



**City of Bayard**  
**CITY COUNCIL REGULAR MEETING**

**May 22, 2023 at 5:00 PM**

**Bayard City Hall**

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**MINUTES**

**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 Manuel Garcia, Dolores Charon, Larry Ojinaga, James Ervin, Selina Crespín, Jade Wilson, Michael Koury, Daniel Solis, Mike Stone, Hector Carrillo, Michael Paez, Robert Terrazas, Sonya Dixon, Jenny Castanon, Marlena Valenzuela, and Tanya Ortiz.

**APPROVAL OF THE AGENDA**

Motion made by Councilor Diaz to amend the agenda to add Jenny Castanon for a proposal to approve grant writing for the City of Bayard, follow-up on property on 101 North Street, Police Chief Carrillo to provide a follow-up on a attorney for the Bayard Police Department, and the restitution plan for the Bayard Volunteer Fire Department, Seconded by Councilor Medina.  
Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

**PUBLIC INPUT**

Manuel Garcia asked the status on the railroad crossing?

Clerk-Treasure Valenzuela stated she spoke with a representative from the railroad and stated the traffic control plan is currently under development, when is this done, they will have to city sign the plan and once that is signed, they will provide a construction date and materials have been ordered.

Daniel Solis from the New Mexico State Police Department attended the meeting and stated the state police is taking an active roll in the community and will be attending more meetings in the future. He did state if anyone has questions for him after the meeting, he will be available.

**CONSENT AGENDA**

Motion made by Councilor Diaz, with the special meeting minutes for May 11, 2023 not be to approved and be amended with out the hiring wage rate of \$19.75 for mechanic Jerry Andazola. Police Chief Carrillo would like so guidance on when he should have his police report in. If they council would like it on the first meeting that could be changed or if he can turn it in for the last meeting of the month. Councilor Diaz stated he can leave it at the end of the month, this report is a good detailed report. Seconded by Mayor Pro-tem Villanueva. Voting Yea: Mayor Pro-tem Villanueva, Councilor Medina, Councilor Gonzales, Councilor Diaz

1. Approval of Minutes of Regular Meeting on May 8, 2023 and Minutes for Special Meeting on May 11, 2023.
2. Approval of Accounts Payable Report for May 22, 2023.
3. Approval of the Bayard Police Department Monthly Report for April 2023.
4. Approval of the Animal Control/Code Enforcement Report for April 2023.

### **OLD BUSINESS**

5. Discussion for Larry Ojinaga on any updates about the Vacant Buildings Ordinance.

Clerk-Treasure Valenzuela stated she did reach out to the city's attorney by e-mail and he has not gotten back with her. Valenzuela stated this ordnance has been approved by Santa Clara's attorney. Bayard's attorney is holding this up.

6. Update from City of Bayard Librarian Sonya Dixon for the Upcoming Foam Event on June 2, 2023.

Sonya Dixon stated she will be placing this event in the new paper. This event will be at the Bayard Little League on June 2 at 1pm to 3 pm. She invites everyone who can attend with a friend. She would like extra eyes and wants to make sure everyone has fun.

### **NEW BUSINESS**

Councilor Diaz stated Jenny Castanon proposal is for working at the library for 30 hours and writing grants for 10 hours at city hall. She is asking for compensation from \$18- \$25 and hour including health benefits.

Motion made by Councilor Diaz to bring Jenny Castanon to \$18 an hour for 40 hours work week with the additional duties of grant writing. Diaz would like for her to look for a grant for a grant writer. Councilor Medina stated he would like to see her spend more time at city hall writing grants then at the library. Grant wringing will be more beneficial to the city. Being that the city is investing this money he would like to see more hours writing grants. He would like 20 at the library and 20 hours at city hall. Sonya Dixon stated there has never been a consideration for 2 full time employees at the library and this is desperately needed. The library was reinitiated 13 years ago and with the increases in size of 5 times no one considered in the staff that is needed for a larger building. So her wish would be to have 2 full time employees. She is already understaffed and with Jenny

not being there she would need at least one more person. Councilor Diaz stated he would like to move forward and advertise for a part time employee. Seconded by Councilor Medina

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

Update on 101 North Street- Clerk Treasure Valenzuela stated she need to call the surveyor and get the property surveyed. Valenzuela did let Mr. & Mrs. Ruiz know once that is done and once it is placed on the agenda.

Update on attorney for Police Department- Police Chief Carrillo stated he is waiting on meetings with the DA office, so the attorney can get better figures for the council. There are cases the DA's office can assign him because he does work for the DA's office. He will be putting together a monthly fee, case by case fee and an hourly fee.

7. Update from City Auditor Mike Stone on FY22 Audit Report Status.

Mike Stone stated the Bayard's Housing Authority audit is complete and now he is in the process on the city's audit and will be filing it with the state's auditor.

Councilor Gonzales stated she had a concern with out getting this audit done this keep the city from applying for grant money. This was a significant amount of money. The city missed out on \$425,000 from Colonius.

Mike Stone does understand this and he did apologize. He stated he had unforeseen circumstances. He lost staff, medical emergencies both his family and the office staff. He will get it done.

Councilor Diaz asked if there is anything Mike can do to try and get this money?

Clerk-Treasure Valenzuela stated no there is nothing that can be done. This is unforeseen circumstances and emergencies that Mike could not help. Valenzuela stated a lot of accounting firms are short handed and with these grants they will not budge. There are people that are trying to get this law changed because they are very strict.

Mike stated there is nothing he can do about it this year but for next year if your audit is in on time subsequent year you in for consideration the next year.

8. Discussion of MOU with Cobre Consolidated Schools on City leasing and Maintaining Golf Course.

Michael Koury the director of special projects with Cobre Schools he was at the meeting to see if there were any questions that needed to be answered.

Mayor Fierro stated Cobre has been having problems with there maintenance department being short staffed and they would like to see if the City of Bayard would lease the property to be able to send a couple of maintenance men to the property for 2 or 3 hours a week to help with the property. Mayor stated he knows there is a lot of Bayard residents that use this golf course. Cobre did give the city a

lease for the baseball field down by the Bayard grade school. Mayor has been talking with the little league president to try and get funding for that field.

Councilor Diaz stated he would like to hear from the maintenance director and see how it will impact this department and if this is even feasible.

Maintenance Director Paez stated this is not feasible right now. He is also understaffed.

Mayor Fierro stated he does not want a decision made now but when the maintenance department is fully staffed, we can reevaluate this in order to help the school out at least 2 or 3 hours a week.

Councilor Gonzales stated her concern for taking this over is that the maintenance department is going to have to keep it up as a golf course and can not change it to a dog park. She stated the city is going to be doing the maintenance for the schools. Gonzales feels this is going to be a lot more time than two hours a week because she has seen the school's maintenance out at the golf course for a lot more time.

Mr. Koury stated all they are asking for is some help. The residents of Bayard are also using this golf course and if the schools can get some help that would be great.

Mayor Pro-tem Villanueva asked if the city's maintenance department would be the only ones maintaining the golf course or the schools would be helping also.

Mr. Koury stated the schools would be helping also.

Councilor Diaz stated he would recommend to get in contact with the maintenance director and discuss a plan on how this will work come back to the council and we can all help each other out. The city does not want to commit right now because we do not have the man power.

Councilor Medina asked if the city hires youth to come work in the summer? Medina would like for the city to look in to hiring youth to cut weeds and mow the grass and things like that.

Valenzuela stated no the city has not. She just attended a meeting for the workforce solutions and she will get in contact with them to see who the city can hire.

Councilor Gonzales stated they would need to work more in depth because they need to learn a craft. They would have to be assigned to the maintenance department. This program is for youth that are looking for a trade after they graduate.

9. Discussion/Approval for starting salary for Clerk-Treasurer.

Councilor Medina asked for this to be placed on the agenda. There have not been any candidates for this position. The focus has been on a lot of different salaries and now it time for this position to get looked at.

Councilor Gonzales stated she believe the clerk should be making more then the chief of police because the clerk oversees the whole city. Gonzales has been looked around at different salaries \$38.50 and after 6 months \$40 an hour.

Councilor Diaz stated his recommendation would be to leave it open from \$38 to \$44 an hour.

