

REGULAR CITY COUNCIL MEETING

October 6, 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
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 if there were any questions or comments. There were no questions or comments on the Agenda, Mayor Cordova then asked for a motion to accept the Agenda. Councilor Frank Ortega so moved. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

APPROVAL OF MINUTES

APPROVAL OF THE MINUTES DATED SEPTEMBER 12, 2014

Mayor Cordova asked for a motion to approve the minutes dated September 12, 2014. Councilor Wayne Gallegos moved to approve the Minutes of September 12, 2014. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

APPROVAL OF THE MINUTES DATED SEPTEMBER 15, 2014

Mayor Cordova asked for a motion to approve the minutes dated September 15, 2014. Councilor David Cater moved to approve the Minutes of September 15, 2014. 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

PUBLIC COMMENTS

Manny Garcia: Belen Fire Chief Garcia announced that October is Breast Cancer Awareness Month. He informed the Council that CEMCO donated a pink NM flag last year, and it is up and displayed on the north side of City Hall. He handed out pink Breast Cancer Awareness t-shirts to the City Council.

PRESENTATION

FIRE PREVENTION WEEK PROCLAMATION

Mayor Cordova read and presented the Fire Prevention Week Proclamation to Fire Chief Manny Garcia. A copy of the Proclamation is attached hereto and made an integral part of these minutes by reference. Chief Garcia invited the Council and the public to a Fire Prevention Event to be held on Saturday, October 11, 2014 from 12:00 PM to 3:00 PM at Eagle Park.

DISCUSSION

CURRENT SIGN VIOLATIONS

Lisa stated that she noticed political signs going up around September 15th. On the 16th she sent a copy of the City's Sign Ordinance to both political parties. She advised both parties that political signs are not permitted until October 5th. She received a response from the Republican Party, but she never received one from the Democratic Party. On the 17th, Councilor Carter contacted the Democratic Party in reference to the political sign issue. She sent notices of violation letters to politicians she addresses for. Sanchez picked up her signs. Other signs have been taken down and are located in her office. Councilor Carter asked if citations were sent; Lisa answered yes. Councilor Carter asked if anyone was going to court. Lisa answered no, because October 5th is already here. She explained by the time she sent the violations and gave them time to remove it, which is about 7 days, political signs were already allowed to be put up. If after their due process they do not comply, she can take them to court. Councilor Carter stressed his frustration with politicians; that they would violate the ordinance, but yet they are running to uphold the ordinances. Jay Ruybalid informed the Council that the City Attorney recommended to stop taking down signs and that the ordinance be revised. The ordinance should state what constitutes a political sign and the process for enforcement, along with attaching a fine. Lisa suggested having a temporary sign fee so that individuals have to come in to her office first. Councilor Gallegos stated for the records it was both parties. Councilor Ortega asked about signs on public easements. Mayor Cordova replied that his understanding is that signs on an easement can be considered an obstruction, and the City can remove those.

MAINSTREET PROJECT BROCHURE: DARLEEN ARAGON, COUNCILOR

Councilor Aragon handed out copies of the Belen Walking Tour brochures, which MainStreet purchased. She stated that many people came up to her for the Rio Abajo event and asked her what the MainStreet Project is. Councilor Aragon put together a brochure explaining who the MainStreet Project, and projects they propose and have completed. Councilor Aragon would like to know if the Council would like her to include a City of Belen logo on her MainStreet Partnership Brochure. She also asked if she would be able to make copies of the brochure at City Hall. Mayor Cordova replied that there is a contract between City of Belen and Belen MainStreet Partnership; the City is required to provide a certain amount in support of in-kind service. With the approval of the City Manager, the Mayor did not see a problem with making copies of the brochures. It was also indicated that she proceed with placing the City of Belen logo on the brochure.

BELEN MAINSTREET PARTNERSHIP CO-OP ADVERTISING WITH NEW MEXICO TRUE: TOM GREER

Tom Greer, Vice President of Belen MainStreet Partnership gave a background on New Mexico True. NM MainStreet wrote a grant in April for \$11,600 to display three billboards and tourism advertising on the Rail Runner. On August 26, 2014, they were awarded half of what they applied for. Since they have to plan accordingly to the money they received, they eliminated the billboard between Belen and Socorro and the billboard coming out of Albuquerque. Tom Greer wanted to make the Council aware that Belen MainStreet was awarded this money. Tom would like the Council to think about this, it is 5,825 to match this.

DISCUSSION WITH POSSIBLE ACTION

APPROVAL OR DISAPPROVAL OF THE IN-KIND SERVICE REQUEST FROM THE CELEBRATE BELEN TEAM FOR THE UPCOMING BUSINESS EXPO: STEVE TOMITA, P & Z DIRECTOR

Steve Tomita announced the upcoming jobs fair that will be held at the Belen Community Center on Saturday, October 18, 2014 from 10:00 AM to 4:00 PM. Steve Tomita is asking, on behalf of Celebrate Belen Team, for in-kind services in the amount of \$2,650.00. A copy of the request is attached hereto and made an integral part of these minutes by reference. Jay Ruybalid pointed out that the Community Center rental was not included in the in-kind service request. The cost for the rent would be an additional \$1,000.00.

Mayor Jerah Cordova asked for a motion. Councilor Darleen Aragon moved to approve the In-kind service for \$2,650.00, but not to exceed \$3,650.00. Mayor Cordova asked for a second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

APPROVAL OR DISAPPROVAL OF THE CHILD ADVOCACY AGREEMENT: JERAH CORDOVA, MAYOR

Mayor Cordova informed the public that this issue was discussed a couple of meetings back. The agreement was related to the service being offered in Valencia County for Child Advocacy Services. The City was asked to approve an agreement that would bind the City wholly to providing this.

Mayor Jerah Cordova asked for a motion. Councilor Frank Ortega motioned to accept. Mayor Cordova asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

APPROVAL OR DISAPPROVAL OF THE SIGNATURE AUTHORITY RESOLUTION FOR THE BELEN WATER TANK CONSTRUCTION: JAY RUYBALID, CITY MANAGER

Jay Ruybalid advised the Council that he received the agreement pending resolution approval and signature authority on the \$300,000 from the Department of Environment for the project on Eagle Tank. Councilor Carter asked for clarification that the 300,000, which is capital outlay money, will start the project and the rest will be City money. Jay replied that is correct.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos motioned to approve. 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

APPROVAL OR DISAPPROVAL OF THE ANIMAL CONTROL MOU WITH RIO COMMUNITIES: WAYNE GALLEGOS, COUNCILOR

Councilor Gallegos and Councilor Carter have been working with Rio Communities on different agreements. They have been working diligently on the Animal Control MOU. Councilor Gallegos stressed that this is not a free service and is for emergencies only. He has asked Jay Ruybalid and the Police Chief to research various fees. A copy of the MOU is attached hereto and made an integral part of these minutes by reference. The City does not have animal control in the evening; therefore our police officers would have to handle the calls in the evening. Mayor Cordova asked if Rio Communities has approved the MOU. Councilor Mary Lee Serna from Rio Communities stated that they have discussed it, they liked and they have approved it. Councilor Gallegos informed the Council that he has forwarded a copy of Rio Communities Animal Control Ordinance to Police Chief Dan Robb. Councilor Gallegos stated that the court cases will be held in Rio Communities. Mayor Cordova asked Chief Dan Robb if the City could reject calls for service; Chief Robb replied, he guesses we can if the call does not constitute an emergency. Chief Robb explained the process for the emergency calls; Rio Communities City Hall would call the Belen Police Department and state their emergency. If it is an emergency, Belen Police Department will call into Dispatch reporting they are answering a call in Rio Communities. Councilor Mary Lee Serna advised the Council that Rio Communities will keep a permanent log of the calls that go out Dispatch for the purpose of billing. Mayor Cordova pointed out that the agreement states that Belen will assume liability; he is wondering if Rio Communities should be sharing the liability. Chief Dan Robb advised the Council that his department will also keep a call log. Mayor Cordova asked Roseann, Finance Director if the Agreement made financial sense. Roseann answered that the numbers that Chief Robb put together are correct. Mayor Cordova would like the agreement to explicitly state that the City of Belen has the right to reject calls for service, calls from City of Belen will take precedence over any call from Rio Communities, termination with thirty days notice at any time during the length of the agreement, shared liability, define how we resolve billing disputes and he would like to see a clause that required automatic termination after certain number of months for non-payment. Steve Ethridge asked what happens if there is a cow or a horse. Chief Dan Robb answered that livestock handles those situations. Game and Fish would handle bears and wildlife. Councilor Mary Lee Serna asked Chief Robb if her Mayor would have to commission the Animal Control Officer. Chief Robb answered yes.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos motioned to table the MOU. Mayor Cordova asked if there was second. Councilor David Carter seconds the motion. Roll Call Vote:

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

EXECUTIVE SESSION

AN EXECUTIVE SESSION TO BE HELD FOR THE DISCUSSION OF PENDING OR THREATENED LITIGATION IN REFERENCE TO THE INFRASTRUCTURE LOCATED ON PRIVATE PROPERTY AS ALLOWED IN THE OPEN MEETINGS ACT (section 10-15-1 H (7)).

Mayor Cordova asked for a motion to go into an executive session to discuss pending or threatened litigation in reference to the infrastructure on private property as allowed in the Open Meeting Act (section 10-15-1 H(7))proposed hospital. Councilor David Carter motioned to move into executive session. 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 Cordova asked for a motion to leave a closed meeting and return to an open meeting. Councilor Wayne Gallegos moved the motion. Councilor Darleen Aragon 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 Cordova asked for a motion that discussion was limited to pending or threatened litigation in reference to the infrastructure on private property and no action was taken in executive session. Councilor David Carter moved the motion. 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

APPROVAL OR DISAPPROVAL OF RELOCATING A SEWER LINE ON PRIVATE PROPERTY

Mayor Cordova asked if there were any questions or comments. There were no questions or comments; Mayor Cordova therefore asked for a motion. Councilor David Carter moved to disapprove relocating sewer on private property. Mayor Cordova asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

INFORMATIONAL ITEMS

City Manager's Report: Jay Ruybalid reported that two new staff members started employment with the City today; code enforcement officer and the Librarian. The Eagle Park Project was advertised. Christopher Rd Phase II started September 22nd. Eagle Tank Project will be advertised in two weeks. The Camino de Llano Ponds should be finalized soon. The tree at Carter Park should be removed this week. They will be taking care of trees and fencing at the parks. Dale's crew could install the fences, but not until January. He informed the Council that all Department Heads will be at the City Council Meetings. He mentioned that the Rio Abajo Event was great, and the Memorial Service for Officer Michael Esquibel was very nice. A memorial service for Deborah Graham will be on Wednesday, October 8, 2014 at the Library Lecture Hall. Twenty new surveillance cameras will be installed at the Community Center inside and outside. Saturday, October 18, 2014 is the Business Expo and the Fly In at the Airport. The City should be receiving an audit report in a couple of months. A Workshop Wednesday October 15, 2014 at 9:00 AM to discuss the web-site update and the Incentive Plan. The painting of letters on City Hall and the Library should be complete by Friday. Councilor Ortega commended the Street Crew for their hard work.

CITY COUNCIL'S REPORT

Councilor Wayne Gallegos: He reported that the Eagle tank will go up before the ponds; engineers are working together to coordinate these projects. He and Councilor Carter have been working with Rio Communities on the Animal Control Agreement. He met with DOT for their bi-monthly meeting. New Mexico Mud Boggs Championship was held in Belen last weekend. He expressed that the Mud Boggs have been great for Belen. He attended the Memorial Service for Officer Esquibel. Jay added they are seeking capital outlay dollars for various major parks project.

Councilor Aragon: On 9/19 she attended the Business Women of Valencia County (BWVC) Calendar kick off. On 9/20 she participated in the Rio Communities Pioneer Parade. She attended the Greater Belen Chamber meeting on 9/23. On 9/24 she attended the MainStreet Meeting and a Garden Meeting. On 9/27 she participated all day at the Rio Abajo Event. On 10/1 she attended the Expo Meeting. On 10/2 she took the Flour Mill Tour, and she then went to the Greater Belen Luncheon at the Library, after that she attended the Economic Development Meeting where things are starting to get off the ground. On 10/3 she met with St. Mary's students and gave them a tour of the Corazon de Belen Park; the students will help with the garden to remove the dead plantation. She and Rhona delivered posters and were able to meet the new Librarian.

Councilor Carter: On 9/17, he met with Rio Communities to work on the Animal Control Agreement. He attended the Commission Meeting. On 9/27 he participated at the Rio Abajo Days Event. He announced that the Business Expo is less than two weeks away. The Expo will be on October 18th from 10:00 AM - 4:00 PM at the Community Center. He too attended the Greater Belen Economic Development Meeting on 10/2.

Councilor Ortega: Pass

Mayor Jerah Cordova: The City released the new app. The Tenth and Delgado structure was demolished. He attended a candidate forum in Rio Communities. He had a constituent meeting which was very productive. He attended the Rio Abajo Festivals. He had a meeting with Advanced Environmental to discuss doing more business with the City. He had a meeting on the work order process held at City Hall to make sure it is working correctly. He took a tour at Valencia Flour Mill which has been around for 100 years. He attended the Memorial for Officer Esquibel. He announced that a Memorial for Deborah Graham will be this week.

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 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