

1. 6:00 P.M. May 10, 2022 Town Council Meeting Materials

Documents:

01 2022 05 10 AGENDA REGULAR COUNCIL.PDF  
02 2022 04 26 DRAFT MINUTES REGULAR COUNCIL MEETING.PDF  
2022 05 10 LEGAL NOTICE REGULAR COUNCIL.PDF



# TOWN OF SILVER CITY COUNCIL

## REGULAR MEETING AGENDA

MAY 10, 2022, 6:00 PM

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

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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 April 26, 2022.
7. PUBLIC INPUT -
8. REPORTS
  - A. Staff Reports:
9. PUBLIC HEARINGS - NONE
10. UNFINISHED BUSINESS – NONE
11. NEW BUSINESS:
  - A. Presentation on Redistricting by Rod Adair from New Mexico Demographic Research.
  - B. Approval / Disapproval of RFP 21/22-2P, General Engineering Support
  - C. Town of Silver City FY 2023 Preliminary Budget Presentation
12. ADJOURNMENT

## Town of Silver City Council Members

<u>Name</u>	<u>Elected Position</u>	<u>Telephone</u>	<u>Term of Office</u>
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	575-590-2941	01/2022 - 12/2025

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### ***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.*

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**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** which 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. 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;
5. 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;
6. meetings subject to the **attorney-client privilege pertaining to threatened or pending litigation** in which the public body is or may become a participant;
7. 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](http://www.townofsilvercity.org).**

**TOWN OF SILVER CITY**  
**REGULAR COUNCIL MEETING MINUTES**  
**GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM**  
**April 26, 2022, 6:00 p.m.**

**Members Present:**

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

**Others present:**

Alex C. Brown, Town Manager  
James Reynolds, Town Attorney  
Jason Woods, Captain of Police Dept.  
Alfred Sedillo, Town Clerk  
Roger Lance, Grant County Beat  
Ben Beltron, Executive Director, CATS  
Jordan Archunde, Silver City Daily Press  
Huetetl Lopez, Silver City Resident  
Francine Miranda, Silver City Resident  
Randi White, Silver City Resident  
Mattie Eagle, Silver City Resident  
Georgianna Duarte, Silver City Resident  
Mick Smith, Silver City Resident  
Mike Stone, Stone, McGee & Co.

**1. CALL TO ORDER** - Mayor Ladner called meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE AND SALUTE TO NEW MEXICO STATE FLAG** - Mayor Ladner invited the public to recite the Pledge of Allegiance and the Salute to the New Mexico State Flag.

Mayor Ladner welcomed Captain Jason Woods, the news media, guests who will be making presentations, staff and the members of the community.

**2. CHANGES TO AGENDA – NONE**

**3. CEREMONIES – NONE**

**4. PROCLAMATIONS – NONE**

**5. COUNCIL COMMENTS** – Councilor Cano thanked the Silver City Aquatic Committee for all their hard work preparing for the meeting presentation. Councilor Cano also stated she attended the Continental Divide Trail Days celebration and has attended since it started as a coalition. The event was a huge celebration, but brought up some concerns about accessibility. Councilor Cano stated when there is a monetary event sponsored by the Town there should be a map of the event showing the accessibility of the event like the alcohol vendors do when they have an event. Councilor Cano stated she will be getting with Jim Reynolds, Town Attorney to come up with a Resolution requiring any one hosting an event should provide a map showing the accessibility to their events.

Councilor Ray stated he had a great time at the concert held at Western New Mexico University and thanked the community for supporting the University. