



City of Bayard
CITY COUNCIL REGULAR MEETING

April 11, 2023 at 5:30 PM

Bayard City Hall

MINUTES

WORK SESSION

Representative Luis Terrazas gave a update on the legislation session. Summary of Funding Requests for Capital Outlay projects. He shared the 34 capital outlay funding priorities that I directed nearly 3 million dollars for his district.

The following were submitted and funded through the budget. It definitely is difficult to choose where to invest capital outlay because there is so much need. I will continue to work hard to help bring our community together and be a positive part of a better future.

He did state the Governor line item vetoed \$100,000 for the maintenance of Ft. Bayard the only Fort with a national landmark destination in New Mexico.

The following are funded. \$225,000 Grant County Gila Community Center Construction, \$200,000 Bayard Sewer Vacuum Truck, \$200,000 Gila Regional Medical Center Telecom Equipment, \$160,000 Aldo Leopold Ch. School Activity Vehicle, \$150,000 Grant County Crisis Intervention Facility Construction, \$150,000 Silver Consolidated School District Bus Purchase, \$100,000 Catron County Ambulance Purchase, \$100,000 Virden Park & Multi-Purpose Center Construction, \$ 90,000 Southwest Solid Waste Authority Litter Fencing Purchase, \$ 85,000 Cobre CSD Security System, \$ 75,000 Grant County Fairgrounds Improvements, \$ 75,000 Hurley Chino Building Improvements Construction, \$ 50,000 Casas Adobes MDWCA Backhoe, \$ 50,000 Ft. West Irrigation Assoc Ditch Improvements, \$ 50,000 Gila Farm Irrigation Assoc. Ditch Improvements, \$ 50,000 Grialva Ditch Association Improvements, \$ 50,000 Hanover MDWCA Water System Improvements, \$ 50,000 Heredia Community Ditch Association Improvements, \$ 50,000 Llano Community Acequia Rio Membres Improvements, \$ 50,000 NMIMT Trucks & Heavy Equipment Purchase, \$ 50,000 Pleasanton East Side Ditch Association Improvements, \$ 50,000 Santa Clara City Hall Improvements Construction, \$ 50,000 Santa Clara Copper Trails Pedestrian / Bicycle Path Extension, \$ 50,000 Santa Clara Ft. Bayard Theater Improvements, \$ 50,000 Santa Clara Waste Water System Improvements Construction, \$ 50,000 Silver Consolidated School District Cliff Schools Improvements, \$ 50,000 Southwest Solid Waste Authority Backhoe Purchase, \$ 50,000 Tyrone Water and Waste Water Association System Improvements, \$ 50,000 Upper Gila Irrigation Association Ditch Improvements. Total: \$2,510,000

Junior Project Funding

\$150,000 Western New Mexico University Athletic Operations and Travel, \$125,000 Aldo Leopold Charter School, \$100,000 Santa Clara, Ft. Bayard Maintenance – Line item vetoed by the Governor, \$100,000 Silver City Golf Course Irrigation Improvements. Total \$375,000

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 Jose Diaz

ABSENT

Councilor Frances Gonzales

Others in attendance were Larry Ojinaga, James Ervin, Selina Crespin, Jo Lutz, Kristina Ortiz, Doug Newman, Luis Terrazas, Jade Wilson, Euphemio Gonzalez, Michael Armendariz, Gary Arellano, Lowell West, Michael Paez, Sonya Dixon, Marlena Valenzuela and Tanya Ortiz.

APPROVAL OF THE AGENDA

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

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

PUBLIC INPUT

Kristina Ortiz with Rural Partners Network is visiting with the Mayor and Council for a update. She has got with Bayard to apply for the water smart grant to help with funding to help with the cash match that is needed for the chlorination system. Kristina will be sending out different grant opportunities, one of the greatest needs are agencies need assistants with grant writing,

CONSENT AGENDA

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

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

1. Approval of the Minutes of Regular Meeting on March 27, 2023.
2. Approval of the Fire Report for March 2023.
3. Approval of Accounts Payable Report for April 11, 2023
4. Approval of Maintenance Report for March 2023.
5. Approval of Municipal Court Report for March 2023.
6. Approval of Library Report for March 2023.

7. Approval for Robert Terrazas to attend Jake Hands Memorial Workshop in Ruidoso, June 21-22, 2023.
8. Approval for Hector Carrillo to attend NM Association of Chiefs of Police in Rio Rancho, May 5, 2023.
9. Approval for Hector Carrillo to attend the annual Law Enforcement Coordinators' Symposium in Albuquerque, May 3-4, 2023.

MAYOR AND COUNCILORS REPORTS

Michael Paez Maintenance Supervisor stated the Well 10 rehabilitation project has begun.

Fire Chief Gonzalez stated he lost one of his volunteer fire men this past weekend. Alexander Yazzie will be laid to rest in Farmington, New Mexico.

Councilor Diaz stated if any of the volunteer fire men would like to attend the services for Alexander Yazzie all they need to do is submit the paper that needs to be submitted.

OLD BUSINESS

10. Update for Selina Crespin regarding abandoned industrial properties.

Mayor Fierro stated the properties that Miss. Crespin brought up in the last meeting he did get some information and the properties owners names and give it to the Police Chief and the Police Chief Carrillo is going to look in to it.

Selina Crespin asked if the property owners were going to be cited?

Police Chief Carrillo stated he did give this to his code enforcer Gomez and he did not have an update as of today but he does know Mr. Gomez has made some phone calls to the property owners. This is Mr. Gomez main priority and he will get some updates as soon as Chief Carrillo gets back from training in Albuquerque.

James Ervin asked what the process for the determining if the property owners will be cited or not?

Mayor Fierro stated the Chief of Police will determine if the property owners get cited. The Chief can give them a week or two to remove the thing left on the property and if they do not, they may get cited.

Councilor Medina stated the code enforcer will give the property owner the discrepancies and a time frame of when it needs to be addressed and if this is not done then they may be cited. The property owners need to have a fair warning.

11. Update for James Ervin on Planning and Zoning Commission questions.

Clerk-Treasure Valenzuela stated she has letters of interest for the Planning and Zoning Commission to be able to volunteer and be on the commission. She also had some zoning maps of Bayard on hand. The counter zoning officer is Code

Enforcer Gomez, and she will need four members for the commission. Miss Valenzuela will be getting an ad in the newspaper for people to join the commission. Later there can be problems like property owners being grandfathered in and no one saying anything about it.

Mr. Ervin asked when will Bayard have a planning and zoning commission? He believes a zoning commission is very important and needs to be regulated in town for safety and aesthetic reasons. If Bayard is not doing this and there is problems with these properties then will they be grandfathered in because nothing was said.

Clerk-Treasure Valenzuela stated as soon as she gets enough members to start the commission.

Councilor Medina stated this was a very active commission. They would determine if mobile homes could be moved and they would stop by people's homes and talk with them.

Mr. Ervin stated the ordinance stated Bayard has a commission he believes this needs to be updated.

Selina Crespin asked what happen to the zoning commission?

Mayor Fierro stated when AC Rodriguez left the commission no one wanted to take over. There were no volunteers to take over and now we will do what it takes to get this commission going again.

Councilor Diaz stated any commission there needs to be volunteer members/ community involvement for the commission. The council that sits today will be different in a couple of years. The prior leadership can be blamed but now that the issue has been brought up of noting having a planning and zoning commission now, we are going to create one, we will get it in the paper and community involved and move forward. This will be put in the newspaper it may take a couple of weeks but it is being worked on. If anyone is interested, they can sign up today and that will be one less member that the city has to look for.

Selina Crespin got a letter from the city stating there might be zoning changes by where she lives and this is the reason why she got involved. She does not understand how the city can make decisions like this without having a commission to go to.

Councilor Diaz stated when those issues came up the council stopped that and now they are moving forward.

James Ervin stated he knows it's going to be tough to find members with the expertise. He will join and need training and would go to Grant County and see how they do it.

Councilor Diaz stated once the commission is built. They will get all the proper training needed.

NEW BUSINESS

12. Update from NM State Rep. Luis Terrazas on Legislation.

This was discussed in work session.

13. Discussion/Approval for Doug Newman to put a sign at the "Welcome to Bayard" lot.

Mayor Fierro stated placing a sign at the Welcome to Bayard lot is not allowed. The property is owned by DOT and this is their rules. When the city asked to place the Welcome to Bayard sign, they asked if there could be benches placed there and they said no only the sign and this is all.

Councilor Diaz stated there has be to somewhere else he can place his sign.

Councilor Medina suggested he place the sign at the old TIPE building. Where all the pollical signs are always placed.

Doug Newman stated this sign is for the gem and mineral show.

14. Discussion from Brenda Rosales about arroyo on Mayo St.

Brenda Rosales was not present for the meeting.

15. Discussion/Action to change City Hall Business Hours

Clerk-Treasure Valenzuela stated this request is to cut city hall staff lunch from one hour to 30 minutes and leave at 4:30. This will put city hall staff on the same schedule as the maintenance department. One question would be if city hall would be closed at 4 and leave at 4:30 or close at 4:30 and not make any changes for the public and leave someone's drawer open.

Councilor Diaz stated he does not see any issue with it. Most places get shut down at 4:30. He would like for the public to be informed. Published in the newspaper and around town before is take effect.

Council Medina stated closing the lobby at 4:15 and leaving at 4:30.

Motion made by Councilor Diaz to have lobby close at 4:15 leave at 4:30 with plenty of notice to the public, Seconded by Councilor Medina.

