City of Bayard

CITY COUNCIL REGULAR MEETING

May 10, 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 were Sonya Dixon, Jennifer Castanon, Anthony Aveles, Jason Jaeger, Representative Terrazas, Lee Alirez, Joe Carlos, Brandi Pyron and Kristina Ortiz.

APPROVAL OF THE AGENDA

Clerk Treasurer Ortiz stated that number 8 needed a name correction from Peru to North St.

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

PUBLIC INPUT

Representative Terrazas and NMDOT representatives presented information during public input. Representative Terrazas spoke on his efforts for clean-up of HWY 180 and NMDOT Trent Doolittle, David Pennington and Arthur Romero spoke on the HWY 180 Highway Improvement Project from Deming to Bayard.

Mr Doolittle stated that all clean-up efforts on state highways must be coordinated with him.

Mr. Doolittle stated that funding has been secured for the study phase but no funding is secured for the construction portion.

Mr. Pennington the safety concerns with the existing highway from not being able to pass, lack of visibility and vehicle accidents. Four methods have been evaluated for the highway which include passing lanes, drainages, turning lanes and other concerns. Right of way cost and public and stake holders input. Enhanced two lane, widening the shoulders to 8 to 10 foot shoulders, passing lanes every six miles with 2 miles in between each section. The cost varies from $76 million to $126 million for a four lane highway. Based on the analysis and safety the NMDOT will recommend a modified project with a four land highway from Bayard to the railroad tracks south of Hurley and a modified two lane highway up to Deming for a cost of $85 million. The environmental document is being completed now. The trail is recommended not to be constructed or planned during this project but utilize the RPO process for funding and evaluation of project area.

Representative Terrazas spoke on the capital outlay process and how the funding was determined and distributed within the county. He stated that he is working with legislators to enhance the funding available.

CONSENT AGENDA

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

The following items were included within the consent agenda:

1. Approval of the minutes of Regular Meeting on April 26, 2021.

2. Approval of the Accounts Payable report for May 10, 2021.

3. Approval of the Fire Report for April 2021.

4. Approval of the Police Report for March 2021.

5. Approval of the Wastewater Report for April 2021.

6. Acceptance of the resignation of Humane Officer/Code Enforcement Officer Armando Jimenez effective May 3, 2021.

NEW BUSINESS

7. List of suggested new street names and the old street name (or portion of street) that it will be replacing. Request approval of the new names in order to continue with the addressing project.

   Clerk Treasurer Ortiz presented a list of recommended street names for the streets or portions of streets that need to be changed for the readdressing project.

Mayor Fierro asked about adding Tom Foy Boulevard/Highway 180 to the list with a rename of Bayard Avenue or Bayard Boulevard.

Motion made by Councilor Medina to approve the recommended name changes as listed in the original list provided to Council, Seconded by Mayor Pro-tem Villanueva.
Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

8. Approval to survey Peru Street - between Central Avenue and N Railroad Street.

Clerk Treasurer Ortiz requested authorization to have a survey of the small portion of North Street that lies between Central Avenue and N. Railroad Street. Concerns on ownership have been raised, city staff knowledge state that the area is a dedicated street.

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

9. Award of Computer IT Services to Spectrum Technologies. Only one proposal submitted with 13 inquiries. Spectrum Technologies will meet the needs of the city for $7,936.00 - approximately $2,000 more annually compared to our exiting IT provider. The final scope of services to be performed and costs will be reviewed prior to agreement signing.

Clerk Treasurer Ortiz stated that references were contacted for Spectrum Technology and the response is that they provide excellent services. Clerk Ortiz stated that before the final agreement and cost is determined, she will be discussing the needs of the city to make sure priorities are established.

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

10. Librarian Sonya Dixon is requesting authorization to have a mural created on the south wall of the library. Funding at this time is not available but grants can be applied for that would pay for the artist, labor and supplies.

Librarian Sonya Dixson made a presentation to the City Council to request authorization to place a mural on the south wall of the library and requests permission to seek local artists proposals.

Council inquired on how the project would be funded. Ms. Dixson stated that grants are available to various artists and groups. She would like the mural to reflect the area children and will request that the artist includes the assistance of the youth in the community.

Clerk Ortiz stated that the only funding currently available by the City would be to utilize the trust fund left by Mr. Gene Simon for approximately $3,000.

