



City of Bayard
CITY COUNCIL REGULAR MEETING
September 26, 2022 at 5:30 PM
Bayard City Hall

MINUTES

WORK SESSION

Consent Agenda

Councilor Diaz had a question on the wastewater report he asked Jason Jaeger if there was a generator down at the treatment plant.

Jason Jaeger stated yes there is emergency generators down at the wastewater treatment plant.

Councilor Gonzales asked about her detailed report she made for the animal control officer/code enforcer. She has not seen this report submitted and would like to know why?

Police Chief Carrillo stated he has not seen the report but he will look in to it.

Councilor Villanueva would also like this report to be more detailed. To be able to know who exactly got the citation and what it was written for.

Councilor Diaz stated if he does get a phone call after hours, he can look at the report and know if there has been a citation written. He also would like this report to be back dated three or four month.

Police Chief Carrillo stated back in August the Sheriff's office answer 22 call and Bayard answer 204 calls. The Police Department is very busy answering a lot more calls now.

New Business

Clerk-Treasure Kristy stated Juan Rogers came in to request water service on 920 North Street. This property was provenly Ray's Trailer Park and has had 3 different owners. So now that property has lost allowance for a mobile home park. Juan Rogers did mention he wanted to park his friends RV at the property. Under the planning and zoning RV are not allowed only if there is approved permit for construction on a site build home for up to either six months or a year. Mr. Rogers was not happy with Kristy and stated he was being discriminated. Kristy did tell him no the problem is that he did mention he wanted to do some development to the property. Mr. Rogers changed his mind and wanted the water to water the trees on the property. Mr. Rogers is in the process of changing ownership of the property.

Councilor Diaz stated based off the information you have been wanting to work with the individual and trying to get specifics of where he wants to place to trailer but he has not brought any paper work or anything? and what tress? There are no trees at this property.

Councilor Diaz stated he wants to be very careful, if the council starts allowing one mobile home/RV, he dose not want it to get out of control and have 4 or 5 placed there.

Councilor Medina stated first step is he need documentation to see who's the property owner. We can not allow to have a water tap on someone else's property. This issue needs to be resolved before any thing else.

Councilor Diaz stated he just wants to deny it and when he has all his paper work he can come back and ask for permission.

Police Chief Carrillo stated Mounted Patrol has been around for awhile, they are there own entity. These gentlemen are retired certified police officers. They carry there own weapons, they have there own procedures, the only this that is required is they are with a certified agency to enforce the laws. They are a back up for the police officer they are with. Chief Carrillo is requesting this because of the call volume that is high. Chief Carrillo is requesting there assistance for only major events that are going on in Bayard. There assistance is no cost to the city.

Councilor Villanueva asked if there were to be a incident would there entity be responsibly or would that be Bayard?

Police Chief Carrillo stated it would be there entity. They have there own insurance and there own policy.

Clerk-Treasurer Kristy stated Rudy Martinez requested we contact Nicholas Krocket. He provides lobbying services at the federal level. This contract will be a total of \$20,000 per year. Mr. Krocket did stated his success rate is high.

Councilor Diaz stated if he could bring money for the wastewater treatment plan. It's something to look at.

Councilor Villanueva would like to research this further before making a decision.

Clerk-Treasure Kristy stated this is for discussion only. This rate is high for Bayard but if Mr. Krocket can secure millions of dollars for Bayard then it will be worth it. Also this funding can be matched with other federal dollars.

Clerk-Treasure Kristy stated this Resolution 23-2022 Credit card Processing and Electronic Transfers policy is required by DFA. This resolution is required to be approved by council to get this approved by DFA.

Councilor Diaz asked if Bayard is coved by FDIC? and is this a double security?

Clerk-Treasure Kristy stated this is just a policy for internal this does not have anything to do with the bank.

Clerk-Treasure Kristy stated Resolution 25-2022 is for the quit claim deed for McKee Street property.

Clerk-Treasure Kristy stated Resolution 26-2022 is for PERA in regards to allow any employee to pay in to deferred compensation.

Clerk-Treasure Kristy announced that she will be retiring from the City of Bayard. Her last day will be October 21, 2022. She will still be working with the local communities at the federal level.

Councilor Villanueva thanked Kristy for everything she has contributed to this community and this is well deserved, he hates to see her go but he knows this is best for her and her family. He knows she will continue to help Bayard.

Councilor Diaz would like to know what amounts do each employee get after introductory status.

Clerk-Treasure Kristy stated it is what the budget is for each employee.

CALL TO ORDER: Mayor Pro-tem Villanueva

PRESENT

Mayor Pro-tem Raul Villanueva

Councilor Eloy Medina

Councilor Frances Gonzales

Councilor Jose Diaz

ABSENT

Mayor Chon Fierro.

A quorum was present. Others in attendance were Larry Ojinaga, Selina Crespín, Dolores Charon, Jordan Anchunde, Steve and Lori Gabaree, Jesus and Joan Perez, Jade Wilson, Mark Diaz, Jason Jaeger, Michael Paez, Hector Carrillo, Sonya Dixon, Euphemio Gonzalez, Gary Arellano, Mike Armendariz, Frank Gomez Jr. Kristy Ortiz, Marlena Valenzuela, and Tanya Ortiz.

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

Motion made by Councilor Gonzales, Seconded by Councilor Diaz.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

PUBLIC INPUT

Mark Diaz stated the Beautification Committee had a trash clean up this passed Saturday. Over 50 bags of trash was picked up. 8 members of the committee helped out. The Bayard Maintenance department help out with bags and picked up the bags and took it to the landfill. Other up coming events are a Bingo fundraiser on October 9, 2022 at 4pm also a

Truck or Treat/Candy drop on October 30, 200 stating at 1pm at the Bayard Community Center Park/Little League. They will provide free food and free drinks. He invites the mayor and council to attend.

Larry Ojiana asked what the update on the sidewalks?

Clerk-Treasure stated the engineers are still working with the utilities to get the relocations for some of the poles. It is still under design.

Larry Ojiana asked about the burnt house on Central Ave?

Councilor Diaz stated he spoke with the lady who own the property. She is an elderly lady and she dose have until October 22 to get it done. She may ask for an extension. Diaz did inform her to go before the council for this request. There has been some progress.

Larry Ojiana stated he has not seen any progress on the property. Maybe the weeds that were cut around it.

Code enforcer Frank Gomez stated she has until October 22 to have the building removed. The owners are asking for an extension but that will not be given to them and will be cited on that day if it is not removed.

Larry asked if a letter has been sent to the property owners of the property on East Street.

Code Enforcer Frank stated he has not found where to send the letter.

Police Chief Carrillo stated they have gone through the assessors office. The lady that paid the property taxes last year they have called her and left messages. The reason for this new resolution that was made up will help in situations like this.

Steve Gabaree stated his concern are the same the M & M Auto shop. He missed this last council meeting and as he has stated before he has no intentions of putting the auto shop out of business. He may be a good person but he's not a good neighbor and he not a good neighbor to the town. He believes there is someone living in an RV inside the fence. He is hoping the city continues to push him to clean things up and keep it clean. He has abandon vehicles parked on the street.

Councilor Villanueva stated he did come before the council and ask about his license and he is still denied that license until he becomes in compliance. Villanueva aske Police Chief Carrillo if there he could get an update on this issue.

Police Chief Carrillo stated he is being cited every week for operating with out a business license. Mr. Valenzuela has district court hearing tomorrow. He will be attending the hearing and some answer will be answer tomorrow.

Councilor Villanueva stated he will not get his business license approved until he is in compliance with everything.

Lori Gabaree thanked the council for upholding the ordnances. She stated it help Bayard and everyone who lives in Bayard.

Councilor Medina thanked Lori Gabaree for her patience and said he knows this has been a long process for them.

CONSENT AGENDA

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

1. Approval of the Minutes of Regular Meeting on September 12, 2022
2. Approval of the Accounts Payable Report for September 26, 2022.
3. Approval of the Police Report for August, 2022.
4. Approval of the Wastewater Treatment Plant Report for August, 2022.

NEW BUSINESS

5. Approval of the Request for Water Tap on 920 North Street Juan Rogers.

Motion made by Councilor Diaz to decline the water tap until Juan Rogers provides all the proper documentation that is needed and a plan of what he is wanting to do with the property, to make sure he is in compliance with all ordinance.

Seconded by Councilor Medina.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

6. Approval of Police Program with Mounted Patrol.

Motion made by Councilor Gonzales, Seconded by Councilor Diaz.

Councilor Gonzales would like for Police Chief Carrillo to follow up to see who would be liable if something were to happen while Mounted Patrol is on the job with the police.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

7. Discussion/Approval of Contract for Federal Government Relations Consulting & Lobbying Services.

ORDINANCES/RESOLUTIONS

8. Adoption of the Resolution 23-2022 Credit Card Processing and Electronic Transfers.

Motion made by Councilor Gonzales, Seconded by Councilor Medina.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

9. Adoption of the Resolution 25-2022 of Sale of Land on McKee Street.

Motion made by Councilor Medina, Seconded by Councilor Gonzales.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

10. Adoption of Resolution 26-2022 State Plan for Deferred Compensation.

Motion made by Councilor Diaz, Seconded by Councilor Medina.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

ACTION FOR PERSONNEL

Motion made by Councilor Medina, Seconded by Councilor Gonzales.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

11. Approval to remove Michelle Holguin from introductory status to regular employment status with an increase of \$0.75.

CLOSED SESSION

Motion made by Councilor Medina to enter closed session, Seconded by Councilor Gonzales.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

12. Review/Discussion of internal investigation of Wastewater Department.

Motion made by Councilor Diaz to enter open meeting, Seconded by Councilor Gonzales.
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

Councilor Villanueva stated only items on the agenda were discussed not approval was needed.

MAYOR AND COUNCILORS REPORTS

Councilor Diaz stated October 30 there will be a Trunk or Treat/Candy Drop at the Bayard Community Park/Little League. So far there is 19 trunk or treaters that will be giving out candy. There will be music BY mariachis, the band Siempre and also a DJ. There will be free food at this event. There is a Bingo fundraiser for the Beautification Committee. He would also get with maintenance department and get a update on the restroom for that event. He wished Kristy the best of luck in the future and thanked her for everything she has done for the City of Bayard.

Councilor Gonzales thanked the Police Chief and all his staff and the girls at city hall. Gonzales stated with all the issues that have been going on with the police department she believes they need a lot of support. If the citizens see something going on let the police and fire department know this is one way we can support the department. Gonzales thanked and congratulated Kristy. Any other training that the other ladies in the office and go to will be helpful.

Councilor Medina stated he has seen the three officers in action and they are doing a great job. He was able to see the fire department in action on a structure fire and did a really good job. Medina thanked Micky for taking care of an issue an citizen had. Medina stated that what we do we take care of issues for our citizens and this is why they are there. He like to make employee and citizens happy. That is the goal. Medina stated he is going miss Kristy, when he became a new city council men he did know how to react or where to turn to and he would call Kristy every 3 hours for the first few months. His conversion would be are you sure we are doing this and that, and that has changed. He calls just to make sure everything is going good. Medina appreciates her and wishes her well on her endeavors and know she will do amazing anywhere she goes.

Michael Paez stated he needs to know what direction of the maintenance department is going. He needs to hire for critical positions.

Councilor Diaz stated the Park & Rec needs to be advertised and for the Maintenance Department Head he thinks the Mayor and all council should be present for a decision.

Councilor Medina thinks the Department Director needs to be address soon. The department needs direction.

Police Chief Carrillo stated they will be participating in Domestic Valiance Month and will be attending training. The office that was hired was disqualified and he is now looking for a police officer.

Councilor Villanueva thanked the police department for everything. Villanueva has spoken with the police officers and they say there are busy. The community sees it and he sees it. Villanueva stated he appreciates what they are doing and to keep it up. Villanueva did speak with Mayor Fierro and they both agree to advertise for the Maintenance Director. Also any other position we need to move forward and get everything we can done while Kristy is here. Villanueva stated he hates to see Kristy go but she has to do what she has to do for herself. He appreciates her and he knows the community appreciates what she has done by bring a lot of funding, and all the grants in to Bayard and making it a better place to live. Villanueva stated he has been working with Kristy for 8 years and she has always been a great remorse and she had helped him grow. He is thankful and grateful for that. He would be happy to talk with her anytime. Villanueva thanks the residents for being at the meeting and he is looking forward to the events that are coming up. The City of Bayard is trying to bring more to the community. Villanueva stated if the HMS building is our now? He would like that property to be cleaned up.

Councilor Diaz stated he would like for Kristy to look in to seeing if the Code Enforcer and Animal Control Officer and be split up again.

Clerk-Treasure Kristy stated this position has always gone back and forth. Sometime there is not enough work and sometimes there is. With the budget this is why the position has been combined.

Councilor Diaz stated there is a lot work for one person to do both positions and he thinks if the city want to succeed and move forward we need to look in to this. We might have to invest in this.

Police Chief Carrillo stated the last 6 months he has been here the animal control and codes call have sky rocked. He did suggest maybe hiring a part time person to help with this.

Clerk-Treasure Kristy stated she agrees the work load is a lot doing both jobs. Getting a call for animal control having to pick up a dog, go to the office do the report, take the dog down to the kennels or to the vet that is about 2 or 3 hours for just one call.

Councilor Villanueva stated if Kristy can look in to a part time person to help the animal control/code enforcer.

Clerk-Treasure Kristy stated someone will need to be certify in flood plan. This will effect the residents insurance rates if no one is certified.

NEXT MEETING DATE:

Regular Meeting - October 11, 2022

ADJOURNMENT

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz.

ADJOURNMENT 7:28.

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer