



City of Bayard
CITY COUNCIL REGULAR MEETING

June 26, 2023 at 5:00 PM

Bayard City Hall

MINUTES

WORK SESSION

Budget Work session discussion was on Sonya Dixon the Librarian would like to hire a part time librarian assistant. The new City Clerk will start soon and he will be sitting down with each department head to discuss budget.

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 Larry Ojinaga, James Ervin, Lawrence Colman, Jade Wilson, Manuel Garcia, Laura Phelps, Sonya Dixon, Jenny Castnon, Euphemio Gonzalez, Mike Armendariz, Hector Carrillo, Marlana Valenzuela, and Tanya Ortiz.

APPROVAL OF THE AGENDA

Motion made by Councilor Diaz added Closed Ececutive Session for information only and no action to be taken, Seconded by Councilor Gonzales.

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

PUBLIC INPUT

Larry Ojinaga asked if there is any way the city can place brackets on the light poles for flags to be placed on. He stated it would be a great honor to have flags on all the poles. He met with Joe Trumm and he gave Mr. Ojinaga a tour of the wastewater treatment plant. Mr. Trumm explained why the city needed a vac-truck. He also was told by Mr. Trumm there is some concerns at the treatment plant and if they fail the city will receive a fine from the environmental department. He also mentions two employees that did excellent workers Michael Paez and Robert Terrazas.

James Ervin stated the maintenance did a good job on the benches at the park by city hall. He believes this is an accomplishment for the city. Speaking on accomplishments he believes the council should be able to say what has been accomplished every two weeks. He believes that the only way he can get that question answered if he gets placed on the agenda. He thinks maybe a document that states what has been done by the council every two weeks would be a good idea to let the residents know what has been done.

Manuel Garcia agrees with James Ervin on letting the residents know what has been done every two weeks. Mr. Garcia would like to know if the welcome to Bayard sign coming in from Hurley is going to be redone and he would like to know if it will be relocated? He is proud of the town he lives in and would like for people to know what town they are in.

CONSENT AGENDA

Motion made by Councilor Diaz, Seconded by Councilor Gonzales. Councilor Medina asked why isn't more maintenance employees going to the NM Rural Water Association Workshop? He would like to see up to 4 employees going.

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

1. Approval of the Minutes of Regular Meeting on June 12, 2023.
2. Approval of the Accounts Payable Report for June 26, 2023.
3. Approval of the Bayard Police Report for May 2023.
4. Approval of the Bayard ACO/Code Enforcement Report for May 2023.
5. Approval for Mikey Paez to attend NM Rural Water Association Workshop on July 14, 2023 in Las Cruces, NM.

OLD BUSINESS

6. Discussion/ Approval to move forward with WNM Communications for City Phones.

Motion made by Councilor Diaz he would like for the clerk to make sure there is no contracts with Century Link and anyone else that we would have a contract, Seconded by Mayor Pro-tem Villanueva.

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

7. Discussion/Approval for WWTP Project Agreement between Freeport and City of Bayard.

Councilor Diaz asked how many years is the contract for? This contract does not have a start or end date. He feels maybe 5 or 10 years down the road the contract should be renewed to have the new mayor and council look at the contract. Diaz would like to revisit this in 5 years.

Laura Phelps the community manager for Chino mine stated this agreement would only be to give Chino the right of first refusal. If and when Chino would like to sell the effluent water that when terms would be in place. This is just to give an opportunity before you sell. Item number 4 puts a time frame of 3 years. Mrs. Phelps would like guidance on what time frame they would like.

Councilor Gonzales asked about the mile stones item number 6.

Mrs. Phelps stated the mile stones they will actively participate closely in the regional water project. Right now, Bayard's project is wastewater only once that is complete then Bayard will move on to regional water project.

NEW BUSINESS

8. Approval of recommendation to award Southwest Disposal for Solid Waste services.

Clerk-Treasure Valenzuela stated two proposals came in Southwest Disposal and Universal Waste. Universal Waste's proposal was higher than Southwest Disposal. Valenzuela is recommending Southwest Disposal. Commercial would have gone up in price by around \$30 and residential would have gone up around \$6. Southwest Disposal will be in a big container two times a year for a community clean up and in July they will be replacing everyone's bin with a new one.

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

ACTION FOR PERSONNEL

9. Discussion/Approval to remove Stephen Estrada from probation status with a 5% increase.

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

Councilor Diaz asked what his pay is now? Valenzuela stated 15.75. This will be a 78-cent increase.

Councilor Diaz stated he would like increase after probation to be up to a 5 percent.

Mayor Pro-tem stated the department head did recommend the 5% increase with that he believes Stephen had a good evaluation.

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

10. Hiring of Christopher Palomarez for Mechanic at the hourly rate of \$20.00 upon successful completion of all pre-employment exams and background reviews.

Councilor Gonzales stated she sat on the interviews and both candidates were good. Mr. Palomarez has his AAS degree, associates in applied science, and other certification. He also is willing to help out with maintenance when they need his help and is not working on vehicles. He has a lot of mechanic experience and he also is a welder this is the reason the interview committee is asking to start him at \$20 an hour.

Councilor Diaz stated this position is budgeted at \$18.50 an hour what is a 9% increase and in 6 months they will be looking at another 5% increase. With these increases we will be being him in higher than anyone else. If he starts at \$18.50 with the %5 he will be at the \$20 an hour.

Councilor Gonzales disagrees with this because they have brought people in a higher rate. He could possibly get an 3% raise. He believes this this fair with all the experience and his degrees. She does not want to lose this person.

Mayor Fierro stated the city has vehicles and equipment that are gasoline and diesel, he does not want to get someone that only knows how to work on gasoline and then have to contract diesel out. This guy knows both. Another reason people do not apply is because of the pay.

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

11. Hiring of David Salgado for Maintenance at the hourly rate of \$14.50 upon successful completion of all pre-employment exams and background reviews.

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

12. Closed Session pursuant to 10-15-1 (H-2) NMSA 1978 for limited personnel matters.

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

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

Motion made by Councilor Diaz to enter open session, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Diaz.

Mayor Fierro stated there was no action taken.

DEPARTEMENT HEAD REPORTS

Police Chief Carrillo stated in his eyes the department is doing a good job and is making a difference. He appreciates his staff. He presented a letter of recognition his secretary Judy Diaz, Animal/Code Enforcement Officer Louis Frank Gomez Jr,

Lieutenant Manuel Galaz. Two officers not in attendance were Police Caption Anthony Macias, and Patrolman Valerie Barboa.

Police Chief Carrillo stated he will get with the maintenance supervisor about the speed bump on N. East Street. He also spoke with the neighbors, there is one neighbor against it and the rest feel like a stop sign would be more beneficial. The stop sign is all easier for the police to enforce then a speed bump. He did speak with Mr. Guerrero and he was okay with a stop sign. Carrillo also took care of another complaint from Mr. Wilguess, he wants the business registration renewal processed for the Bayard M&M Auto under a different name, same location and same business. Carrillo spoke with Mr. Wilguess and let him know to turn in the registration to city hall for it to be processed. Chief Carrillo instructed his code enforcer to start issuing citations. He did start on Friday. Chief Carrillo has been very lenient and now they will be issuing citations.

Councilor Diaz asked if he has complied with everything that was asked? He needs to get with four agencies before we can approve the registration. He wants to work with him and get every going for him to be back in business.

Clerk-Treasure Valenzuela stated the first Planning and Zoning Meeting will be held Thursday. On Wednesday there will be a meeting to discuss the new ordinance for abandoned buildings. Shella from Santa Clara will be attending for any questions that anyone will have. On 103 Canyon Street a gentleman purchased the property and would like to move in a double wide. The survey he brought in all the set back are good but when the Code Enforcer and herself when out to measure it it does not. Valenzuela stated maybe the council can give him a variance. The mobile home will fit on the existing cement slab but it will not meet the back set backs. She would like for the Mayor and Council to go out and take a look at it. Diaz asked if the tailor has been purchased? Valenzuela stated yes. Councilor Diaz asked where will they park? Valenzuela stated they have there own parking space on there property. Councilor Diaz stated we will give the property owner the variance but the city of Bayard will not assume any liability if something were to happens like there house or someone else house catches fire. Valenzuela will call the neighbors and see if they are okay with the tailor moving in.

MAYOR AND COUNCILORS REPORTS

Councilor Diaz stated at the last council meeting Judge Sandoval stepped down as Judge and he will be taking over as the alternate judge until this next election. There will not be any trainings any time soon. If someone from the community is appointed, they would not be able to hear any cases. He will be holding court every Tuesday from 5:00 pm to 9:00 pm starting on July 11. Judge Sandoval would say the court is not a money maker but there is court cost that could be collected and the court should be able to sistine it self. A different report will be giving for July on.

Mayor Fierro thanked all the department for there hard work. He visited the wastewater treatment plant and he was speaking with Mr. Terrazas and there is a problem there. The cost will be around \$20,000 the part alone will be \$17,000. He will go back tomorrow for the paper work on what needs to be done.

NEXT MEETING DATE:

Regular Meeting – July 24, 2023

ADJOURNMENT

Motion made by Councilor Diaz, Seconded by Councilor Medina.
Voting Yea: Councilor Medina, Councilor Diaz.

ADJOURNMENT 7:30pm

Chon Fierro
Mayor

ATTEST:

Marlena Valenzuela
Clerk Treasurer