



City of Bayard
CITY COUNCIL REGULAR MEETING
August 28, 2023 at 5:30 PM
Bayard City Hall

MINUTES

WORK SESSION

Councilor Diaz stated that him and Ms. Gonzales have voiced their opinions on changing the meeting hours. He sees that the public is coming out and would like to wait till after elections to see what the new Mayor would suggest. Mayor Fierro would like to see one meeting at 2:00 p.m. and one in the evening.

Chief Carrillo had spoke with the Council previously about hiring Mr. Bradburn as the Depts. attorney. Mr. Bradburn has come up with numbers. Mr. Bradburn said he is willing and capable to serve our community and has a similar arrangement with Silver City Police Dept. He would like to go with a per month contract and his proposal is \$400 per case including gross receipts. Mr. Bradburn stated that answering calls and questions even in the middle of the night are all included in the contract at no extra charge. Mr. Bradburn would be appointed as a contractor and will follow the constitution. If there is an excessive amount of cases Mr. Bradburn stands by his quote and will only charge \$400 per case.

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Chon Fierro

Councilor Eloy Medina

Councilor Frances Gonzales

Councilor Jose Diaz

Councilor Eloy Gonzales

Also in attendance were Hector Carrillo, Mikey Paez, Joann and Jesus Perez, Larry Ojinaga, Dolores Charon, Mathew Bradburn, Tomas Medina, Jade Wilson and Gilbert Ortiz.

APPROVAL OF THE AGENDA

Motion made by Councilor Medina, Seconded by Councilor Diaz.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, Councilor E. Gonzales

PUBLIC INPUT

There was no public input.

CONSENT AGENDA

Motion made by Councilor Diaz, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, and E. Gonzales

1. Approval of the regular meeting minutes August 14, 2023.
2. Approval of accounts Payable Report for August 28, 2023
3. Approval of Police Department report for July 2023
4. Approval of animal control code enforcement July report.
5. Approval to send Manuel Galaz and Trevor Jensen to field training officer class in Deming NM Sept. 19/20.

OLD BUSINESS

6. Discussion/Approval/Disapproval, Council meeting hours.

Councilor Diaz wants to keep the meetings the way they are. Elections are right around the corner and once the new year comes around and there is new government they can see what process they would like to take. Would like to cut back on the Department heads being there unless there something urgent to discuss.

Councilor Medina said he would like the dept. heads to be present. It is important for the public to hear what they have to say.

Mayor Fierro agreed with Councilor Medina.

Resident Larry Ojinaga stated it would be confusing if they were to have councils meetings at different times.

Councilor Gonzales said there had been meetings at 2:00 p.m. and of the biggest issues is people work during those hours. The reason they changed their hours was to be more available for the public.

Resident Jade Wilson suggested that maybe on meeting days dept. heads could come in at a later time.

Resident Joann Perez said it is disappointing that it is the same residents that show up and she wishes more residents would come to the meetings.

Motion made by Councilor Diaz to keep the meetings the same, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz

NEW BUSINESS

7. Approval/Disapproval for Police Attorney, Bradburn.

Motion made by Councilor Medina, seconded by E. Gonzales
Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz

8. Presentation of Audit by Mike Stone. Representing Stone and Mcgee and company.

Mr. Stone stated it was a good audit. We did not spend over \$750,000 in Federal funds so there was not a single audit done and that reduced our fees. There was a comment about the late audit from the State Auditor and he did state that he takes full responsibility for that.

9. Approval of new Fire Officers.
Chief, Cody Dove
Assistant Chief, Frankie Gomez
Trainer, Nicolas Medina
Secretary, Crystal Carrillo

Clerk Ramos stated they have been doing a great job. Mr. Dove jumped right in as Fire Chief and they are working hard on recruitment. So far two EMT's on staff and three individuals are going to class. Three firemen are going to 1st responder school and there is 11 in the department.

Motion made by Councilor Diaz, Seconded by E. Gonzales
Voting Yea: Councilor Gonzales, Councilor Diaz

Councilor Medina abstained from vote

10. Approval/Disapproval General Engineering & Architectual Support.

Clerk Ramos stated that there seven RFP's requested and Stantec was the only one who submitted back.

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

11. Approval/Disapproval Fort Bayard Evacuation Mutual Agreement.

Clerk Ramos said this is in case of a major emergency we would help house the community.

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

ACTION FOR PERSONNEL

RESOLUTIONS/ORDINANCES

12. Resolution 14-2023, approval/disapproval of ICIP funding requests.

Motion made by Councilor Diaz, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz.

13. Discussion/Approval/Disapproval, Current Employees Certified Notaries .25 increase.

Clerk Ramos stated that notaries now have to take a six hour course and pass a test. He advised the council it is up to them on what they want to do about backpay. He is recommending that new notaries from here on get a \$0.25 increase.

Councilor Diaz stated it is in policy for an increase of \$0.25 with certifications. He suggested maybe talk with employees to see what we can come up with. He stated it is unfair and wrong that we don't compensate.

Councilor Medina stated that we need to revisit the policy and make necessary changes.

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

MAYOR AND COUNCILORS REPORTS

Mikey P. stated that there were changes made to the Million Gallon Tank Project. They did run into some issues with how they were going to fill the tank up and isolate certain things. Engineer did advise him that the 250,000 gallon tank should hold through the project. The start date has been pushed back a week.

Chief Carrillo stated that he has three apps for the ACO position and will be moving forward with interviews next week. He would like to recognize the animal shelter volunteers at the next meeting. He wanted to thank everyone for allowing him to get his dept. going. He has had three officers asked by the Sheriffs Dept. to leave and they have declined positions.

Clerk Ramos stated that Alta Vista Rd. is bad. Would like the maintenance to fix manholes and meters. Property and road belongs to county. road is very bad. Also, we have good news from Priscilla about getting money for the chlorinator. They are also looking at different grants. and looking into a splash pad. Also, Jenny Castanon is looking into grants for fire hydrants.

Councilor Eloy Gonzales has a wish list. Would like to see in near future improvements on the streets. There are a lot of kids breaking windows and would like to see a recreation building or a swimming pool to help keep the kids occupied. Would like to see a motel as well.

Councilor Medina is working on bringing EMS services back to Bayard. Appreciates Bayard Fire. Depts. help.

Councilor Diaz stated that he would like to see the positions that are available right now posted in the paper. Running short staffed saving money hurts workers. We have to take care of our depts. Lights on Central Ave. are not on and would like an update on when they are going to start working.

Clerk Ramos stated they are working on quotes.

Mayor Fierro thanked all the depts. for their hard work. As for recreation we have a lot of property. He had a meeting with Freeport to see about using some property of theirs. would like maybe a soccer field, or a business or hotel.

NEXT MEETING DATE:

Regular Meeting - September 11, 2023

ADJOURNMENT

7:35 p.m.

Motion made by Councilor Diaz, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, Councilor E. Gonzales

Chon Fierro
Mayor

ATTEST:

Gabriel Ramos
Clerk Treasurer



City of Bayard
CITY COUNCIL REGULAR MEETING
September 11, 2023 at 5:30 PM
Bayard City Hall

MINUTES

WORK SESSION

Councilor Frances Gonzales wanted to know how many animals get euthanized and also wanted to know the monthly charge for this.

Councilor Diaz wanted to know if we would be getting new trash bins. Clerk Ramos stated that was part of the contract. Councilor Gonzales wanted to verify they would still be doing the community clean up twice a year with the big roll out bins.

Chief Carrillo had three applicants for the ACO/Code Enforcement Officer and they interviewed two. Councilor Diaz wanted to make sure they understood they would be doing crosswalks as well. Chief Carrillo stated that we will be starting this employee at \$16.50 an hour and we are in the process of getting an agreement with the schools to get reimbursed \$30.00 for the crosswalk duties.

Clerk Ramos wanted to get two volunteers to talk about increases for the notary and certifications. Councilor Diaz would like to see the policy be revised and has asked about this for the past two meetings. He mentioned possibly getting with the employees with the notary certifications and come to an agreement of a lump sum. Clerk Ramos said it is a tough decision but that council needs to come to an agreement.

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

ROLL CALL

PRESENT

Mayor Chon Fierro
Councilor Eloy Medina
Councilor Frances Gonzales
Councilor Jose Diaz
Councilor Eloy Gonzales

Others in attendance were Hector Carrillo, Larry Ojinaga, Tanya Ortiz, Jade Wilson, Dolores Charon, Joe Ramirez, Trevor Jensen, Louis Gomez, Jesus Perez, and Joan Perez.

APPROVAL OF THE AGENDA

Motion made by Councilor Gonzales, Seconded by Councilor Diaz.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, Councilor Gonzales

PUBLIC INPUT

Jesus Perez had concerns for neighbors house. He has contacted the health dept. and to see if there is black mold. has had issues with rats and see they run to the neighbors house. The roof is gone and it smells like mildew. Cats are in and out and skunks are constantly spraying his dogs. He has talked with the Mayor, previous Chiefs and Councilors and still nothing has been done. Joe Ramirez advised him about the planning and Zoning meeting that is coming up.

CONSENT AGENDA

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, Councilor Gonzales

1. Approval of Regular Minutes for August 28, 2023.
2. Approval of Accounts Payable Report for September 11, 2023.
3. Approval of Bayard Library Report for August 2023.
4. Approval of Chief Hector Carrillo attending Organized Retail Crime Conference in Albuquerque on September 28, 2023.
5. Approval of Chief Carrillo attending Use of Force Report Writing in Albuquerque on October 19, 2023.
6. Approval of Trevor Jensen and Anthony Macias attending IR 8000 Operator Class in T or C on October 26, 2023.

OLD BUSINESS

7. Discussion/Approval of Solid Waste Contract.

This was postponed for signatures.

NEW BUSINESS

8. Appointment of Mayor Pro-tem Eloy Medina.

Appointment of Mayor Pro-tem Eloy Medina.

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, Councilor Gonzales

9. Discussion/Approval of Planning & Zoning requesting City Staff as a Secretary.

Joe Ramirez was in attendance on behalf of Mr. Mark Richard. He stated the committee is wanting some changes made to the Neglected/Vacancy Ordinance. There is some issues with certain timing dates and will be submitting what they would like to see changed. There is a part in section 7 that they would changed from 4 weeks to longer. It was brought up at the last meeting that they would like to have a secretary from the city do minutes. He stated that Councilor Gonzales is doing great with the minutes but Mr. Richard felt they would be taken more seriously if they had a secretary. Mayor Fierro asked if the planning and zoning committee elected her to be the secretary and she stated they did. Mayor Fierro stated to keep it that way since she was elected for that position. Clerk Ramos recommended that we do not assign a secretary from City staff. Councilor Diaz stated that she is a liaison and should take a step back, we are there only for support and feedback and they should let someone from the committee take minutes. Mr. Ramirez said they need more volunteers.

Motion made by Councilor Diaz to keep the secretary as is, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, Councilor Gonzales

10. Approval of Lexipol Master Service Agreement.

Motion made by Councilor Medina, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, Councilor Gonzales

ACTION FOR PERSONNEL

11. Approval of Hiring of Animal Control/Code Enforcement Officer.

Council agreed to hire Ricardo Aguirre at \$16.50 an hour.

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, Councilor Gonzales.

12. Discussion/Approval of Notary Increases.

Clerk Ramos would like to have two volunteers to serve on a committee to go over what should be done for increases on notaries and future certifications. Councilor Diaz advised he would like to be on the committee. Councilor Gonzales also stated she would like to be on the committee as well.

Motion made by Councilor Diaz to have a Special Meeting to discuss increases, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Diaz, Councilor Gonzales.

MAYOR AND COUNCILORS REPORTS

Assistant Fire Chief Louis Gomez wanted to know how we are handling background checks on volunteer Fire. Chief Carrillo said he is equipped to run backgrounds and asked the council if they would allow him to run the simple backgrounds for the Fire Dept.

Clerk Ramos stated employees are doing great and Maintenance is staying busy. He has heard nothing but great things with our Police Dept., as well as positive things about our Fire Dept. Clerk Ramos asked the council how they wanted to handle employees with Covid. Councilor Diaz advised employees will need to use annual and sick leave. Councilor Medina said if you are exposed you need to have a mask on. Clerk Ramos advised everyone that the Welcome to Bayard sign by Snell is coming down soon. Councilor Medina said instead of putting money into new sign he would like to add more money in to the existing Welcome to Bayard sign by Blake's. Mayor Fierro stated DOT does not want anything else there. Councilor Medina said he would like to see a Veterans Memorial or plaque to recognize veterans. Clerk Ramos asked council about considering changing the leave policy to allow employees to carryover more than 120 annual leave hours. Council advised to have it on next agenda.

Councilor Eloy Gonzales said he attended the Municipal League and it was a great experience. he got to exchange ideas and is looking forward to the next one.

Councilor Medina asked if residents wants a copy of the Vacant Building Ordinance where can they get one. He was advised they can pick one up at the City Hall. He also stated the Fire Dept. has been getting a lot of compliments.

Councilor Frances Gonzales said there is a Housing Meeting at 4:00 p.m. next Thursday. She stated she had spoke with Jolene at the Housing and that she was told the ex Fire Chief went over there asking why she reported to council about the Dept. and that he was upset. Planning and Zoning meets at the City Hall on September 21, 2023.

Councilor Diaz advised there is a Bingo Fundraiser the Beautification Committee is doing September 24, 2023 and October 21, 2023. There is also the annual Trunk or Treat Candy Drop on October 29, 2023.

Mayor Fierro said he was very happy with how our maintenance handles leaks so quickly. He is also really happy with the Police Dept. Him and the Clerk had a meeting with Bruce from PNM to see what they could do t help with grants. They also have a meeting with the Mine to see about getting funding for the Mine Mill Hall and another mining museum.

NEXT MEETING DATE:

Regular Meeting - September 25, 2023

ADJOURNMENT 7.35p.m.

ATTEST:

Chon Fierro
Mayor

Gabriel Ramos
Clerk Treasurer