

1. 6:00 P.M. January 25, 2022 Town Council Meeting Materials

Documents:

- 01 - 2022 01 25 AGENDA REGULAR MEETING.PDF
- 02 - 2022 01 11 DRAFT MINUTES REGULAR COUNCIL MEETING.PDF
- 04 - BID 21_22-1 RECOMMENDATION.PDF
- 06 - 2022 01 25 LEGAL NOTICE REGULAR COUNCIL.PDF



TOWN OF SILVER CITY COUNCIL

REGULAR MEETING AGENDA

JANUARY 25, 2022, 6:00 PM

GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE AND SALUTE TO THE NEW MEXICO STATE FLAG

2. CHANGES TO AGENDA

3. CEREMONIES - NONE

4. PROCLAMATIONS- NONE

5. COUNCIL COMMENTS

6. APPROVAL OF MINUTES

A. Regular Meeting on January 11, 2022.

7. PUBLIC INPUT-

8. REPORTS

A. Staff Reports.

1. Bart Roselli - Museum Update

9. PUBLIC HEARINGS -

10. UNFINISHED BUSINESS - NONE

11. NEW BUSINESS

A. Approval/Disapproval of BID 21/22-1 2021 Colonias Water System Improvements

B. Appointment of Stan Snider to P & Z Commission

ADJOURNMENT

Town of Silver City Council Members

<u>Name</u>	<u>Elected Position</u>	<u>Telephone</u>	Term of Office
Ken Ladner	Mayor	575-534-6346	01/2022 - 12/2025
Lucian Farmer	Councilor, District 1	575-284-9293	01/2022 - 12/2023
Nicholas H. Prince	Councilor, District 2	575-242-9002	01/2022 - 12/2025
Jose A. Ray, Jr.	Councilor, District 3	575-313-4944	03/2020 - 12/2023
Guadalupe Cano	Councilor, District 4	575-597-7034	01/2022 - 12/2025

MISSION STATEMENT OF THE TOWN OF SILVER CITY

Silver City is the hub of an inclusive community settled within a small town that through guided growth, honors and preserves its historical, cultural, and natural heritage while facilitating jobs, health, and education resources such that the residents and visitors may enjoy and protect the recreational opportunities of the area and high quality of life.

Approved by the Town Council on May 25, 2010.

The Council may call an EXECUTIVE SESSION pursuant to NMSA 1978 Section 10-15-1(H) for the following reasons:

1. meetings pertaining to **issuance, suspension, renewal or revocation of a license**, except that a hearing at which evidence is offered or rebutted shall be open;
2. **limited personnel matters** means the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee;
3. deliberations by a public body in connection with an **administrative adjudicatory proceeding**;
4. the **discussion of personally identifiable information about any individual student**, unless the student or the student's parent or guardian request otherwise;
5. meetings for the **discussion of bargaining strategy preliminary to collective bargaining negotiations** between the policymaking body and a bargaining unit representing the employees of that policymaking body and collective bargaining sessions at which the policymaking body and the representatives of the collective bargaining unit are present;
6. that portion of meetings at which a decision concerning **purchases in an amount exceeding \$2,500 that can be made only from one source and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code (13-1-28 NMSA 1978) are discussed during the contract negotiation process**. The actual approval of purchase of the item or final action regarding the selection of a contractor shall be made in an open meeting;
7. meetings subject to the **attorney-client privilege pertaining to threatened or pending litigation** in which the public body is or may become a participant;
8. meetings for the **discussion of the purchase, acquisition or disposal of real property or water rights** by the public body.

Note: NMSA 1978 Section 10-15-1(H) Exceptions (4) relating to students, (9) relating to public hospitals, and (10) relating to the gaming control board were not listed above since they do not apply to the Town of Silver City.

**For information on what's happening in local government,
please visit the Town's website at www.townofsilvercity.org**

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
January 11, 2022, 6:00 p.m.**

Present:

Ken Ladner, Mayor
Lucian Farmer, District 1
Nicholas Prince, District 2
Jose A. Ray, Jr., District 3
Guadalupe E. Cano, District 4

Also, present:

Alex C. Brown, Town Manager
James Reynolds, Town Attorney
Freddie Portillo, Chief of Police
Alfred Sedillo, Town Clerk
Maria C. Sublasky, Asst. to Exec. Department

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE AND SALUTE TO NEW MEXICO

STATE FLAG- Mayor Ladner called the meeting to order at 6:00 p.m. and advised the public that things were going to be a little different when saying the pledge of Allegiance. First, they will have the Pledge of Allegiance of the United States and then the Salute to the flag of New Mexico, and Councilor Cano will demonstrate how to Salute the flag of New Mexico. The Mayor welcomed Freddie Portillo Chief of Police, the news media, staff and the members of the community.

2. CHANGES TO AGENDA - None.

3. CEREMONIES – None.

4. PROCLAMATIONS – None.

5. COUNCIL COMMENTS – Councilor Farmer thanked everyone for their support and thanked Mayor Ladner for the appointment. Councilor Cano wished everyone a Happy New Year and stated that it was nice to have a full Council again, and welcomed Councilor Farmer and Councilor Prince. Councilor Cano reported that on Christmas, her family house was broken into and wanted to let the residents in her neighborhood know and that they are currently trying to form a Neighborhood Watch program. Councilor Cano thanked Patrolman James Cruzan and Detective Mackenzie Spurgeon who were the officers that responded. Councilor Ray thanked Mayor Ladner and had a question for Chief Portillo, that it was brought to his attention from a few people that asked if they could hunt in the City limits and he advised them, “no” and wanted clarification from Chief Portillo who said “no”. Councilor Ray said he had a talk with a very well-known person and apologized to him and wanted to apologize to the Daily Press for being so rude and said he would be more patient and have more compassion with them. Councilor Ray commented on the job market, that no one wants to work. He stated that there are a lot of jobs out there although they are not good paying jobs but they have very good benefits towards retirement and family. Councilor Ray stated he would like to see for this year’s Legislative session, someone in Santa Fe to sponsor a bill for the elderly, as they need help with bills and food assistance, in lieu of Early Education. Councilor Ray stated that everyone has an opinion good or bad and to not be afraid of speaking out to help the council, community and your neighbors. Councilor Ray stated that he is a strong believer in the Town Charter, he believes we should get away from Santa Fe, Silver City has shown that we can do things on our own and that we need a Governor Democrat or Republican that will do things for the people especially for the elderly and Border Crisis. Councilor Ray’s final comment stated there has been a lot of news on the TV, Radio and people in stores about face masks and being vaccinated. He stated “If you want to wear a mask wear it, if you don’t want to wear a mask don’t wear it. If you want to get vaccinated, get vaccinated and if you don’t want to get vaccinated don’t get vaccinated”. People are getting sick that are wearing masks and are fully vaccinated. Give people a choice. Councilor Prince thanked all the service workers for their commitment to the community. Councilor Prince stated that numbers of Covid infections climbed in our community, he encouraged vigilance to prevent transmission of Covid in our community. Mayor Ladner wanted to clarify that Council comments do not represent an official position of the City, that Council members are taking advantage of Freedom of Speech and that also applies to public input. Mayor Ladner announced that on Saturday January 22nd there will be a trash and litter clean up sponsored by the Towns Pick It Up and Toss No Mas and the Silver City Waters

Keepers Program. He invited anyone interested to meet at 9:00 am at Gough Park all supplies will be furnished.

6. APPROVAL OF MINUTES – Regular Meeting on December 14, 2021. Mayor Ladner asked for a motion to approve the minutes. Councilor Ray moved to approve the Minutes of the Regular Council Meeting of the Town of Silver City of December 14, 2021. Councilor Cano seconded the motion. No discussion. Mayor asked that all in favor say aye. All in favor. Mayor asked those opposed to say nay. There were none opposed. Motion carried.

7. PUBLIC INPUT – Georgianna Duarte stated that she lived at 408 Chavez Lane and was here to stay. Ms. Duarte stated that she has had water issues on many occasions. Ms. Duarte added that she would like to see an alert system in place like the one that alerts when children are kidnapped and Universities have one that alerts when something happens on campus. Ms. Duarte would like the Cultural Mural walk to have some kind of interaction for the children as they view the murals, also Ms. Duarte stated that this is the most creative spaces she has lived. She has lived in four countries and seven states and by far Silver City is one of the most creative places she has ever been, but the Dog Park is very boring. She believes it does not reflect the rest of the city. Ms. Duarte would like to volunteer with the University to help with the park. Ms. Duarte stated that she has served on Human Rights Committees nationally and internationally and is aware that the State has a Human Rights Commission and would like to know if the city has a Human Rights Committee and she would like to serve on it if it exists.

8. REPORTS – Mr. Brown reported that he met last week with the architectural group for the design of the Rec Center and set a preliminary schedule. On the Council Meeting of February 22nd will be the kick off to see if there is going to be additional funds awarded from the Legislature that way, they can know the actual budget they will be working with, basically they will go back and explain what has been done to date and will start getting direction from the Town Council as far as next steps. Mr. Brown stated that they might be able to get some information by the first meeting in February so the Council could review.

9. PUBLIC HEARINGS – NONE

10. UNFINISHED BUSINESS – NONE

11. NEW BUSINESS –

A. Approval / Disapproval of Resolution No. 2022-01: Open Meetings. Clerk Sedillo stated it was the annual Resolution for Open Meetings that was done every first meeting in January. He said it was the same as the last few years and he only changed the Council Meeting dates for 2022, and the rest of the Resolution was the same. He said the approved Resolution would be posted later this week on the Town's website under the Government tab, then under Resolutions tab. Mr. Brown stated that the Open Meetings Resolution would keep the Council Meetings at 6:00 pm at the same notification areas where meetings will be and is based off of the State Open Meeting Requirements. Mayor Ladner asked for a motion, Councilor Ray motioned to approve Resolution 2022-01: Open Meetings seconded by Councilor Prince The Mayor asked for a roll call vote. Councilor Farmer voted aye; Councilor Prince voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried.

B. Organizational meeting

1. Election of President Pro Tempore: Mayor Ladner stated that under the Organization meeting is Election of President Pro Tempore and read what the State Law and City Ordinances say about the office and asked for nominations for President Pro Tempore. Councilor Ray nominated Councilor Guadalupe Cano for President Pro Tempore. Mayor Ladner asked for any more nominations, seeing none asked for motions to cease nominations. Motion was made by Councilor Ray to cease nominations for President Pro Tempore and seconded by Councilor Prince. Mayor Ladner asked all in favor of ceasing nomination say aye, Mayor asked all opposed say nay, there were none opposed. Motion carried. Mayor Ladner asked for a motion to elect Councilor Cano as President Pro Tempore. Councilor Prince made the motion to elect Councilor Cano as President Pro Tempore seconded by Councilor Ray. Mayor Ladner asked if there

was any discussion, seeing none all in favor say aye, all opposed nay, there were none opposed. Motion carried.

2. Appointments of Councilors to Committee and Board positions: Mayor Ladner stated that he has made Council assignments according to Councilor's choice and gave priority based on seniority Councilor Cano, Councilor Ray, Councilor Prince and Councilor Farmer. Mayor Ladner read aloud each Committee and Board the Councilors were assigned and read aloud the Committee and Boards that Town Manager Alex Brown, Assistant Town Manager James Marshall, Public Works Director Peter Pena and Mayor Ladner would be assigned as Staff Members. Mayor Ladner asked if there were no objections to the assignments, seeing none Mayor Ladner appointed the Councilors and staff to the Committees and Boards.

3. Welcome to all employees and department heads and affirmation of employment in this new Administration. Mayor Ladner on behalf of the himself and Council as the Governing Body of the Town of Silver City welcomed the Town Manager Alex Brown, Assistant Manager James Marshall, Town Clerk Alfred Sedillo, Town Attorney Jim Reynolds to City Government. Mayor Ladner also wanted to confirm and welcome all Department Heads, Chiefs and current employees who will continue to be public servants of the Town. Mayor Ladner stated that Silver City is blessed to have dedicated, professional, forethinking and civic minded employees of any municipality in New Mexico. He stated that in the past two years they were faced with many challenges during the pandemic and the staff has excelled. Mayor Ladner gave a special thanks to the Town Police, Fire and First Responders for an outstanding job. They had put their lives and health on the line for the citizens of our great town. Mayor Ladner stated that since he was on the topic of Organization, he would like to make a few comments about our City Manager Mr. Brown. Mayor Ladner believes Mr. Brown is one of the best City Managers in the State of New Mexico and is a pleasure and privilege to work with him. Because of his creativity, drive and leadership skills many great things have occurred or in the process of happening in our town. One of the wisest things previous Councils did back in 1957 was passing an Ordinance that gave the responsibility of running the Town to the City Manager and that process continues as new Ordinances are amended. Mayor Ladner stated that since we have new councilors, he would like to remind everyone that the City Manager receives direction from the City Council, it is the City Council acting as a whole not as individual members of the Council, however if any Councilor happens to learn of something in the City that needs to be done or fixed for the health, safety and welfare of the community it is perfectly okay to bring it to the attention of Mr. Brown. Mayor Ladner asked Mr. Brown how he would like that to occur. Mr. Brown stated that the Councilors may send him an email or phone call anytime and they would want to address the issue as soon as possible. Also, they could contact Assistant Manager James Marshall and any of the Department Heads.

C. Appointment to Municipal Museum Community Advisory Group. Mayor Ladner announced one candidate for the Municipal Museum Community Advisory Group. Georgianna Duarte and was recommended by the museum director Bart Roselli. Mayor Ladner asked if there were any objection appointing Ms. Duarte. Seeing none Mayor Ladner appointed Ms. Georgianna Duarte to the Municipal Museum Community Advisory Group.

D. Approval/Disapproval of Resolution No. 2022-02: A Resolution for approval of the 2022 rate schedule for Scott Park Golf Links. Mayor Ladner deferred to Alex Brown. Mr. Brown reminded the Council that the Town took back the Golf Course in September. Mr. Brown stated that the Golf Course has been through different ownerships that it was time to take care of business and take care of our own assets and not rely on other organizations, because this is our community and we know what our residents want. Mr. Brown advised that through OB Sports, a Grounds Superintendent was hired to oversee the grounds maintenance and the hiring of the ground's maintenance staff, restaurant staff and Club House Manager. On March first a General Manager will be coming on board. Mr. Brown stated that during the transition he was working with a consultant from Alamogordo Golf Course to help with the transition, as part of the process, the consultant did an evaluation to look at our rate structure to be comparable to Golf Courses in Southern New Mexico and with that these are the rates they are recommending to bring golfers back and make the Golf Course for the community, economic development and quality of life and make it a big part of our community. Mayor Ladner asked for a motion, Councilor Ray moved to approve Resolution No. 2022-02: A Resolution for approval of the 2022 rate schedule for Scott Park Golf Links. Mayor Ladner asked for a second, Councilor Farmer seconded the motion. The Mayor asked for a roll call

vote. Councilor Farmer voted aye; Councilor Prince voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried.

Mayor Ladner wanted to go back when he was on organization and recognize Tina Sublasky for stepping in as Interim Clerk when Ann Mackie moved and resigned, without missing a beat she took over and moved right along seamlessly. Also, recognizing James Marshall for putting together the alliance with the Pick It Up Toss No Mas and Water Keepers Group.

E. Closed Executive Session pursuant to NMSA 1978 Section 10-15-1(H) (7) for Discussion of matters subject to the attorney-client privilege pertaining to threatened or pending litigation on which the public body is or may become a participant. Mayor called for a motion. Councilor Cano made a motion to go into Closed Executive Session pursuant to NMSA 1978 Section 10-15-1(H)(7) for the discussion of matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant. Councilor Prince seconded the motion. Mayor Ladner asked for a roll call. Councilor Farmer voted aye; Councilor Prince voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried.

After a short five-minute break, the Council moved into the Red Room for Closed Executive Session. Mayor Ladner called the meeting back to order at 7:12 pm stating the matters discussed in the closed meeting were limited only to those specified in the motion for closure and he asked for a roll call vote. Councilor Farmer voted aye; Councilor Prince voted aye; Councilor Ray voted aye and Councilor Cano voted aye. Mayor Ladner asked if any were opposed, and there were none. Motion carried. No action taken Mayor Ladner asked for affirmation of Councilors, all affirmed.

12. ADJOURNMENT - Mayor Ladner stated this concluded the business of the Town of Silver City, and asked for a motion to adjourn. Councilor Ray made a motion to adjourn at 7:15 pm. All in favor. Mayor asked all opposed say nay, there were none opposed. Motion carried.

Ken Ladner, Mayor

Attest:

Alfred Sedillo, Town Clerk



TOWN OF SILVER CITY

P.O. Box 1188, Silver City, New Mexico 88062 (575) 538.3731 • FAX (575) 534-6377

TO: Mayor, Council Members and Mr. Brown
FROM: Olivia Britton, Purchasing Agent
DATE: January 20, 2022
RE: Bid# 21/22-1 2021 Colonias Water System Improvements
Chloride Flats – South Tank

The Town received two bids for the above referenced project. Bids were received on January 12, 2022 @ 1:00 p.m. and opened shortly thereafter at the offices of Stantec Consulting, 3400 Hwy 180 E, Suite A. Silver City, NM 88061.

The following bids were received:

CONTRACTOR	BASE BID
D & R Tank Company	\$ 871,580.00
Riley Industrial Services, Inc.	\$ 1,385,235.00

It is staff’s recommendation that the following items of work be awarded:

Base Bid	<u>\$871,580.00</u>
Total Amount of Award	\$871,580.00 w/o NMGRT

It is our recommendation that an award be made to **D & R Tank Company** for the Base Bid in the amount of **\$871,580.00** plus applicable gross receipts tax (8.0000%) for a total construction cost of **\$941,306.40**.

Sincerely,

Olivia Britton

Olivia Britton
Purchasing Agent

LEGAL NOTICE

The Town of Silver City Council will hold their Regular Council Meeting scheduled for Tuesday, January 25, 2022 at 6 p.m. at the Grant County Administration Center, 1400 Hwy. 180 East, Silver City, New Mexico. The public is invited to attend. The agenda will include:

Approval of Minutes: Regular Meeting – January 11, 2022

Public Input:

Reports: Bart Roselli Museum Update

Unfinished Business:

New Business:

A. Approval/Disapproval of BID 21/22-1 2021 Colonias Water System Improvements

B. Appointment of Stan Snider to P & Z Commission

Agendas are available prior to the meeting and may be obtained at City Hall, 101 W. Broadway and City Hall Annex, 1203 North Hudson, or on the Town's website, www.townofsilvercity.org. If you have any questions regarding the public hearing, you may contact the Town Clerk at City Hall, 101 W. Broadway or call 534-6346. If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid service to attend or participate in the hearing or meeting, contact the Town Clerk at 534-6346 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact The Town Clerk if summary or other type of accessible format is needed.