



City of Bayard
CITY COUNCIL REGULAR MEETING

March 13, 2023 at 5:30 PM

Bayard City Hall

MINUTES

WORK SESSION

New Business

Police Chief Carrillo had some concerns on the sub-committee that is being formed for ordinances. He would like to know who would be on that committee? What powers will they have? and will the committee will oversee his department?

Councilor Diaz stated he was the one wanting a sub-committee but he has read the ordinance and it is a very well detailed and he feels that no sub-committee is needed.

Action for personnel

Councilor Diaz asked if a written evaluation was done for Police Chief Carrillo?

Mayor Fierro stated no because it was never done in the past but starting from now this will be done. His recommendation was to take off Chief Carrillo from probation period and place him on regular employment status. Mayor Fierro stated the Chief has done a great job since being here, he has got the department back, he goes to the business in town and they have giving good feedback. He also stated on Councilor Diaz Facebook page the chief was doing a good job.

Councilor Gonzales stated she believe they need to follow the policy to avoid lawsuits. She also feels even when an employee is doing well that needs to be documented.

Councilor Diaz recommended this item be taken off the agenda until a written evaluate is done.

Mayor Pro-tem Villanueva stated he gave a copy of the written evaluation form that the Sheriff's Department uses to the mayor for review. He feels it is not fair to do a written evaluation on the police chief when no one else has had a written evaluation. Once this evaluation form is in place then everyone will have a written evaluation.

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Chon Fierro
Mayor Pro-tem Raul Villanueva
Councilor Eloy Medina
Councilor Frances Gonzales
Councilor Jose Diaz.

Others in attendance were Dolores Charon, Selina Crespín, James Ervin, Larry Ojinaga, Jade Wilson, Jesus Perez, Joan Perez, Raul Turrieta, Billie Turrieta, Juno Ogle, Euphemio Gonzalez, Gary Arellano, Mike Armendariz, Hector Carrillo, Michael Paez, Bobby Terrazas, Marlena Valenzuela, and Tanya Ortiz.

APPROVAL OF THE AGENDA

Motion made by Mayor Pro-tem Villanueva, postponing item number 13 to remove Police Chief Hector Carrillo from introductory period until the next meeting. Seconded by Councilor Medina.

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

PUBLIC INPUT

James Ervin, He has some question on the Bayard's Planning and Zoning Committee. He would like to know who are the 5 members of the planning and zoning commission. He would like to know who is the zoning officer is? He would like names of the individuals serving as Chair, Vice Chair and Secretary. He would like to know when is the next meeting? and he would like to know if the zoning map is open to the public to see?

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 February 27, 2023.
2. Approval of the Accounts Payable Report March 13, 2023
3. Approval of the Fire Report for February 2023.
4. Approval of the Wastewater Treatment Plant Report for February 2023.
5. Approval of the Library Report for August - February, 2023.
6. Approval of the Municipal Court Report for February 2023.
7. Approval for Marlena Valenzuela and Tanya Ortiz to attend Clerks and Finance Officers Spring Training in Albuquerque, NM April 18-21, 2023
8. Approval for Hector Carrillo to attend New and Future Police Chief Training in Albuquerque, NM April 10-14, 2023.

NEW BUSINESS

9. Selina Crespin to discuss abandoned properties on East St.

Selina Crespin stated her concerns are zoning changes from residential to industrial. She also discussed two abandoned sites within the City of Bayard at the end of East Street. The first property there are abandoned rows of tires and also an abandon building. This business has been abandoned for years with the proper follow up of the city. For the second property her concerns are the abandon industrial equipment. The business utilized gravel and cement with in the city limits and abandoned the business without clean-up, restoration, or disposal of the equipment. Her question to the Mayor and Council where is this property considered an industrial zone? Who is responsible with communicating with this business? Is the business required to follow code enforcement rules and regulations? Have the business or property owners been given proper citations? Does the city hold regular planning and zoning meetings? Who are the members of the planning and zoning commission? Is business ever inspected by the fire department for safety concerns? Does the city have written regulations and restrictions for business regarding safety, restoration, and/or clean-up? and last how can the city of Bayard residents that this same issue will not occur at the proposed solar farm which includes posable zoning changes from residential to industrial zone. For the first property she asked if the business has been issued citations?

Mayor Fierro stated as far as the citations he isn't sure and there is a phone number on the fence and he has called and he has not got an answer. This business was industrial zone because it was a cement plant. He believes the property owner lives in Albuquerque and the property is for sale. Mayor will be getting with Mr. Raul Turrieta and the treasures office to see who the property belongs to.

Selina stated this property has been abandoned for years and how can she be assured this will not happen to the solar farm this is wanting to come in to town. Her concern is if any business that comes in to Bayard with industrial equipment. if they are allowed in to town the town needs to make sure everything is done properly and not allowed to abandon what they bring in.

Councilor Medina stated he thinks the solar farm is dead. If they were it the company is going to have to start the process all over again and this will include the entire community.

Mayor Fierro will keep trying to get a hold of the property owners. He will be going to the assessor's office and get a different phone number to contract the owner.

Raul Turrieta the Chief Deputy Assessor of Grant Count stated he will provide all the information for Mayor Fierro and hopefully Mayor can get a hold of the property owner. He stated this happens a lot with abandon property the owners leave behind a lot of personal property. When these property owners leave their property abandon and leaves their personal property there it is very difficult to have them clean up. Until there is a city ordinance in place. In the assessor's office they will be looking at all the abandoned properties and he will get with the city give them these

properties so the city can send the owners a letter. He does have a lot of history on business properties and he can get this information. Mr. Turrieta can create zoning maps for Bayard also.

Mayor Fierro will get all the information from Mr. Turrieta and he will be in contact with Selina.

Councilor Medina would like for all the answers to be made during the council meetings.

10. Assessors Update- Notice of Evaluation given by Raul Turrieta.

Raul Turrieta the Chief Deputy Assessor of Grant County stated the assessor's office will be mailing out notice of value. This is an important document if you own property. This breaks down the evaluation of your home, evaluation of the land, and if you qualify for an exemption. This will be mailed out April 1st and from that day you will have 30 days to question your value of your property. There is a paper you fill out if you are contesting the value of your property. The value of your property is increase by 3% every year. The reason for that is to try and bring everything up to market, until the property sells then the county can bring it up to the value of the property. If you feel your property taxes are too high you can go in to the assessor's office and question why. The assessor's office mails out the notice of value but now with technology you can receive your notice through email and if you would like a hard copy you have go on the internet and you may print that document out. Mr. Turrieta let the Mayor and Council know if they need any help with anything his door is always open.

11. Hector Carrillo to address concerns for a sub-committee being formed for ordinances.

Councilor Diaz stated they are going to stay with they have now and if later they need a sub-committee, then they can look at it then.

12. Bayard Librarian Sonya Dixon to give update on Summer Reading Program.

Sonya Dixon was not present.

ACTION FOR PERSONNEL

13. Approval to remove Hector Carrillo from introductory period effective March 25, 2023.

14. Approval of Luz Lozano resignation letter from Bayard Police Dept.

Motion made by Councilor Diaz, Seconded by Councilor Medina.

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

Voting Nay: Councilor Gonzales

CLOSED SESSION

Motion made by Councilor Medina, Seconded by Councilor Gonzales.

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

15. Pursuant to 10-15-1 (H-2) NMSA 1978 for limited personnel matters for Police Department- Luz Lozano possibly transferring departments within city.

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

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

ACTION ITEMS RESULTING FROM CLOSED SESSION

No action was taken from closed session.

16. Police Department- Luz Lozano transferring from Police Dept. to City Hall Office.

MAYOR AND COUNCILORS REPORTS

Superintendent Terrazas stated last night the bar screen lost the burnings, he will have to call a tech to come down and take it apart and fix it.

Fire Chief Gonzales asked what's going on with the roof at the public safety building? Also, on the 25th the volunteer fire department along with Red Cross will be installing free smoke detectors to any resident in Bayard. All you have to do is call city hall and sign up.

Councilor Diaz asked where the contractor is from and if they have contact information for them. He will make some phone calls and see what's going on.

Police Chief Carrillo stated all the body cams will be renewed this year. The Police Captain will be back on duty in a couple weeks. The police units will be getting new decals. This may have to be done in Las Cruces. The overtime grants that were lost are coming back. All officers will begin to start working these grants soon.

Clerk-treasurer Valenzuela stated she spoke with Jennifer Pirse with the railroad company and they have not forgotten about us. They are in the process of reviewing how they will be handling traffic control. She also spoke with Tony Medrano from SW Concrete and they will be starting here in Bayard by next week.

MAYOR AND COUNCILORS REPORTS

Councilor Gonzales stated if anyone knows a high school student that would like to intern with Congressman Vasquez's office, he is taking applications and March 18th is the dead line for that. On June 2nd there is an event with the Bayard Library at the Bayard Little League from 1pm to 3 pm.

Councilor Diaz stated the Bayard Beautification Committee will be having a Bingo on Sunday March 19th.

Mayor Fierro stated he spoke with Superintendent Dr. Spaletta and they will be having a Strategic Planning Meeting March 21, 2023 at Bayard Elementary and he would like to see as many of the council attend.

NEXT MEETING DATE:

Regular Meeting - March 27, 2023

ADJOURNMENT

Motion made by Councilor Diaz, Seconded by Mayor Pro-tem Villanueva.

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

ADJOURNMENT 7:19PM.

Chon Fierro
Mayor

ATTEST:

Marlena Valenzuela
Clerk Treasurer