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

ORDINANCES/RESOLUTIONS

Clerk Treasurer Ortiz stated that the two following resolutions could be acted upon in one motion as they are for the waiver of the utility fees (Bayard residents and Wastewater Customers).

11. Resolution 6-2021 is to waive the 2021 Utility Rate Increase based on the Consumer Price Index (CPI) for the Bayard utility customers for (water, sewer, trash, landfill).

RESOLUTION 6-2021

A RESOLTUION AUTHORIZING THE WAIVEER OF THE JULY 2021 CITY OF BAYARD ANNUAL MUNICIPAL UTILITY RATE INCREASE TO PROVIDE RELIEF TO RESIDENTS OF BAYARD WHO MAY BE IMPACTED BY THE COVID-19 VIRUS

WHEREAS, Ordinance 2-2011 establishes various requirements related to water, sewer, garbage and landfill procedures, specifically, that the municipal utilities will increase by the Consumer Price Index (CPI) annually; and

WHEREAS, a one-time waiver of the annual CPI increase may provide a measure of relief for Bayard utility customers who may be impacted by the economic circumstances related to COVID-19; and

WHEREAS, the Mayor and Governing Body of the City of Bayard believe that waiving the annual CPI increase scheduled for July 2021 is in the best interests of the residents of Bayard.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BAYARD, NEW MEXICO, AS FOLLOWS:

SECTION 1. That the Bayard Municipal Utilities policies shall be modified to waive the CPI rate increase scheduled for July 2021.

SECTION 2. That this resolution shall take effect from and after its passage.

PASSED at Bayard, New Mexico, this 10th day of May 2021.

//s//_____
Chon Fierro
Mayor

ATTEST:

//s//_____

Kristina Ortiz, MMC
Clerk Treasurer

12. Resolution 7-2021 is to waive the 2021 Wastewater Rate Increase based on the Consumer Price Index (CPI) for the wastewater utility customers.

RESOLUTION 7-2021

A RESOLTUION AUTHORIZING THE WAIVEER OF THE JULY 2021 WASTEWATER ANNUAL RATE INCREASE TO PROVIDE RELIEF TO RESIDENTS WHO MAY BE IMPACTED BY THE COVID-19 VIRUS

WHEREAS, Ordinance 4-2018 establishes various requirements related to wastewater procedures, specifically, that the wastewater utilities will increase by the Consumer Price Index (CPI) annually; and

WHEREAS, a one-time waiver of the annual CPI increase may provide a measure of relief for wastewater utility customers who may be impacted by the economic circumstances related to COVID-19; and

WHEREAS, the Mayor and Governing Body of the City of Bayard believe that waiving the annual CPI increase scheduled for July 2021 is in the best interests of the wastewater customers.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BAYARD, NEW MEXICO, AS FOLLOWS:

SECTION 1. That the Wastewater Utility policies shall be modified to waive the CPI rate increase scheduled for July 2021.

SECTION 2. That this resolution shall take effect from and after its passage.

PASSED at Bayard, New Mexico, this 10th day of May 2021.

//s//_____
Chon Fierro
Mayor

ATTEST:

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

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

MAYOR AND COUNCILORS REPORTS

Councilor Villanueva thanked the staff for all of the work they do. Councilor Kelly inquired on the status of personnel policy committee. Clerk Ortiz stated that employees have been identified for the committee but the list has not been distributed. Councilor Medina requested

review of the salaries for City Council and asked if City Council salary increases could be placed on the next agenda. Councilor Medina is also concerned with animal control as our employee has resigned. He is concerned on the animal situation within town until a new employee is hired.

Public Works Director Aveles stated that his department is working on the improvements at the t-ball field that will have sod installed. Mr. Aveles is requesting additional help with the improvements (little league board), volunteers approximately in two weeks.

Chief Alirez stated that the department had a huge lose with ACO Jimenez resigning. Chief Alirez has looked at other programs to assist in the animal control program. He is working on the job description in order to prepare for the job advertisement. He attended the Chiefs of Police Meeting in Santa Fe and stated that changes are heading toward training for police agencies. He thanked the Council for the increases of the employees and stated that the moral of the department has been lifted. Clerk Ortiz stated that she will work on an employee meeting in which AJ Forte from NMML can provide information pertaining to HB4.

Mayor Fierro stated that the skate park needs to be cleaned and repaired and gates need to be replaced. Inquired on generator install.

NEXT MEETING DATE:

Budget Work Session - May 17, 2021

Regular Meeting - May 24, 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 3:45 P.M.

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer