



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 adding for Deputy Clerk Valenzuela Closed Executive Session for posable litigation for information purpose 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

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.

12. Closed Executive Session

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 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 setbacks are good but when the Code Enforcer and herself went 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 setbacks. She would like for the Mayor and Council to go out and take a look at it. Diaz asked if the trailer has been purchased? Valenzuela stated yes. Councilor Diaz asked where will they park? Valenzuela stated they have their own parking space on their 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 happen like their house or someone else's house catches fire. Valenzuela will call the neighbors and see if they are okay with the trailer 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 sustain itself. A different report will be giving for July on.

Mayor Fierro thanked all the department for their 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



City of Bayard
CITY COUNCIL REGULAR MEETING
July 10, 2023 at 5:30 PM
Bayard City Hall

MINUTES

WORK SESSION

Consent agenda

James Ervin asked if the minutes for June 26, 2023 had Sonya Dixon's concerns on her budget? Councilor Medina stated yes it in the minutes and the new clerk will be starting soon and will sit down with each department head.

Councilor Gonzales stated she had something to add to the minutes the closed session was not added to the agenda and she was allowed to go in to closed session and she was not told by the mayor or another council members she was told by Police Chief Carrillo she could not attend due to hiring an attorney for her arrest. She clarified she is not an employee; she is an elected official.

Councilor Diaz asked about the accounts payable report he would like to know what is abila water system? Utility Clerk Ortiz stated it is for the water system program that amount is a yearly fee.

Councilor Gonzales asked about the Civic plus. Utility Clerk Ortiz stated this is for the program that is used to make the agendas and the ordinances online.

Councilor Medina asked Fire Chief Gonzalez if he has started to look in to purchasing a new fire truck? Gonzalez stated not yet. Medina stated if you were to order one today, they are four years behind on a new truck.

Councilor Diaz asked about the analysis lab for wastewater if this is monthly. Ortiz stated this is weekly for testing.

Councilor Gonzales stated the library completed a major goal by getting the mural complete. She commended the staff for getting the artists and grant money for that to be done. It came out beautiful. For the next meeting she would like to recognize the artists and commending the library staff.

Fire Stipend

Councilor Diaz stated based off the letter the city received from the Fire Marshal's office the fire department shouldn't pay back the stipend pay. So now the city can pay out the months that have not been paid on the approved policy of \$25 per call. Councilor Medina would like for Fire Chief Gonzalez to have each of the fire fighters sign the policy that states it is \$25 per call. Fire Chief Gonzales stated he feel like the council is attaching them. He doses understand

what policy is going to be used. Councilor Medina stated we just need clarification that this is \$25 per call.

Business License for Matthew Valenzuela

Councilor Medina asked if the Fire Chief has gone out to the business and inspected it? Fire Chief Gonzalez yes, he did go out and everything looked fine.

Councilor Medina read an email he received from Community partnership to have a color run in Bayard. To use the Bayard Community Center and the Community Park. Medina believes this is a good event for the community and Bayard needs it.

Library building wall

Sonya Dixon printed out pictures of the wall in the back room where the books are stored to show the mayor and council. Dixon spoke with the previous librarian Jody and she was told there was a tree growing inside the wall. There is a vine was growing in the wall which mean there is a water source. She and the maintenance supervisor discussed that maybe the brick should be exposed and not cover up and cause mold. The wall is crumbling and starting to smell. The mural is bringing a lot new people to the library. She discovers down town Silver City they are selling postcards of the mural. In the past six months to a year event at the library there is enough for standing room only. She is not able to have an open house, fund raiser, or dedicate that room to Councilor Zeke Santa Maria because it is an embarrassment. Superintendent Paez stated he could take the wall down. Councilor Medina stated the city needs to look into hiring a contractor to fix this wall.

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, Jade Wilson, Manuel Garcia, James Ervin, Jesus Perez, Joan Perez, George Esqueda, Euphemio Gonzalez, Michael Armendariz, Sonya Dixon, Jenny Castnon, Michael Paez, Gary Arellano, Anthony Macias, Valerie, Barboa, and Tanya Ortiz.

APPROVAL OF THE AGENDA

Motion made by Councilor Diaz excluding the minutes of the regular meeting on June 26, 2023, Seconded by Mayor Pro-tem Villanueva.

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

PUBLIC INPUT

Larry Ojinaga stated he wanted an update on the NM 356 project. He does not want to lose any money for that project.

Gary Arellano would like an update on the railroad crossing project. Superintendent Paez stated the railroad company has created a traffic control plan and now are waiting on DOT to approve the plan. As soon as that is done, they will begin the work.

Manuel Garcia asked the mayor about the welcome sign coming in to Bayard from Hurley, if he has any updates? Mayor Fierro stated he tried contacting Dr. Spaletta and could not get a hold of him. He is still working on it. Mr. Garcia suggests to get the community involved and have a contest for a new drawing to be on the new welcome sign.

CONSENT AGENDA

Motion made by Councilor Diaz excluding the regular meeting minutes for June 26, 2023, Seconded by Mayor Pro-tem Villanueva.

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

1. Approval of the Minutes of Regular Meeting on June 26, 2023.
2. Approval of the Accounts Payable Report for July 10, 2023.
3. Approval of the Bayard Fire Dept. Monthly Report for June 2023.
4. Approval of the Wastewater Report for June 2023.
5. Approval of the Library Report for May 2023 and June 2023.

OLD BUSINESS

Motion made by Councilor Medina, Seconded by Councilor Gonzales.

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

6. Discussion/Approval for agreement between Freeport-McMoran Chino Mines and City of Bayard.

Motion made by Councilor Medina, Seconded by Councilor Gonzales.

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

7. Discussion/Approval for Fire Department Stipend

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

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

NEW BUSINESS

8. Discussion from Matthew Valenzuela to discuss Business License for Giovanni's Bayard Auto Service.

Matthew Valenzuela asked what was going on with his business license? Valenzuela stated he has put up the fence to make the council happy. Councilor Gonzales stated not to make the council happy to follow the ordinance, also asked if he was changing the name of his business? Valenzuela stated his daughter lost her baby and he renamed his business. Councilor Diaz asked who has gone by his business and inspected his building? Valenzuela stated no one has gone by. Diaz asked no one has been by in the last month or six months? Valenzuela stated the property owner Dave Wilguss told him he does not have anyone on his property only if he is present and the police chief said everything was okay. Fire Chief Gonzalez stated he and someone from the fire marshal's office did go by and did an inspection and everything passed. He moved things away from the electrical box and made a path way so now there is no fire hazards. Diaz asked if he meets the fire standards? Gonzales stated he meets all fire standards. Gonzales asked how his standing with the water? Valenzuela stated he is taking care of it, but he does have others bill also. Councilor Medina asked if there is a fire hydrant close to the building? Fire Chief Gonzalez stated there is one right in front of the building? Medina asked if the water meter got moved off private property? Valenzuela stated no the meter is still in the property and he will allow the city to enter when they need. Diaz asked why was it not moved? Paez stated the line is an old galvanized line if the city relocates the meter there they will be comprising the existing connection, so if there are any problems the city will be responsible for any failure at that point on. The city has never been denied access to turn off the meter or read the meter. Diaz asked if there are any vehicles parked on the road? Valenzuela stated there is one but he is going to be moving it soon. Diaz asked for Mr. Valenzuela to try and minimize the traffic that is on the street and the noise. Mayor Fierro asked what are his business hours? Valenzuela stated from 11:00 am to 2 or 3 am. Mayor Fierro stated that is the problem the neighbors have is working till late hours. The mayor would like for him to change his hours and not stay working so late. Mayor Fierro would like for him to start earlier and get done around 5 or 6 pm. Valenzuela stated he has a problem with that because people come by to talk and he stops what he is doing and ends up working late to get the job done. Medina stated maybe he can close the garage door and get some work done.

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

9. Discussion from Felix Norero to possibly have Art put up in Bayard City Hall.

Jenny Castnon stated she would like art to be put up in the city hall building and Clerk-Treasurer Marlina Valenzuela is also interested in Mr. Norero's work. Castnon

stated when someone enters the library they see and like the art work this is hanging and she would like the same to the city hall. Councilor Medina asked if there is a contract? Castnon stated she could draw one up.

10. Discussion from Jade Wilson regarding "Public Relations".

Jade Wilson stated she believe the raises for the city employees is confusing for the public. Since she has been attendance of the meeting some many people have received 25 cent raises and then recently someone in city hall have received 75 cents, there some people in the police department getting 5% raises. She would like to know if this is addition to the sign on bonus? With all the discrepancies she sees why the public is so confused. Councilor Medina stated he agrees because now there is another percent raise on the agenda. The city clerk that is going to start soon is going to be look at percent raises. Another issue she had was at the last meeting on June 26th there was a medical call a citizen needed to be transported to the local hospital there was conduct with in the fire department. There was two members at the meeting and the when the third arrived they mentioned to him he was only there because he wanted a mark. Regarding the stipend for going out to calls. Next while the patient was being examined, Lowell West told the patient excuse me ma'am, I'm going to grab the back of your pants to help lift you up. Everything was professional there he provided the patient with a warning. The Fire Chief exclaimed you dirty old man. She believes everything about that was unprofessional. She also wants to mention she was impressed with Mr. West and his professionalism. Fire Chief Gonzalez asked Councilor Gonzales if she was missed treated that day? Councilor Gonzales stated no she was not. Councilor Diaz asked Councilor Gonzales if she remembers everything that went on that day? Gonzales stated yes, she does, she feels everyone responded really closely and fast. Miss. Wilson stated she didn't mention the patient for the regard for hippa. She feels even if the patient does not feel nothing was negative the comments should not happen.

11. Update on Bids received for N. Foy and Alta Vista Improvements.

George Esqueda stated bids were received and open at the Bayard City Hall on June 29, 2023. Total of two bids were received for the project. One bid was from Deming Excavation, Inc. from Deming NM for the amount of \$1,228,490.25 plus gross receipts tax for a total of \$1,322,162.63. Bid lot #1 is from the housing authority to the end of N. Foy. Bid lot #2 the intersection of Alta Vista and N. Foy, west on Alta Vista up to the city limits. Second bid received was from Southwest Concrete & Paving from Silver City NM in the amount of \$11336,711.11. The Transportation Project Fund Grant Agreement total available funding is approximately \$645,945.00. The money Bayard has is not enough for the project. The recommendation of Stantec is the bids received be rejected and the City of Bayard rebid the project. The City of Bayard did know they would be short funding, The city did apply for more funding through the DOT for the Alta Vista part for \$260,900.00. Even with this the city will be short. He believes the both contractors that bid on this project are extremely busy at this time, they both have big projects going on now. Award letters for the funding of the DOT will be sent out the end of August, so his recommendation would be to hold off and go this winter without the

improvements and begin advertising the beginning of next year. The money the city has not does not expire until June, 2025. Councilor Medina has concerns that if they city dose wait the contractor will not have enough time to finish the project and the city will loss funding. Medina asked if Mr. Esqueda knows if the contractor will be really busy next year like they are now? Mr. Esqueda said no they both will be finishing up big projects soon. He believes the unit pricing is a lot higher right now because they have a lot of work beginning next year when the contractors do not have so much work that price should go down. Councilor Diaz asked if at least half of the project can get done? Esqueda stated yes that can be done. Mr. Esqueda will get with the new city clerk and reevaluate this project.

Motion made by Councilor Medina to decline the two bids and have the new city clerk reevaluate this project and get an update in September, Seconded by Councilor Gonzales.

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

George Esqueda had an update on the NM356 project, there are two areas that will need additional right away this is only 27 square feet because there is some poles that cannot be relocated and the clearance of ADA is needed. Esqueda is working on that and is hoping to have the legal descriptions done by Wednesday. The plan is for this project to be advertised by the end of August.