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

16. Approval of Leslie Crumbley to be on the Bayard Public Library Board.

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

Councilor Diaz asked if the members need to be from Bayard. Sonya Dixon stated no there can be members who don't live in Bayard. She is lucky to have members on the board and as long as they are patriations of the library.

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

ACTION FOR PERSONNEL

17. Approval to remove Chief Hector Carrillo from probationary status to regular full-time status.

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

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina

Voting Abstaining: Councilor Diaz

18. Approval to remove Captain Anthony Macias from probationary status to regular full-time status.

Motion made by Councilor Diaz, Seconded by Councilor Medina.

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

19. Approval to remove Lieutenant Manuel Galaz from probationary status to regular full-time status.

Motion made by Councilor Diaz, Seconded by Councilor Medina.

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

Police Chief Carrillo thanked the mayor and council for removing himself, Captain Macias, and Lieutenant Galaz from probationary status to regular status. Then he stated he wanted to address the action that was just taken, he stated he does not know when the department has been fully staffed to 4 or 5 police. His administration and himself took pay cuts to come to this police department. They all came over to Bayard PD because they all wanted to make a difference and he has made a difference. Carrillo's understanding was coming from probationary status to regular status normally there is a pay increase that comes with it. He noticed this action for personnel that was not discussed. He would like to make the mayor and council aware when he recruited this administration for Anthony Macias and Manuel Galaz to come over from State Police, he had a conversation with the mayor when these two men would come off of probation, they would get some kind of incentive of \$1 or \$2 and this is not being discussed. Carrillo did mention this to these men upon recruitment. Carrillo stated this was not in writing or in policy but this was one of the major factors upon recruiting. These men have provided awesome service. Carrillo thought this was going to be discussed during this meeting. The Police Officers are present in the meeting due to his absence. Carrillo needed the council aware of what the mayor decided and now this is not being done.

Mayor Fierro stated he did discuss this and he is sorry this is not on the agenda and this has been discussed with the council. This will be discussed on the next meeting.

Police Chief Carrillo asked if this was overlooked are was this never going to be brought up if he would have never brought this up?

Councilor Diaz stated these are good valid points and they are personnel matters. This need to be in executive session and this is not on that. This does not mean there cannot be retro pay and yes anytime are coming off probationary status there is some kind of pay increase. Diaz stated when Chief Carrillo dose come back and is present this does need to be discussed in executive session. The budget is going to have to be looked at. This was something that was over looked.

Police Chief Carrillo agrees this needs to be discussed, he needs his officers to know he has there back as the mayor and council has his.

Clerk-Treasure Valenzuela stated this was not over looked. She did let the mayor know there is a pay increases and what was said is he needed to look at the budget.

Council Medina stated he pretty such the council is going to support a pay increase with retro pay.

CLOSED SESSION

Motion made by Councilor Diaz, to enter closed session, Seconded by Mayor Pro-tem Villanueva.

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

ACTION ITEMS RESULTING FROM CLOSED SESSION

Motion made by Councilor Medina to come back in to regular session, Seconded by Councilor Diaz.

Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Diaz. Motion made by Councilor Diaz to offer William Welcome the transfer from Maintenance position to Parks and Recreation position at the pay rate of \$14.25. If he does not take the position. The council will move forward with the Peter for Parks and Recreation at the pay rate of \$14.25 and Christopher Borrego for Custodian at the pay rate of \$13.25.

Seconded by Councilor Medina.

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

20. Approval for transfer for William Welcome from Maintenance position to Parks and Recreation position.

MAYOR AND COUNCILORS REPORTS

Councilor Diaz thanked the Bayard Beautification Committee for the Bingo they put on. It was a successful bingo. Now there is money in the fund and he is wanting the committee to set up for music at the park and things like this. He thanked all who attended and all the volunteers.

Mayor Fierro stated there is work being done at the wastewater treatment plant, they are working on stairs at the entrance. He thanked the supervisors for all their hard work they are doing. Mayor stated he has been calling Mr. Wisemen from Southwest Concrete for the pothole project. He believes he is just lying to him on when they will start the project. He did

ask if he could attend the meeting tonight but he did not attend. Mayor Fierro would like to see if some other company can do the project. Southwest Concrete is supposed to do work at the community center also but they haven't even started this project. He knows the residents from these streets come to the meeting and he does not want them to think he is lying.

Councilor Diaz stated if we can get in contact with Southwest and let them know if they don't start soon, we will be breaking the contract and hopefully that will get them to start the project. We can send them a certified letter.

NEXT MEETING DATE:

Regular Meeting - May 8, 2023

ADJOURNMENT

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

ADJOURNMENT 7:58.

Chon Fierro
Mayor

ATTEST:

Marlena Valenzuela
Clerk Treasurer