Councilor Medina just wants to see a raise in that position. The three individuals all have degrees and the city needs to pay for the degrees. It's time for this position to be invested in. We are going to have to address this to get a clerk for the city. Medina dose not want to be in this predicament every again. The citizens deserve better. He like to idea to open a curtain for the salary but who will decide this? Will it be the interview committee? He feels if he is not involved in the interview then he would not be able to decide what salary the clerk would get.

Clerk-Treasure Valenzuela stated she will be posing a quorum will be present for the interviews so all council and mayor can be present for the interviews. If the council wants to ask questions or if they want to just sit back and listen to the candidates being interviewed.

Councilor Diaz stated the council will be the interview committee so they can make the recommendation. It will get each of the council to ask questions that need to be asked.

Councilor Gonzales aske when can the interview take place because she does not want to lose anyone of the candidates. She is excited for this because they all have degrees.

Motion made by Councilor Diaz the starting pay would be annually at \$79,160 to \$91,000. This will be between \$38 to \$44 an hour, Seconded by Mayor Pro-tem Villanueva.

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

Fire Department Grant- Councilor Diaz stated the no one from the fire department was present so the recommendation is to continue to follow with the letter that was sent out to the department. They department was given to opportunity to bring up the issue no one was there to discuss the issue. So, they city will continue with making this write and collecting the money to make the grant right.

10. Approval of Letter of Interest for Planning and Zoning Board Members- Joe Ramirez and Mark Richard.

Motion made by Councilor Medina adding member Manuel Garcia, Seconded by Councilor Gonzales.

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

## **ORDINANCES/RESOLUTIONS**

11. Approval of Resolution 7-2023 2nd Quarter Adjustments.

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

### **CLOSED SESSION**

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

12. Chief Carrillo to update Mayor and Council for limited personnel matters for Police Department- for Manuel Galaz.
13. Discussion of Tanya Ortiz for job responsibilities and wages.

### **ACTION ITEMS RESULTING FROM CLOSED SESSION**

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

14. Discussion of Tanya Ortiz for job responsibilities and wages.

No action was taken.

### **MAYOR AND COUNCILORS REPORTS**

Police Chief Carrillo stated he will be working with Cobre schools to provide security for there graduation.

Mayor Fierro asked if the school has hired anyone to control the traffic at the school zones?

Carrillo stated they are looking to hire two people one for the Snell and one for the Bayard Elementary.

Clerk-Treasurer Valenzuela stated she has not to report just working on numbers for the budget.

### **MAYOR AND COUNCILORS REPORTS**

Mayor Pro-tem Villanueva thanked the staff for all their work and everything they do. All their work does not go unnoticed and keep up the good work.

Councilor Medina thanked the police department for all they do. He stated they just have to communicate. Maintenance department supervisor Paez he appreciates everything his department is doing. Marlana's staff also they are doing a really good job.

Councilor Gonzales thanked the police department for passing by on the weekend. She thanked the maintenance department for the work they are doing. Residents have stopped her and let her know how well they are doing. She thanked the library for all the work they are doing and all the things they are putting together. She also thanked the city hall staff.

Councilor Diaz thanked all the department for all there work they do. On the little league he would like for Marlana to watch there spending. They ordered a \$1,600 conference table. Diaz did go up to the top of the little league stand and saw that they paint job they did was a mess and not done right and the little league needs to made aware of if any maintenance needs to be done that the city's maintenance will do the work. Diaz thanked the public for coming to the meeting and having their input.

Clerk-Treasure Valenzuela stated she wanted to buy a durable table that will last a longer time. This will be paid out of the recreational grant.

Mayor Fierro thanked all the department for all their hard work. He would like to see light be placed on Hurley Ave. He is going to call Bruce from PNM to see what can be done. That street is very dark and he would like to place lights at the city park. Mayor Fierro stopped in Deming to get gas and he saw some people he has known and they asked if when is there going to be another bingo? The people told him they know the Bayard Beautification Committee give out a lot of money and would like to attend. Mayor will try to get a hold of Lieutenant Governor Morales to see what they can do so the Governor can fund the vocational school that is wanting to be placed just out side of Bayard.

**NEXT MEETING DATE:**

**Regular Meeting - June 12, 2023**

**ADJOURNMENT**

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

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

ADJOURNMENT 8:20pm

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Chon Fierro  
Mayor

ATTEST:

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Marlena Valenzuela  
Clerk Treasurer