City of Bayard

CITY COUNCIL REGULAR MEETING

June 28, 2021 at 1:30 PM

Bayard City Hall

MINUTES

WORK SESSION

No work session was held.

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT
Mayor Chon Fierro
Mayor Pro-tem Raul Villanueva
Councilor Charles Kelly
Councilor Eloy Medina
Councilor Adrian Ortiz

Others in attendance are Corporal Brandi Pyron, Aaron Ordonez, Mike Armendariz, Euphemio Gonzalez and Kristina Ortiz.

APPROVAL OF THE AGENDA

Motion made by Councilor Medina, Seconded by Councilor Kelly.
Voting Yea: Mayor Fierro, Councilor Kelly, Councilor Medina, Councilor Ortiz

PUBLIC INPUT

No public input was received as required by the legal notice.

CONSENT AGENDA

Motion made by Councilor Medina, Seconded by Councilor Kelly.
Voting Yea: Mayor Fierro, Councilor Kelly, Councilor Medina, Councilor Ortiz

The following items were included within the consent agenda:

1. Approval of the Minutes of Regular Meeting on June 8, 2021

2. Approval of Accounts Payable Report for June 28, 2021

3. Approval of Police Report for May 2021

4. Approval of attendance to the New Mexico Rural Water Association Conference for Mikey Paez on August 3-5, 2021 in Albuquerque

5. Approval of attendance to the 2021 New Mexico Municipal League Conference in Santa Fe for Council and Staff on September 1-3, 2021

6. Approval of the attendance to the New Mexico Floodplain Managers 2021 Summer Conference (online) for Kristina Ortiz on June 16-17, 2021

7. Approval of the attendance to the New Mexico Wastewater Association training school on August 18-19, 2021 for Jason Jaeger (online)

8. Approval of the attendance to the National Fire Academy in Datil, NM for Fire Department members in July 2021.

NEW BUSINESS

9. Approval of Local Government Road Fund Program Agreement for "design and engineering for pavement rehabilitation/improvements of city streets, within the control of City of Bayard," State funds $81,000 Local funds $27,000 ($10,000 Municipal Street, $17,000 General Fund).

   Clerk Treasurer Kristina Ortiz stated that the grant funds were allocated from the Municipal Arterial Program this year instead of the Local Government Road Fund that is usually granted.

   Motion made by Councilor Medina, Seconded by Councilor Kelly.
   Voting Yea: Mayor Fierro, Councilor Kelly, Councilor Medina, Councilor Ortiz

10. Approval of variance request for Yolanda Horcasitas for side setback from 5' to 3' for allowance of access to rear property

    Motion made by Councilor Medina, Seconded by Mayor Pro-tem Villanueva.
    Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

11. Approval of electrical installation on property at 709 N. Elm Street for Lazaro Palomarez for RV charging only.

    Clerk Treasurer Ortiz stated that Mr. Palomarez was made aware that the RV's could not be used as living spaces.

    Motion made by Mayor Pro-tem Villanueva.
    Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor

Medina, Councilor Ortiz

12. Approval of Joint Powers Agreement with New Mexico Municipal League.

    Clerk Treasurer Ortiz stated that the modifications made to the agreement were clarification and language clean-up and did not change the intent of the agreement.

    Motion made by Councilor Medina, Seconded by Councilor Kelly.
    Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

13. Request for use of Little League field for benefit baseball tournament on July 17, 2021

    Councilor Ortiz stated that his group organizes fund raisers annually to help those in need.

    Motion made by Councilor Medina, Seconded by Mayor Pro-tem Villanueva.
    Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina
    Voting Abstaining: Councilor Ortiz

ORDINANCES/RESOLUTIONS

14. Adoption of Resolution 12-2021 Local Government Road Fund Program for "design and engineering for pavement rehabilitation/improvements of city streets, within the control of City of Bayard," State funds $81,000 Local funds $27,000 ($10,000 Municipal Street, $17,000 General Fund).

    Clerk Treasurer Ortiz stated that adoption of this resolution is to increase the matching funds from $10,000 to $27,000 and authorizing the increase from general fund.

    Motion made by Councilor Kelly, Seconded by Councilor Medina.
    Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

RESOLUTION 12-2021

CITY OF BAYARD

PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

WHEREAS, the ***City of Bayard*** and the New Mexico Department of Transportation have entered into a Cooperative Agreement.

WHEREAS, the total cost of the project will be ***$108,000.00*** to be funded in proportional share by the parties hereto as follows:

a. New Mexico Department of Transportation's share shall be 75% or ***$81,000.00***

and

b. ***City of Bayards*** proportional matching share shall be 25% or ***$27,000.00***

TOTAL PROJECT COST IS ***$108,000.00***

City of Bayard shall pay all costs, which exceed the total amount of ***$108,000.00***

Now therefore, be it resolved in official session that ***City of Bayard*** determines, resolves, and orders as follows:

That the project for this Cooperative agreement is adopted and has a priority standing.

The agreement terminates on December 31, 2022 and the ***City of Bayard*** incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

NOW therefore, be it resolved by the ***City of Bayard*** to enter into Cooperative Agreement Control Number L100487 with the New Mexico Department of Transportation for LGRF Project for year 2020 - 2021 for "design and engineering for pavement rehabilitation/improvements of city streets, within the control of the ***City of Bayard*** in Bayard, Grant County, New Mexico.

APPROVED, this 28th day of June, 2021 by the Governing Body of the City of Bayard, Grant County, New Mexico.

//S//_____
Chon S. Fierro
Mayor

ATTEST:

//S//_____
Kristina Ortiz, MMC
Clerk Treasurer

ACTION FOR PERSONNEL

15. Approval to remove Joseph Carlos and Aaron Ordonez from introductory status and placed on regular status effective July 3, 2021.

    Motion made by Councilor Medina, Seconded by Councilor Kelly.
    Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

MAYOR AND COUNCILORS REPORTS

Councilor Medina inquired on meeting with the Sheriff's department or Silver City Police to obtain training for Brandi Pyron for detective services. On hands training would be effective to go along with the schooling received.

Anthony Aveles stated that the Water Quality Report for 2020 is now available for public review by pick up at city hall or online on the city website. Mayor Fierro thanked the maintenance department for their work on fixing potholes, the t-ball field and other work around town.

Chief Gonzales inquired on the water leaks at the public safety building, outdoor light replacements and janitorial services for the building. Clerk Treasurer stated that the city has received grant funding to replace the roof at the public safety building but the funding is not available yet, the outdoor lights have been received and waiting for maintenance to have available time to change the lights out. The city is still without a janitor and is asking all employees to help keep the buildings clean. Clerk Treasurer Ortiz stated that upon the hiring of the new janitor the department heads will be requested to help manage the janitor duties within their respective buildings as the clerk is not able to see the activities at each building. Chief Gonzales also inquired on the radio frequency of the police department and the safety of the officers. The clerk will check on the capabilities of the current radios of the fire department for programming of the police frequency.

Coporol Pyron stated that police patrols have increased and visibility in various areas has improved.

Councilor Medina inquired on the status of concrete work. Clerk Ortiz stated that she is still working on the bid documents for the work. Measurements have been taken but procurement is still being completed. Discussion was held on the rental on the community center and on possible changes to rental fees and contract changes. Council will review.

NEXT MEETING DATE:

Regular Meeting - July 12, 2021

Special Meeting - June 29, 2021

ADJOURNMENT

Motion made by Councilor Medina, Seconded by Councilor Kelly.
Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

MEETING ADJOURNED AT 3:14 P.M.

Chon Fierro

Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer