



City of Bayard
CITY COUNCIL REGULAR MEETING
May 09, 2022 at 5:30 PM
Bayard City Hall

MINUTES

WORK SESSION

CALL TO ORDER: Mayor Pro-tem Raul Villanueva

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Pro-tem Raul Villanueva
Councilor Frances Gonzales
Councilor Jose Diaz

ABSENT

Mayor Chon Fierro
Councilor Eloy Medina

A quorum was present. Others in attendance were Larry Ojinaga, Steve Gabaree, Lori Gabaree, Rudy Martinez, Nick Seibel, Adrian Ortiz, Ralph Jimenez, Mike Armendariz, Gary Arellano, Euphemio Gonzalez, Hector Carrillo, Jason Jaeger, Kristy Ortiz, and Tanya Ortiz.

APPROVAL OF THE AGENDA

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

PUBLIC INPUT

Ralph Jimenez the president of the Copper Little League thanked the council for everything. He stated the internet is installed and the security cameras will be up and running. Everything at the Little League is going smoothly. The Senior League will be starting soon. The Little League will not be hosting the State Tournament and the season will end June 4, 2022.

Adrian Ortiz a coach for the Copper Little League came before the council and stated there will be t-ball and coach pitch games played this weekend May 14-15 at the little league field.

Councilor Diaz asked who is liable if someone gets hurt, will there be security present, and who will be cleaning up the fields?

Ralph Jimenez will have all kids insured by the league's insurance, Chief Carrillo will cover if no one is scheduled and Adrian Ortiz will be sure to have the fields clean.

Steve Gabaree has concerns with M&M Auto. The owners are moving in more cars and more junk. He now is parking the cars on the street and has cars on blocks. To him it seems things are going backwards.

Police Chief Carrillo stated if withholding M&M Auto's business license and citations are not working, he recommends filing a law suit with district court.

CONSENT AGENDA

Motion made by Councilor Gonzales, Seconded by Councilor Diaz.

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

1. Approval of the Accounts Payable Report.
2. Approval of the Regular Meeting Minutes for April 25, 2022
3. Approval for Judge Jose Sandoval to attend 2022 Municipal Judges Conference on May 10-12, 2022.
4. Approval of the Fire Report for April 2022.
5. Approval of the attendance to NMRWA Annual Conference for Mike Paez on June 14-16, 2022.

OLD BUSINESS

6. Discussion for concerned citizen Larry Ojinaga.

Highway 356 project is underway and should be done by December 2022. The owners on Central Avenue with the burned house have been given a letter and the owners have 6 months to take care of the issue, the repairs on the railroad crossing are underway. They are getting all the contracts together, cost estimates and getting the project awarded to whoever will be doing the work. The project will be completed by the end of the federal fiscal year.

NEW BUSINESS

7. Project update from Rudy Martinez.

Rudy Martinez stated he has been reading in the newspaper the problems that are going on at the wastewater treatment plant. The main concern he has is with the eroding of the pipe line and he knows it's a matter of funding. He does realize there are other issues but we need to take them one step at a time. Mr. Martinez has been doing some research on the internet and came across a rural development grant program that continues, there is no deadline and is specific for water and wastewater. He will share that information with the city.

Clerk Ortiz did state the bid deadline is due tomorrow and is hoping they come in within budget and hoping to have a recommendation for the next council meeting.

8. Approval of lift station assembly repair in the amount \$40,386.

Clerk Ortiz stated this is the only quote that the city has received because it is very hard to get quotes right now. She is waiting on a quote from one more vender. If that does not come in by the end of the week we do need to move forward and get this issue taken care of.

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

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

ORDINANCES/RESOLUTIONS

9. Approval of the Fire Proclamation.

Motion made by Councilor Gonzales, Seconded by Councilor Diaz.

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

Proclamation

WHEREAS, the City of Bayard Code of Ordinances Section 18-32 provides the authority for the Governing Body to declare extreme fire danger due to severe drought conditions within the boundaries of the town; and

WHEREAS, in recent weeks, the fire danger has increased throughout the State due to warmer temperatures, lower humidity, high winds, and an abundance of dry, fine fuels; and

WHEREAS, according to the United States Drought Monitor, approximately 93% of New Mexico is experiencing severe drought conditions, while more than 70 % of the state is experiencing extreme to exceptional drought conditions; and

WHEREAS, significant fire danger and prevailing drought conditions create the possibility for numerous natural disasters, including sever wildfires, flooding due to severe wildfires, and crop production loss; and

WHEREAS, Grant County is experiencing, or recently experienced, wildfires, including the East Fire; and

WHEREAS, the State of New Mexico have recently enacted Executive Order 2022-022 declaring severe that drought and fire conditions currently exist throughout New Mexico and urge counties, municipalities, and local governments to implement appropriate fire prevention measures legally in their power and firework bans pursuant to the Fireworks Safety and Licensing Act, NMSA 1978, 60-2C-1 to -11.

NOW, THEREFORE, I, Raul Villanueva, Mayor Pro-tem of the City of Bayard declare severe drought and fire conditions exist in Bayard, Grant County and hereby implement the following fire restrictions within the city boundaries:

- A. No building or maintaining of campfires.
- B. No open burning to include the burning of yard waste, tree limbs, and weeds.
- C. UL approved propane grills with appropriate covers/lids are approved.
- D. Any other outdoor wood or charcoal burning device shall have appropriate covers such as screen, metal siding and/or dirt. Fires used to prepare hot coals must have a protective screen and a five foot clearance around the entire fire pit. Fire pits must have prior approval from the Bayard Fire Department who will issue a special burn permit.

Restrictions are effective immediately; May 9, 2022; and shall remain in effect until conditions improve and will only be lifted by the Fire Chief.

Any individual caught in violation of this order is subject to the following penalties: A fine of not more than \$300.00 or imprisonment or not more than 90 days, or both.

Done on this 9th day of May, 2022.

Witness my hand and the seal of the City of Bayard

Raul Villanueva

Mayor Pro-tem

ATTEST:

Kristina Ortiz, MMC

Clerk-Treasurer

CLOSED SESSION

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

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

10. CLOSED EXECUTIVE SESSION PURSUANT TO 10-15-1 (H-2, H-7 and H-8) NMSA 1978 for limited personnel matters, item related to threatened or pending litigation, and real property.

Only thing that was discussed were limited personnel matters, item related to threatened or pending litigation, and real property.

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

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

MAYOR AND COUNCILORS REPORTS

Councilor Diaz stated he met with the Maintenance Supervisor for an update on the repairs on Dayhill street and Anthony did let him know work will begin mid to late June. The wastewater issues are very important matters and will support anything that needs to be done. He thanked the Fire department for all the calls they answer and last he stated the Bayard Beautification committee will be have a Bingo Sunday at 5:00 p.m. at the Bayard Community Center.

Councilor Gonzales stated early voting will starts May 10, 2022. She encourages everyone to vote. These are forums and encourages everyone to attend and get educated on who to vote for. There will be a Bayard Housing Authority meeting May 18, 2022 at 4 p.m. She will get with our legislators for get funding for the wastewater treatment plant. Thanks to the Fire Chief for the Proclamation. She thanks the constitutions for coming out to the meeting and holding them accountable.

Fire Chief Gonzales stated the two men that took the EMS test both passed the classes and now they are both ready for testing.

Police Chief Carrillo attended the Police Chiefs meeting and was informed of activists that are hairdressing police, city employees, city council members. They are making YouTube video's and making money off of this. The best thing if you come in contact with them is to ignore them.

Mayor pro-tem Villanueva thanked all the city staff for all they do. He is here to support everyone. He knows there has been trying times but we all have to pull together and get through. He thanked everyone for being at the meeting in the evening and encourages more people to come in and talk with them and address any concerns.

NEXT MEETING DATE:

Budget Work Session – May 18, 2022

Regular Meeting – May 23, 2022

ADJOURNMENT

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

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

ADJOURNMENT 7:40p.m.

Raul Villanueva
Mayor Pro-tem

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer