



City of Bayard
CITY COUNCIL REGULAR MEETING
February 28, 2022 at 1:30 PM
Bayard City Hall

MINUTES

WORK SESSION

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

ABSENT

Mayor Pro-tem Raul Villanueva.

A quorum was present Other in attendance Melissa Rackel, Tighe Burg, Aaron Burg, Larry Ojinaga, Hannah Dunes, Selina Crespín, Frank Gomez, Sony Dixon, Jason Jaeger, Euphemio Gonzalez, Anthony Aveles, George Esqueda, Jesus Lopez, Kristy Ortiz, and Tanya Ortiz.

APPROVAL OF THE AGENDA

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

PUBLIC INPUT

Melissa Rackel would like to express interest to rent the union billboard on Tom Foy for business advertisements. She would like to present a small presentation at the next meeting.

CLOSED SESSION

1. Closed Executive Session- Pursuant to 10-15-1 (H-2 and H-7) NMSA 1978 for limited personnel matters, and items related to threatened or pending litigation.

Police Department

Approval of administrative leave for Cornel Stemley.

Employment Action of new hires Gallegos and Baldwin.

Motion made by Councilor Diaz, Seconded by Councilor Gonzales.

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

Return of open session certifying the only items discussed were limited personnel matters, and items related to threatened or pending litigation.

Motion made by Councilor Gonzales Seconded by Councilor Diaz.

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

ACTION ITEMS RESULTING FROM CLOSED SESSION

Approval of administrative leave for Cornel Stemley.

Employment Action of new hires Gallegos and Baldwin.

Motion made by Councilor Gonzales, to approve Cornel Stemley for administrative leave. Also to release both Zachariah Gallegos and Kyle Baldwin of there duties.

Seconded by Councilor Diaz.

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

CONSENT AGENDA

Motion made by Councilor Gonzales, Seconded by Councilor Diaz.

Voting Yea: Mayor Fierro, Councilor Medina, Councilor Gonzales, Councilor Diaz. All items included.

2. Approval of Minutes of Regular Minutes of February 14, 2022.
3. Approval of Accounts Payable Report for February 28, 2022.
4. Approval for Police Report for January, 2022
5. Approval of attendance for fire and police attending FBI National Academy Associates, Inc. in Ruidoso on April 11-13, 2022.
6. Approval of Training for Louis Gomez and Kristina Ortiz to attend New Mexico League of Zoning Officials in Las Cruces on May 4-6, 2022 for the Semi-Annual Meeting/Workshop.
7. Approval of Agreement and Annual Member Dues for \$2063.00

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

8. Approval of request by Adrian Ortiz to use Bayard Little League field on March 05, 2022.

Councilor Diaz stated he knows the restrooms at the little league are being worked on and the City has purchased quit a bit of red dirt. He strongly believes the little league program should be the first to use it before we bring other teams to use it. Also he would like for the field to be properly asked for. One of his concerns is the restrooms are not going to be ready, the fee that is being paid to the organization he would like to know where that money is going, other concerns are there is no supervision, and the maintenance department will have to clean up after the tournament. Councilor Diaz is very much against lending out the field. In the future if an organization would like to use the field they will have to provide on letter head a detail on what utilities they will be using, and what security will they have, they will need to provide insurance to release the City of Bayard of any liabilities and paperwork proving kids are insured. He would like to see all of that.

Motion made by Councilor Diaz, for Adrian Ortiz not to use the little league field on March 5, 2022.

Seconded by Councilor Gonzales
Voting Nay: Councilor Medina.

Motion carries.

NEW BUSINESS

9. Project selection for NMDOT- N. Foy Roadway and Drainage Construction.

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

10. Stantec- Project Update and Necessary Action.

Will update Monday

ORDINANCES/RESOLUTIONS

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

11. Adoption of Resolution 6-2022 Colonias Water

RESOLUTION NO 6-2022

RESOLUTION AUTHORIZING FILING OF AN APPLICATION FOR
FINANCIAL ASSISTANCE FROM THE NEW MEXICO COLONIAS
INFRASTRUCTURE BOARD.

WHEREAS, the City of Bayard is a qualified entity under the New Mexico Finance Authority Colonias Infrastructure Act, Sections 6-30-1 through 6-30-8, NMSA 1978 (“Act”), and the Governing Body is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Governmental Unit; and

WHEREAS, the City of Bayard wishes to apply to the New Mexico Finance Authority under the Colonias Infrastructure Fund for planning and design of water system improvements.

WHEREAS, the City of Bayard is a designated Colonias; and

WHEREAS, the Governing Body intends to undertake planning and design of water system improvements for the benefit of Bayard and its citizens; and

WHEREAS, the City of Bayard is eligible to apply for funding from the Colonias Infrastructure Fund; and

WHEREAS, the City of Bayard commits to match the application by 10%; and

WHEREAS, the City of Bayard commits to incur a 10% loan; and

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Bayard, New Mexico, that the filing of an application to the New Mexico Colonias Infrastructure Board for funding in the 2022 Colonias Infrastructure Fund funding cycle is hereby authorized. The project type falls under Water and Wastewater Projects and proposes to plan and design water system improvements; hereby commits the required 10% loan and 10% matching funds.

BE IT FURTHER RESOLVED, that the Mayor is hereby designated as the entity’s representative to act on behalf of this application.

PASSED, APPROVED AND ADOPTED this 28th day of February, 2022.

ATTEST:

Chon S. Fierro
Mayor

Kristina Ortiz, MMC, Clerk Treasurer

12. Adoption of Resolution 7-2022 Colonias Sewer
RESOLUTION NO 7-2022

RESOLUTION AUTHORIZING FILING OF AN APPLICATION FOR
FINANCIAL ASSISTANCE FROM THE NEW MEXICO COLONIAS
INFRASTRUCTURE BOARD.

WHEREAS, the City of Bayard is a qualified entity under the New Mexico Finance Authority Colonias Infrastructure Act, Sections 6-30-1 through 6-30-8, NMSA 1978 (“Act”), and the Governing Body is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Governmental Unit; and

WHEREAS, the City of Bayard wishes to apply to the New Mexico Finance Authority under the Colonias Infrastructure Fund for planning and design of sewer system improvements.

WHEREAS, the City of Bayard is a designated Colonias; and

WHEREAS, the Governing Body intends to undertake planning and design of sewer system improvements for the benefit of Bayard and its citizens; and

WHEREAS, the City of Bayard is eligible to apply for funding from the Colonias Infrastructure Fund; and

WHEREAS, the City of Bayard commits to match the application by 10%; and

WHEREAS, the City of Bayard commits to incur a 10% loan; and

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Bayard, New Mexico, that the filing of an application to the New Mexico Colonias Infrastructure Board for funding in the 2022 Colonias Infrastructure Fund funding cycle is hereby authorized. The project type falls under Water and Wastewater Projects and proposes to plan and design sewer system improvements; hereby commits the required 10% loan and 10% matching funds.

BE IT FURTHER RESOLVED, that the Mayor is hereby designated as the entity’s representative to act on behalf of this application.

PASSED, APPROVED AND ADOPTED this 28th day of February, 2022.

ATTEST:

Chon S. Fierro
Mayor

Kristina Ortiz, MMC, Clerk Treasurer

13. Adoption of Resolution 8-2022 Colonias Wastewater
RESOLUTION NO 8-2022

RESOLUTION AUTHORIZING FILING OF AN APPLICATION FOR
FINANCIAL ASSISTANCE FROM THE NEW MEXICO COLONIAS
INFRASTRUCTURE BOARD.

WHEREAS, the City of Bayard is a qualified entity under the New Mexico Finance Authority Colonias Infrastructure Act, Sections 6-30-1 through 6-30-8, NMSA 1978 (“Act”), and the Governing Body is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Governmental Unit; and

WHEREAS, the City of Bayard wishes to apply to the New Mexico Finance Authority under the Colonias Infrastructure Fund for planning and design of wastewater system improvements.

WHEREAS, the City of Bayard is a designated Colonias; and

WHEREAS, the Governing Body intends to undertake planning and design of wastewater system improvements for the benefit of Bayard and its citizens; and

WHEREAS, the City of Bayard is eligible to apply for funding from the Colonias Infrastructure Fund; and

WHEREAS, the City of Bayard commits to match the application by 10%; and

WHEREAS, the City of Bayard commits to incur a 10% loan; and

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Bayard, New Mexico, that the filing of an application to the New Mexico Colonias Infrastructure Board for funding in the 2022 Colonias Infrastructure Fund funding cycle is hereby authorized. The project type falls under Water and Wastewater Projects and proposes to plan and design wastewater system improvements; hereby commits the required 10% loan and 10% matching funds.

BE IT FURTHER RESOLVED, that the Mayor is hereby designated as the entity’s representative to act on behalf of this application.

PASSED, APPROVED AND ADOPTED this 28th day of February, 2022.

ATTEST:

Chon S. Fierro
Mayor

Kristina Ortiz, MMC, Clerk Treasurer

**14. Adoption of Resolution 9-2022 Southwest Council of Governments
RESOLUTION NO. 9-2022**

RESOLUTION OF THE CITY OF BAYARD RATIFYING A CERTAIN AGREEMENT BETWEEN THE CITY OF BAYARD AND THE SOUTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS, DATED FEBRUARY 28, 2022, 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 28th day of February, 2022 in Regular Session, at Bayard City Hall.

ATTEST:

Chon S. Fierro
Mayor

Kristina Ortiz, MMC
Clerk Treasurer

MAYOR AND COUNCILORS REPORTS

Councilor Medina thanks the maintenance for all their work. He also stated he wants to assure the residents they are working to get a police force here in Bayard.

Councilor Diaz stated he wants to second with Councilor Medina and stated they are thinking outside of the box to get a fully staffed police department for the City of Bayard.

Frances Gonzales stated the Police Department is a priority and she worries for the elderly and women in the community. She thanked Grant County Sheriffs Department, the FBI and the District Attorney for finding the person responsible for the death of Diana Montes. She also thanked the city workers.

Mayor Fierro thanked the maintenance department for everything being done around town.

NEXT MEETING DATE:

Budget Work Session - March 14, 2022

Regular Meeting - March 14, 2022

ADJOURNMENT

Motion made by Councilor Diaz, Seconded by Councilor Medina.

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

ADJOURNMENT 4:05 p.m.

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer