City of Bayard

CITY COUNCIL REGULAR MEETING

July 13, 2020 at 1:30 PM

Bayard City Hall

MINUTES

WORK SESSION

The Bayard City Council conducted a work session to discuss items on the July 13, 2020 meeting agenda.

CALL TO ORDER: Mayor Chon S. Fierro

Mayor Pro-tem Villanueva called the meeting to order at 2:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT
Mayor Pro-tem Raul Villanueva
Councilor Charles Kelly
Councilor Eloy Medina
Councilor Adrian Ortiz

ABSENT
Mayor Chon Fierro

A quorum was present.

APPROVAL OF THE AGENDA

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

PUBLIC INPUT

No public input was received as directed by the legal notice.

CONSENT AGENDA

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

The consent agenda included the following four items:

1. Review and approve minutes of June 22, 2020 City Council meeting.

2. Review and approve the accounts payable report for July 13, 2020.

3. Fire department report for the month of June 2020.

4. Wastewater department report for the month of June 2020.

NEW BUSINESS

5. Review and approve lease agreement for the EMS Ambulance Station - 4 year term.

   Clerk Treasurer Ortiz presented the renewal for the EMS Ambulance Station lease agreement. Items that were changed were the Lessee name and the description of services to indicate that ambulance services would be dependent upon available staff and units.

   Motion made by Councilor Kelly, Seconded by Councilor Ortiz.
   Voting Yea: Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Ortiz
   Voting Abstaining: Councilor Medina

6. End of year budget adjustments for period ending June 30, 2020.

   Clerk Treasurer Ortiz presented the June 30, 2020 end of year budget report and budget adjustments. The Clerk indicated the majority were revenue lines that require adjustments.

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

7. Review and approve June 30, 2020 financial statements.

   Clerk Treasurer Ortiz presented the June 30, 2020 Financial Statements. The Clerk reported that the end of year balances looked very well with general fund having a positive balance of approximately $225,000.

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

8. Review and approve the Southwest Council of Government Annual Agreement for services at the fee amount of $2,063.00

   Clerk Treasurer Ortiz presented the Southwest Council of Governments Annual Agreement for governmental services. The Clerk stated she uses the SWCOG primarily to review grant applications and during the legislative sessions.

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

9. Request for variance on setbacks for the installation of a metal carport, without cement foundation. Front setback to be 5' and side setback to be 3'.

   Spouse does not feel safe using existing driveway on north side of property due to previous collision.

   Mr. David Leyba is requesting a variance for the front and side setbacks for the installation of a metal carport that would not have a full foundation only leg supports. Mrs. Leyba does not feel safe utilizing the drive entrance on the north side of the property due to a collision with a motorcycle. The front setback is requested at 5' and side setback at 3'.

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

10. Corine Diaz is requesting installation of speed bump in front of her property on Royal Street. Petition received, one resident is opposed.

    Ms. Corine Diaz submitted a petition to request a speed bump on Royal Street in front of her property to ensure safety of her grandchildren while they are outside.

    Councilors discussed the speed bump request and asked Chief Alirez if any complaints have been received by the police department in this area. Chief Alirez stated he has not received any complaints but will review documentation to verify.

    Consensus of the Council is to postpone action until a later date.

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

ORDINANCES/RESOLUTIONS

11. Adoption of Resolution 19-2020 for the June 30, 2020 Financial Statements and end of year budget adjustments.

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

Resolution 19-2020

WHEREAS, the Bayard City Council in regular session on July 13, 2020 did propose to make certain budgetary adjustments; and

WHEREAS, the Council does hereby authorize the attached listing of budgetary adjustments for the June 30, 2020 financial statements as listed in Exhibit A.

WHEREAS, the Council does hereby approve the June 30, 2020 Financial Statements and budget adjustments as presented.

NOW THEREFORE, the Council does hereby accept and approve the budgetary adjustments and June 30, 2020 Financial Statements.

Done at Bayard, New Mexico, this 13th day of July 2020.

//s//_____

Raul Villanueva
Mayor Pro-tem

ATTEST:

//s//_____
Kristina Ortiz, MMC
Clerk Treasurer

12. Adoption of Resolution 20-2020 SWCOG Annual Agreement

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

RESOLUTION NO. 20-2020

RESOLUTION OF THE CITY OF BAYARD RATIFYING A CERTAIN AGREEMENT BETWEEN THE CITY OF BAYARDAND THE SOUTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS, DATED JULY 13, 2020, AND AUTHORIZING THE EXECUTIVE OF SAME BY THE PROPER OFFICIAL OF CITY OF BAYARD.

WHEREAS, the City of Bayard is a member of and desires to have the services of the Southwest New Mexico Council of Governments; and

WHEREAS, it is necessary that an agreement setting forth the services to be performed by the Southwest New Mexico Council of Governments for the City of Bayard be entered into and it is a requirement of the New Mexico State Laws; and

WHEREAS, it is necessary to set forth the sum to be paid by the City of Bayard to the Southwest New Mexico Council of Governments, as annual dues, for said services; and

WHEREAS, it is the desire of the City of Bayard to accomplish these purposes:

NOW THEREFORE BE IT RESOLVED BY THE CITY OF BAYARD THAT:

1. The AGREEMENT referred to in the caption of this Resolution (a copy of

which is attached hereto and made a part hereof) expresses the desires and intent of the City of Bayard.

2. The AGREEMENT set above is hereby ratified and approved by the authorized representatives of the City of Bayard and is hereby authorized and instructed to affix their signature thereto.

3. A Certified copy of this Resolution (together with the Agreement) shall be filed at the Southwest New Mexico Council of Governments.

Done this the 13th day of July, 2020 in Regular Session, at Bayard City Hall.

//s//_____
Raul Villanueva
Mayor Pro-tem

ATTEST:

//s//_____
Kristina Ortiz, MMC
Clerk Treasurer

ACTION FOR PERSONNEL

13. Approve promotion from un-certified officer to certified police officer position for Jesus Lopez and German Pena effective on July 18, 2020 with an hourly wage adjustment from $14.00 to $17.50 per hour with the standard introductory period.

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

14. Conditional hire of Nicole Renee Tavizon as a certified police officer at the hourly rate of $17.50 upon completion of all pre-employment exams and background reviews.

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

15. Promotion of Marlena Valenzuela from Utility Clerk to Deputy Clerk with an hourly wage increase of $1.50 effective July 20, 2020.

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

    Promotion of Tanya Ortiz from Accounts Payable Clerk to Utility Clerk with an hourly wage increase of $1.50 effective August 3, 2020

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

16. Changing the position title of Humane Officer to Humane Officer/Code Enforcement Officer full-time status of 40 hours per week, Animal Control Certification and Chemical Immobilization Certification, for an hourly wage of $12.75 effective July 20, 2020.

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

MAYOR AND COUNCILORS REPORTS

Mayor Pro-tem Villanueva congratulated the new hire and employees that were promoted and he looks forward to working with each individual.

NEXT MEETING DATE:

Regular Meeting - July 27, 2020

ADJOURNMENT

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

Meeting adjourned at 2:37 p.m.

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Raul Villanueva
Mayor Pro-tem

ATTEST:

_____
Kristina Ortiz, MMC
Clerk Treasurer