 22-24. Mayor Cordova asked Leonard to put together a list of services he is in need of and a dollar amount in which the services will cost. The Mayor added that Leonard will have to bring the list to the next Council Meeting for approval.

## **PUBLIC HEARING**

### **SMALL BREWER LICENSE WITH ON PREMISE CONSUMPTION & PACKAGE SALES: TOM GREER**

Tom Greer is the owner of the property at the Rail Runner Station, best known as the Rail Café. He has applied for a small craft brewer's license. He explained that the brewing is of the smallest scale which would be brewed in 20 gallon barrels. He will have available other craft beers from other New Mexico brewers.

The issuance of a small brewery license was being held tonight for a public hearing. Mayor Cordova asked the public if there was anyone with any questions or concerns, for or against, the small Brewery License. There were no individuals with public comment. The issue will come before the next Council Meeting for approval.

### **PROPOSED SIGN ORDINANCE AMENDMENT: FRANK ORTEGA, COUNCILOR**

Councilor Frank Ortega reminded everyone that this issue was discussed at the last Council Meeting. He is proposing a resolution to amend the current Sign Ordinance to clarify that political signs may be put up 30 days before the actual day of Election Day. A copy of the Resolution is attached hereto and made an integral part of these minutes by reference.

Mayor Cordova opened the discussion up to the public. Margarita Sanchez stated that she believe the resolution is too restrictive. She believes that people have the right to put whatever signs they want to in their private properties.

## **DISCUSSION WITH POSSIBLE ACTION**

### **APPROVAL OR DISAPPROVAL OF THE PROPOSED CDBG GRANT PROJECTS: STEVE TOMITA**

Steve Tomita put a list of possible projects to be used for a CDBG grant which would be used for infrastructure improvements. The Council was handed a list of possible projects with estimated costs to the Council; a copy of the list is attached hereto and made an integral part of these minutes by reference.

Councilor Carter stated that he would like to take some time to look over the list of projects. Councilor Carter asked what the cap is on the grant. Steve replied that the cap maximum allowed is 500,000 with the City matching 10%. Councilor Ortega suggested discussing the proposed projects in the ICIP meeting.

Margarita Sanchez was wondering if the City is looking at the parameters of the infrastructure too narrowly; because the infrastructure of this rural town is small farming.

At this time no action was taken on the issue.

### **APPROVAL OR DISAPPROVAL OF THE OUT OF STATE TRAVEL REQUEST: MANNY GARCIA, FIRE CHIEF**

Chief Manny Garcia advised the Council that he seeking approval for out of state travel to Houston to attend a Hazardous Materials Conference known as Hot Zone. He was able to obtain scholarships for the conference. The travel would come out of his Fire Protection Fund Grant, which would be at no cost to the City's General Fund. The training is for three of his Hazardous Technicians.

Mayor Cordova asked if there was a motion. Councilor Frank Ortega motioned to move. Mayor Cordova stated that there is a motion by Councilor Ortega and asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

**APPROVAL OR DISAPPROVAL OF THE UTILITY RATE INCREASE EXCLUSION: FRANK ORTEGA, COUNCILOR**

Councilor Ortega informed the Council that this issue was discussed at the last Council Meeting. He informed everyone that one of the things we wanted to do was waive the water utility bill from the automatic 5% increase that would take place now in June for \$3.25. He reported that the City has not had any major water projects and according to the City’s finances they are stabilized. The idea was to waive this increase to give some sort of relief to the City of Belen residents. Roseann addressed the Council, she was asked to get some of the basic information together. She informed the Council that based on a minimum bill of 3,000 gallons, the increase for water would be .86 cents, 1.04 for sewer and .90 cents for garbage; which comes out to 2.94. She stated if the rates do get waived, the City would lose out on \$2,580.00 a month, \$30,960.00 a year for water; wastewater would lose out on \$3,120.00 a month \$37,440.00 a year; solid waste would lose out on \$2,700 a month, \$32,400.00 for the year, a total of \$108,000.00 of enterprise funds for the year. Roseann did advise the Council that there are a lot of water wastewater projects to be completed which she has been saving for. Councilor Aragon stated, “that she would love to give money back, but we have to do the smart thing as well, because we need so much money for infrastructure”. Councilor Aragon went on to say that she doesn’t believe that \$3.25 is going to make a huge difference when the customer’s sewer collapses in front of their house. Councilor Carter had concern with collecting too much funds too fast. Councilor Carter stated that the City is in very good position, and the City is bringing in plenty of revenue. Roseann emphasized that you have to keep in mind that the revenues were built up because the City hasn’t done any projects. Mayor Cordova asked the Council to keep in mind there is the possibility of self funding projects. Councilor Ortega asked to waive the rate increase this year until actual projects start going to give the citizens some relief. Mayor Cordova agreed with Councilor Ortega that the utility bill is too high, there needs to be a comprehensive approach to lowering the utility bill. The Mayor is asking the Council to consider whether or not it is more valuable for the City to accomplish some projects or give back \$2.94 per bill per month. At this time a discussion took place between the Governing Body to see if lowering the utility rates was feasible. Margarita Sanchez came to the podium and stated that 60 % of the City’s population is elderly and everything has gone up. She went on to say that there are a lot of single people living in homes not even using the minimum water allowed but are paying a standard rate, and individuals are being charged \$50.00 reconnect fees for an employee’s time to turn a little knob. She stressed that this \$3.00 increase would mean a lot to these people who can’t afford it, which is the majority of the population. She also emphasized since the City already has reserves already in place, “don’t do the increase”. Mary Lee Serna, City Councilor for Rio Communities and property owner in Belen stressed that she appreciates Councilor Ortega wanting to waive the water rate increase, because the water in Belen is outrageous and stated that she would appreciate the Council’s consideration on waiving the water rates. Mary Lee Serna asked the Council to please look into the City’s sewer rates as well. Mayor Cordova stated that the City has a major problem with sewer rates often being higher than water rates, and that is something that needs to be tackled in the ordinance. Councilor Ortega replied that he would be happy to take that on. Councilor Ortega will also look into the utility penalties. Roseann wanted to point out that the Waste Water Plant is going to cost approximately 4.2 million for the building alone.

Mayor Cordova asked to entertain a motion. Councilor Frank Ortega motioned to accept the Resolution. Mayor Cordova stated that there is a motion to accept the Resolution by Councilor Ortega and asked for a second. Councilor David Carter seconds the motion. Roll Call Vote:

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

**PROPOSED DEMOLITION RESOLUTION: STEVE TOMITA, P & Z DIRECTOR**

Steve reminded the Council that they received a list from Lisa Miller as to all the notices that she has sent out to property owners that needed to be registered, be secured or demoed. There are two properties that are ready to be acted upon which are 124 South Tenth Street and 925 Cavalier. Councilor Carter asked Mr. Tomita if he knew the cost to demo the buildings; Steve did not know the cost at this time. Lisa Miller informed the Council that these two properties have been on the list for some time. A Notice of Order and citation have been issued to the owners of 124 South Tenth; however, they were returned undeliverable. Lisa advised that the next step is to move forward with the Resolution which will be published in the news paper and posted on the building. Lisa reported that the property located at 925 Cavalier has been empty for quite a while, and she has sent a Notice of Order a few times. The owners boarded up the property and have sought funding to take the building down themselves, but Mr. Williams has passed away, and the other individuals moved; Lisa is unable to contact them. Lisa advised, since this has been an on-going issue, she is going to order the building to be taken down. Lisa also reported that the structure on River Rd has been taken down by the owner. The structure on Aragon has been secured and the bank has been notified. The owner of 1019 Camino del Llano is obtaining estimates for the demolition of the structure on his property. Lisa stated the owners of the other buildings on the list have been sent Notice of Orders too also. Councilor Carter asked Steve where the City was with collecting the reimbursements from the other two demolitions that the City performed a while back. Steve answered that legal has advised him that the property on Fourteenth Street in imminent and legal hasn't heard anything on that property as of yet.

Mayor Cordova advised the Council that he would prefer to take action once the Council has been able to review the resolutions, since they were not in their packets. Lisa stated that she will send a copy of the resolution to the council tomorrow. At this time, no action was taken.

**DISCUSSION**

**INCREASING POLICE PATROL: DARLEEN ARAGON, COUNCILOR**

Councilor Aragon addressed an issue which has been on-going here in Belen. She stated that there seems to be an influx of gang visibility. She would love to work with the Police in partnership with the people of Belen. She stressed that we have to be vigilant, and she wants the citizens to feel safe. She proposed to set up a workshop with Chief Dan Robb. She has contacted the District Attorney to see if it was possible to set up a gang task force going. She emphasized that the public will need to supply much needed input along with the Police Department. Chief Dan Robb added that he is also looking forward to it and stated that it will take a whole community to make Belen a better place. Margarita Sanchez mentioned that she hasn't heard that there is an increase gang problem.

**INFORMATIONAL ITEMS**

***City Manager's Report***

Leona Vigil reported that Anita Romero has turned in her letter of resignation effective immediately. Eddie Jaramillo from the Police Department has also turned in his letter of resignation. She will be meeting with a representative from UNM-VC to discuss setting up an internship program. She reported that the Water Department received a counterfeit \$20.00 bill last week; the staff had to replace the money. Michael Vallejos, owner of the business on Main and Torres did pay his water tap fee. In a meeting with Michael Vallejos, he advised Steve, Lisa and Leona that he will be fixing the asphalt and he will be placing a driveway into his property so that the sidewalk will stop crumbling. She, Roseann, Pam, Lucy, Councilor Carter and Elena

Garcia went to training that was provided by the City's auditors. She contacted Clyde Archuleta from NMDOT to try and locate the agreement for the properties located on Aragon. Clyde advised her that the agreement was between the City and SHPO; he will locate a copy of the agreement and send it to Leona. The emergency sewer collapse on Michigan cost approximately \$65,000 with the paving included. The Street Sweeper will be down one more week. She has advised Molzen and Corbin that the D.C. trip is off. El Camino Real Housing Authority which is interested in leasing the old Domestic Building is questioning the utilities for the building. Steve Tomita answered that the utilities will be based on past bills used by the Food Pantry and evaluated the next month with the two added facilities and work the payments accordingly. She received two proposals for the Downtown Master Plan. The Christopher Road Phase II pre-bid meeting will be on June 19<sup>th</sup> and a bid opening on June 27<sup>th</sup> at 9:00 AM. A special meeting will need to be set for the approval of the contract award for the Christopher Road Project due to deadlines; the Council set June 30<sup>th</sup> and 9:00 AM. She announced that the MAP funding for the Christopher Rd Phase III Project has been approved by NMDOT. The project will cost \$284,000; the City was awarded \$213,000 with a City match of \$71,111. She informed the Council that she sent the IT and Project Reports to them prior to the meeting. She pointed out that the bridge replacement on 314 will begin construction in January 2015. The Contractors that are building the swimming pool at the high school will fix the median on Christopher Rd. when they are finished with their project.

### ***City Council's Report***

**Councilor Ortega:** Waived his Council Report

**Councilor Aragon:** She attended the Chamber of Commerce Scholarship Luncheon on the 5<sup>th</sup> of June. On 6/6 she attended the NM MainStreet Project where they took various tours of old buildings. On 6/13 she attended the Farmer's Market, there were only two vendors, but will hopefully pick up. She went to the recycling center this weekend and encouraged everyone to use it. On 6/14 she attended the ribbon cutting at the Viva New Mexico Heritage Music Festival. She took the Doodle Bug Tour right after the ribbon cutting. She went to the VFW Post on Saturday for the Flag Day Ceremony. She went to watch the Mansion Players at Harla Mays which was also a Poet's Expo. She met with NM MainStreet at the Chamber of Commerce this morning. She met with Chief Dan Robb this afternoon.

**Councilor Carter:** He met with Coastal Range on 6/3 to receive an update; they are still trying to get their project off the ground. On the 5<sup>th</sup> he met with Follow the Star; they divided up into subcommittees, and donations are coming in. On the 5<sup>th</sup> he met with a couple of business that will support the Business Expo that they are planning for October 18<sup>th</sup>. On that same day, he had a teleconference with a business that is interested in the Belen area. On 6/9 he attended the Department Head Meeting to listen to employee's concerns. He mentioned that the meeting was productive and employees were given much information that they needed. On 6/9 he met with Ameris for a hospital update. The Business Expo Committee has sent out invitation letters inviting businesses to join the Expo. On the 10<sup>th</sup> he and Councilor Ortega took a tour of the City. He and Steve met an individual at the airport which seemed productive, but cities are always competing. On 6/11 he attended the Recreation Meeting; AYSO is registering, YAFL is gearing up; Little League is now into all starts. The All American Celebration will be held at Eagle Park on July 3, 2014. He attended the audit training on 6/12. On 6/15 he met with a constituent in reference to a complaint regarding a vacant home.

**Mayor Jerah Cordova:** He attended the Preservation Institute with New Mexico MainStreet. He also attended the Department Head Meeting, the Viva NM Heritage Music Fest and the Annual State's Poets Conference. He met with Representative Baldonado to discuss issues in Valencia County. He had interviews for the City Manager's Position, and is ready to set up an executive session to discuss the hiring of the city manager. He attended the MRCOG Board Meeting last week; at the meeting an approval of the budget for the upcoming fiscal year was held. Mayor Cordova stated that there is a lot of money going into economic development, transportation, and other issues that MRCOG has jurisdiction over. He attended the Mental

Health Awareness Conference in Los Lunas; they were able to input ideas in extending those services down into Belen. The Dollar Store on Main Street cut down two City trees due to the construction. He also met with several constituents this week.

**EXECUTIVE SESSION**

**AN EXECUTIVE SESSION TO DISCUSS PENDING OR THREATENING LITIGATION REFERRING TO CITY PERSONNEL**

Mayor Jerah Cordova asked for a motion to enter into an executive session to discuss pending or threatened litigation referring to City Personnel. Councilor Darleen Aragon moved the motion. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

Mayor Cordova asked for a motion to leave a closed meeting and enter into the open meeting. Councilor Ortega moved the motion. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

Mayor Cordova asked for motion to confirm that executive session discussion was limited to pending and threatened litigation regarding City Personnel and no action was taken. Councilor Darleen Aragon moved the motion. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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 Frank Ortega motioned to adjourn the meeting. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

/s/  
Jerah R. Cordova, Mayor

ATTEST:

/s/  
Leona Vigil, City Clerk, CMC