

REGULAR CITY COUNCIL MEETING

November 17, 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
Councilor David Carter
Mayor Jerah Cordova
Councilor Darleen Aragon
Councilor Wayne Gallegos

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 for a motion to approve tonight's Agenda. Councilor David Carter moved to approve. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

APPROVAL OF MINUTES

APPROVAL OF THE MINUTES DATED NOVEMBER 3, 2014

Mayor Cordova asked for a motion to approve the minutes dated November 3, 2014. Councilor David Carter moved to accept the Minutes of November 3, 2014. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

PUBLIC COMMENTS

Gloria Sanchez: She informed the Council that she would like to petition the renovation of the old city hall.

Clarke Metclaf: He is the editor for the Newsletter of Rio Communities. He invited anyone to sign up through their email so that they can receive a copy electronically.

Barbara Torres: She was wondering if there is going to be any maintenance for the older parks. She had concerns with and the park on Rosedale Circle, she stated the slide is broken. She also mentioned that the park off of Desi Loop is in need of maintenance, the step where the kids climb up is broken.

David Mintz: He received an email from Jay Ruybalid regarding the property located on north 13th Street and Reinken. He was concerned with the email because Lisa Miller's title is Code Enforcement Specialist, but the email titled her as Senior Code Enforcement Officer. He feels because there is so much junk in the back yard, he is being discriminated against. He would like to know when Lisa is going to be reprimanded for falsifying city documents.

DISCUSSION WITH POSSIBLE ACTION

APPROVAL OR DISAPPROVAL OF THE IN-KIND SERVICES FOR THE FOLLOW THE STAR PRODUCTION SPONSORED BY THE CELEBRATE BELEN TEAM: David Carter, Councilor

Councilor Carter informed the public that last year was the first annual Follow the Star Event. It drew 1500 visitors; this year they are expecting it to be larger. The Event will be held on December 13, 2014 beginning on Second and Castillo. Transportation will be provided, and it is a spiritual event. Celebrate Belen is coming to the Council to request in-kind services; a copy of the request is attached hereto and made an integral part of these minutes by reference. The amount of the request is not to exceed \$2700.00 of in-kind services.

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

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|--------------------------|-----------|
| Councilor Wayne Gallegos | Yes |
| Councilor Darleen Aragon | Yes |
| Councilor David Carter | Abstained |
| Councilor Frank Ortega | Yes |

PRESENTATIONS

BELEN MODEL RAILROAD CLUB: James McKelvey, President

Mr. McKelvey handed out copies of a petition that the Belen Model Railroad Club hosted which included additional comments. James McKelvey is the president of the Belen Model Railroad Club. He wanted to go over what the Club brings to the public. The Club has been located in the Harvey House for 19 years, and they are a 501 C non-profit organization. Their sole purpose is to educate the public who visit the Harvey House. They are a permanent living exhibit, and it is constantly changing. They have a 20 x 36 modular layout. They host Vendor Weekends from 9 to 5 on Saturday and 10 to 3ish on Sunday. In 2012, they had 9 visitors a day to look at the layouts; in 2013 they had 13 visitors a day, and they currently draw in 14 visitors a day. They host Vendor Shows three times a year, and they bring in 200 people on Saturdays and 100 people on Sundays. They host after hour tour groups. The tour groups consist of, senior citizen centers, adelante, car clubs, cub scouts, boy scouts. Mr. McKelvey stated that the Club fits directly into the Harvey House; they bring tourist to Belen to see the model railroad display. The Club provides children with fun activities to do, and they promote local businesses. Mr. McKelvey stressed that the Club is at no real costs to tax payers; everything they do comes from donations. The Club started a petition two weeks ago titled Save the Model Trains Petition; within two weeks they had over 1400 signatures wanting to keep the Club in the Harvey House. Mr. McKelvey read out some comments they received along with their petitions; a copy of the petition is attached hereto and made an integral part of these minutes by reference. The Club would like to accomplish future plans by adding a hands-on exhibit, promote public safety and continue their layout. They would also like to continue advertising and promoting the Harvey House. They respectfully request to renegotiate and renew their lease.

Janice Marston: She asked Mr. McKelvey if the numbers he reported are for the Model Railroad or the Museum. James answered they are recorded from those who visited their layouts. Ms. Marston stated that Mr. McKelvey wrote a letter to the public and members saying that the Club had outgrown the Harvey House, that they were thankful for their time there, and they were willing to look for new places. She would like to know what changed his mind. Mr. McKelvey did not recall the letter, but he does recall that they wanted to grow in their own space. He added that they never had intent of growing outside their current space.

Mr. McKelvey introduced Mark Gwinn. Mr. Gwinn informed the public that in the middle of 1990s, the Santa Fe Railroad donated the Harvey House to the City of Rio Communities. Mark was part of the transition when it took place. Mark stated he would like to see the Council and members of the community continue to support the Belen Model Railroad Club. He believes it brings in a lot of tourism.

HARVEY HOUSE MUSEUM: Julie Cervantes, Library Director

Julie Cervantes went over her presentation; a copy of the presentation is attached hereto and made an integral part of these minutes by reference.

Bertha Flores, RSVP Director for the City of Belen reported that one of her volunteer sites is the Harvey House Museum, and she had concerns with volunteers reporting they were getting harassed.

Ronnie Torres showed pictures of events and displays that currently take place at the Harvey House. Ronnie informed the public that he wanted the Railroad Club to extend when he was Mayor; he moved out the AA Organization because they weren't a fit for the Harvey House. Ronnie stressed that he is not an anti-railroad person. Ronnie knew the Club wasn't paying rent, and he was aware of the anti-donation clause, but he also knew Maurene was able to use members of the Club to help her at the Harvey House in lieu rent. Ronnie stated that one of the main reasons these petitions are circulating, it's not about saving the railroad club, it's because one of the main concerns was it became a hostile working environment. Ronnie reported that there was a person or two from the Club that he had an incident with. He reported that he filed four incident reports, and it is the City's responsibility to make sure its employees work in a safe environment. Ronnie then read a copy of the City's zero Tolerance Policy. He does not expect him or his volunteers to have to go through this, and he said that it doesn't have to wait until something physical happens. He claims this is the reason this whole thing started, but at the same time Julie started as Library Director, and she had ideas for the Harvey House to grow. He exclaimed, "The Harvey House needs the space".

James McKelvey: He claims that when Ronnie took over the Museum they had many talks, and he asked Ronnie to let him know if there were any issues with any of his members. Mr. McKelvey claims he was informed one time, on one incident. Mr. McKelvey also stated that there has never been an issue with the anti-donation clause. Ronnie stated that he sat with Mr. McKelvey in his office, and they spoke about the issue. Mr. McKelvey stressed that was only one time, and he stated, "yet you are telling the public that it was four times".

Tom T. Hall: He stated that the City owes Maurene a very large thank you. His question was directed to Julie, he asked where she came up with \$100,000. Julie answered she used the fair market value, for 19 years of tenancy. He mentioned that Belen is lucky to still have a Harvey House, and the Club has tried to be part of the Harvey House. He added that the Club's Vendor Shows also benefited the Harvey House, and people bought things from the Gift Shop.

Emil Crawford: He is a parent, and his reason for being at the meeting was because his kids love to visit the train display. He believes that the kids are being forgotten, due to a conflict of personalities. He asked if there has been an attempt to appraise the display that was put up by the Club. He believes that the anti-donation clause was adopted primarily to avoid public monies going to private industries. He asked if the anti-donation has ever been used when a Club is donating its time and equipment for a display. He then asked what is going

to be put in the Clubs space that will attract the children. Julie replied they consider children of all ages when they develop exhibits and displays. Julie read the anti-donation clause to quote the Supreme Court. The exhibit they would like to put in its place will be one that is accessible, engaging and fun. She stated that they will involve community feedback with the change. Mr. McKelvey reported that the appraisal value of the display is about \$17,000 invested, not including donations. Mr. McKelvey emphasized that he knows that there are other organizations that are renting for a dollar year and not the full fair market value.

Lou Zimmerman: He is a docent, and worked under Maurene to paint, clean, set up and tear down the exhibits and more. He is not sure he understands what the paranormal activity has to do with the Harvey House Railroad history. He stated that before all this took place, the Quilter's Club left because of distress with Mr. Torres. He believes the Art League also left because of Mr. Torres. Julie answered that there is a demand to experience paranormal activities, and she would say it is absolutely a historical quality that the Harvey House has.

Duane Schmitz: He is the past president of the Belen Model Railroad Club. He asked if the City of Belen institute the Lodger's Tax, which would make it the City of Belen's money, which is then given to the Harvey House. Julie replied that not a penny of that was part of the City's coffers. The monies came from the Friends of the Museum which is entirely separate from the City. He understands that the Library wants to expand, and wants to know why they don't expand into the building at 513 Becker Street. Julie answered because the B Space does not belong to the offices of the Library, and she want to continue using the buildings they currently are using.

Clarke Metcalf: He is a docent of the Harvey House, and he would like to know what is frightening these volunteers. He claimed that he has never been scared by any members. Julie stated that for the protection of her volunteers she would not disclose the information.

William Zimmerman: Mr. Zimmerman clarified that Ronnie did help him move into the Harvey House. He reported that he received a letter of banning. Since Ronnie brought up behavior problems, he mentioned that it was personal, it was on private property and it was in front of Pete's Café. He claims that Ronnie has been a lifelong friend and has experienced a lot of frustration since Debbie Graham passed away. He exclaimed, "the word was given, the Railroad Club stays!", that was the word from Debbie Graham. Mr. Zimmerman asked Julie why she tried to evict the Club on October 10th when you took office October 6th. He asked Mayor Cordova about the ban letter received. Julie answered that there is a clause in the lease that either party can terminate with a thirty day notice. Julie explained that on October 10th a 30 day notice was provided, but it was asked by your organization to extend the lease. She further explained that there is a space issue in the Museum. She stressed that there are at least 10 other Model Railroad Clubs locally in the area, and she would have to consider all organization for that space, not just there's. Mr. Zimmerman then asked why federal monies were not being used since the building is National Historic Site as well. Julie stressed that the City is not disbanding the organization in any way; we are simply saying your lease is up, and we are not renewing it. He asked the Mayor if there is going to be any decision made on the ban. Mayor Cordova replied that he had discussion with staff, and a letter will be sent to him explaining the situation.

Tom Mraz: He lives in Meadow Lake. He belongs to various organizations that help kids. He proclaimed to tear this out, you are tearing out the fabric of Belen. He has contacted Congresswoman Lujan Grisham Office, and they would like to get involved to help settle this. He asked if there are any branch libraries in Belen; Julie answered no. He asked Julie, why doesn't the library grow to the South, and Julie answered it's not that easy.

Carr Treherne: *Speaker did not have microphone unable to transcribe.* He did mention the VA was a prior user of the Harvey House.

CeCe Aragon: She is the President of the Belen Art League. She exclaimed that she resents the fact that Lou Zimmerman included the League as having a problem with the Harvey House. They have had shows at the Harvey House for more than 15 years. They bring in people to come see their art shows. She stated that Ronnie offers solutions to problems. She stressed that the Harvey House does not want to tear down the Railroad Club; they can have it at any other building that is available. She informed Mr. McKelvey that the Art League is a nonprofit, and they have a building in which they are responsible for the utilities and all the repairs of the building.

James McKelvey: He asked CeCe Aragon the monetary value of their building lease. Cece did not have all the particulars, but the League gives back to the community by giving back a lot of programs and a lot of classes to the children every summer. She added they also give classes to individuals.

Barbara Torres: She stated that nobody is against the Railroad Club, but harassment is a different matter. She stressed that the City is not asking the Club to leave Belen. She mentioned that it would be great for the Club to get a bigger space.

Elizabeth Schmitz: She wanted to know where the other 10 Model Railroad Clubs were in Belen that Julie referred to. Julie replied when she stated area, she meant the entire area including the Albuquerque.

Bill Zimmerman: He reported that it took 4 years to take the display where it is today, and any removal will be destruction of equipment that is in there.

Janice Marston: She would like the Council to help find the Club another location. “It would be wonderful if the Club found another location, so that tourist can have another place to go”.