Mayor Fierro asked if Mr. Esqueda had any updates on the Mine Mill Hall? Esqueda stated yes, he has e-mailed the estimates.

George Esqueda stated they received the approval from the environmental department for the 1million gallon water tank. So, the city can go out for bin in around September or October to avoid the peak usage.

12. Discussion/Approve Community Partnership for Children to use Bayard Community Center and Park to have a Color Fun Run.

Candice Baca attending over the phone. She is with a non-profit program called Community Partnership for Children and they would like to do a color fun run in the mining district and would like for it to be in Bayard on September 16, 2023 from 10am to 3pm. This will be a larger event because it will be for all of Grant County. There will be venders and activities. She is hoping to get support the city and supply a venue for this event.

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

13. Discussion from Librarian Sonya Dixon on wall in Library Building.

ORDINANCES/RESOLUTIONS**14. Discussion/Approval for Ordinance 1-2023 Neglected/Vacant Buildings.**

Motion made by Councilor Diaz, Seconded by Councilor Gonzales

Councilor Medina stated this has Police Chief and Fire Chief as the monitoring individual? Medina would like to know if they will follow national or state fire code? Fire Chief Gonzalez stated he is only responsible for suppression and education. Medina according to this ordinance they are responsible to certify in writing the building to neglected. Medina would like for the Fire Chief to have paper work done so when they do have to write a neglected building, they have all the documentation, fire code documentation. Medina knows of people that are living in house that do not have utilities on. They have extension cords running to neighbors' houses and generators running and that can cause a fire. Councilor Diaz stated they need to figure out what authority do the fire and police chief have? There needs to be a process. If the city is going to start to give citations, they need proper documentation. Medina stated another thing this ordinance stated is life safety code and that is utilities in the home. So, when these homes start to get ding as vacant, they need all this code prepared to show these people. He would like protection for the people. Medina would like a documentation process to back this ordinance up. Diaz stated the ordinance is done now what is needed is the steps to enforce the ordinance. Councilor Gonzales stated there is a form that is missing to take the proper steps. Medina stated there is an ordinance now that says there needs to be utilities on to be considered a resident and without this is considered a vacant home. Diaz suggest a work shop session with everyone involved. Gonzales would like for the other ordinance to be mentioned in this ordinance, she would for all of the ordinance to be together so the chief needs to look at it it will all be together. Medina would like to protect the police, fire chief, code enforcer but also to citizens of Bayard. Diaz believes there is still work to be done and they are setting up the fire and police department for failure.

Councilor Diaz rescinds this motion and make a motion to postpone until to next council meeting to have all documentation that is needed for this ordinance. He would like the ordinance and other paper work so if someone from the public would like to see it, we have it available, Seconded by Councilor Gonzales.

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

15. Approval of Resolution 8-2023 Authorizing Application for Police Dept. Units.

Tanya Ortiz stated this resolution needs to be approved by council for the next step in the application for the police department for new police units.

Motion made by Councilor Medina, Seconded by Councilor Gonzales.

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

16. Approval of Resolution 9-2023 for Regular Local Election Vacancies.

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

ACTION FOR PERSONNEL

17. Discussion/Approval to remove Bobby Terrazas from probation with a 5% increase.

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

18. Approval of Resignation letter from Raul Villanueva as Bayard City Councilor.

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

19. Discussion/Approve to appoint candidate for vacant City Council position.

Mayor Fierro stated there are two candidates for the vacant city council position Mr. Larry Ojinaga and Mr. Eloy Gonzales. Mayor Fierro appoints Eloy Gonzales.

Motion made by Councilor Diaz, Seconded by Councilor Medina. Councilor Gonzales stated she was disappointed in the appointment because Larry Ojinaga is always at the meeting and is involved. She knows Eloy Gonzales is involved in the Beautification Committee and Bingo's and thing but Larry Ojinaga has been involved in the harder things. He attends all the important meetings and is filmier with what is going on. Mayor Pro-tem Villanueva stated he thinks Larry Ojinaga would be an asset to Bayard. This is only for 6 months and he hopes both individuals put in to get elected by the public. He will support the decision of the mayor but in November it will be decided by the public. Councilor Diaz is going with the recondition of the mayor.

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

MAYOR AND COUNCILORS REPORTS

Maintenance Superintendent Paez stated the public works improvements project is complete and the final inspection is also complete.

Fire Chief Gonzalez stated he fell the fire department and himself were disrespected by sending the stipend pay policy to the attorney general office. Instead, the council and mayor could have got together with the Fire Chief and worked this out. Councilor Gonzales apologized and from now on she will get with them if there is a problem. Gonzales does not want to disrespect the department because they do some great work.

Librarian Dixon thanked Marlana and Mikey for making her front door to the library working. Dixon apologized about her anger about the library this is because she is so passionate about the library and it being a public building. She is trying to put Bayard on the map. Now they are selling postcard of the library. Councilor Gonzales stated there is a art gallery down town Silver City that is selling postcards of the library mural. Dixon stated she already spoke with Diane the artist of the mural; this art is hers and the people from the art gallery should have spoken to her and asked if they could sell it. Dixon thinks the art gallery should give to proceeds from the post cards to the library.

Utility Clerk Ortiz stated there needs to be a special meeting to approve the budget adjustments. She was thinking on Thursday July 13 at 5:30.

MAYOR AND COUNCILORS REPORTS

Mayor Pro-tem thanked the staff for everything they do. He knows the new clerk will be starting soon and he hopes everything goes well and moves forward.

Councilor Medina asked for an update from the Planning and Zoning Meeting. Councilor Gonzales started they will be electing officers at their next meeting. The next meeting will be July 13, 2023 at 4pm. at the Bayard Community Center. She invites the public to attend. The group is very motivated and it is a really good group. One of the members of the committee called city hall and wanted on of the girls to show up to the meeting and be the secretary. Councilor Gonzales stated no one from city hall will be attending the meeting they will elect their own secretary. The city cannot pay overtime to someone from city hall. The committee will need some money to redo the maps of Bayard. The maps now with the colors that were used it is really hard to see the roads, streets and buildings. Mayor Fierro stated he will go speak to Mr. Arrey at the county and see if he can get a map made. Councilor Medina stated Dave Ramos also has access to big printers maybe she can give him a call. Councilor Gonzales thanked the staff for all their work.

Councilor Diaz thanked the staff for their hard work. Diaz wanted to assure that if the council did not what they did with the fire department. They hired a privet investigator to look in to the process of the stipend pay. The process was not being followed; the council put a stop to the stipend pay until there was clearance. The mayor and council had nothing to do with sending this to the attorney general's officer. They sent it to the attorney general's office to make sure there were no misappropriation of funds and the council got a letter of clearance to pay the stipend with the approved policy. If the council wouldn't have done what they did the fire department would still not be pay the stipend pays correctly. Any grant that is obtained the city is responsible for the funds and how they are used. The grants are very specified to what is needs to be paid. The councilor is here for accountable and for the tax payer's money to use the proper way.

Mayor Fierro thanked all the department for all their hard work. He was at the little league field and the men's door to the restrooms are pulled out. He would like for that to be fixed. The faucets also need to be fixed. Superintendent Paez stated the little league as some part to that. They did not uphold their end of the deal. There are other repairs that the maintenance department have had to fix this season. Mayor Fierro has talked with the little league and he thinks the little league needs to start paying for the repairs. When he gets asked, they aren't

there things for the kids to do and we do have things the kids damage the property and this is sad. Mayor Fierro is thanked for the railroad project will be getting done.

Councilor Diaz would like for the little league president will come to the next council meeting and discuss this issue. Councilor Medina would like to sit down with the little league and come up with a contract and require a deposit.

NEXT MEETING DATE:

Regular Meeting - July 24, 2023

ADJOURNMENT

Motion made by Councilor Diaz, Seconded by Councilor Medina.

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

ADJOURNMENT

Chon Fierro
Mayor

ATTEST:

Tanya Ortiz
Utility Clerk