Mary Guston: She took some trains to the Harvey House when her dad passed away. She asked why the City can't have another Library south of Belen.

There were no more questions; Mayor Cordova closed the presentation.

INFORMATIONAL ITEMS

City Manager's Report: Jay reported that a training was held on November 13th for progressive discipline. He and Steve had a meeting with Charles on the IRB process; there will be a workshop meeting on the 24th. He held negotiations with the Planning Committee for the Matanza, and the City will have a Matanza Team. The Legislative Dinner was held on November 12, 2014 to discuss the top 5 City projects. There was a workshop on the City's sign ordinance, and Charles is making the suggested changes. Councilor Ortega asked about removing the solar dishes. Jay answered that they plan on putting them up for auction. Councilor Gallegos asked if we are ok on the time lime for the LEDA and the IRB. Jay answered that the City is following the timelines, but some issues have come up on the Global Technologies side. Councilor Ortega asked when Global Technologies plans on holding a Job Fair; Jay answered sometime in January or February.

CITY COUNCIL'S REPORT

Councilor David Carter: Councilor Carter has been attending the Follow the Star Committee Meetings; they will have a parade entry in the Miracle on Main Street Parade. He attended the 160/240 workshop this morning, where there was a difference of opinion. He reported that a week ago Sunday, there were two horses out on Mesa Rd.; it was nice to see individuals went out of their way to help. He caught Gloria Sanchez cleaning down Mesa Rd. last Saturday.

Councilor Aragon: She attended the Co-Chamber Belen and Socorro After Hours Event on November 6, 2014 in Sabinal; it was a lot of fun. On November 7th, she attended the Workshop held for Political Signs. She participated in the Greater Belen Board Retreat at the Tierra del Sol Country Club on November the 8th. On November 12th, she was in Santa Fe for the NM MainStreet Conference; there were great ideas for Belen. She made it back that evening for the Legislative Dinner, and then she went back to Santa Fe for another two more days there learning. She met with the City of Belen employees today regarding accrual hours.

Councilor Ortega: He attended the Workshop for sign ordinance; he mentioned that school board politicians are free to put up their signs. He spent the day with his Marine Corp buddies, and he visited the cemetery on Veteran’s Day. On that day, he said a special prayer for his nephew who died in Iraq. He and Jay met with David Mintz to look at the properties in question, and reported that the couple is trying to clean the property. He attended the Legislative Dinner, and reported on the upcoming projects including the Eagle Tank and Well #5. He attended the Accrual Hour Workshop this morning with the employees. He also met with Lobos Pipeline, and he reported that there may be 1200 temporary position construction. He is excited of the arrival of Global Technology. He announced the Matanza, the largest event, and invited everyone to come out.

Councilor Wayne Gallegos: He thanked the citizens for providing solutions for some of their own issues. He announced the Election is over. He was part of the Annual Elks Lodge Veterans Day Dinner; the Lodge invites any veteran along with their spouse for a steak dinner and nice presentations. He too attended the Legislative dinner and the Workshop on accrual hours.

Mayor Jerah Cordova: He reported that he attended the council workshops that were held, and he had a private meeting with Belen Model Railroad Club. He met with Rancho Cielo’s Developer; they will be having some meetings with some prospective CEOs from big companies that want to move in there. He had a meeting with PNM; they will soon start recognizing LED street lights; PNM will provide discounts for the LED lights. He participated in the Legislative Dinner, and mentioned that it was nice to see everyone working together. He had a Citizens Meeting on Saturday; they discussed clean up issues and drug deals happening on bikes.

Jay mentioned that he received an email from Cort from Rancho Cielo stating that their meeting went well with the Denver Firm. Jay also mentioned that Rancho Cielo will put together a plan with a recommendation on how to proceed. Jay thanked Councilor Ortega on his support and comment regarding the property at 1212 and 1212 ½ with Mr. Mintz.

ADJOURNMENT

Mayor Jerah Cordova asked for a motion to adjourn tonight’s meeting. Councilor Wayne Gallegos motioned to adjourn the meeting. 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 carries |

/s/ _____
Jerah R. Cordova, Mayor

ATTEST:

/s/ _____
Leona Vigil, City Clerk, CMC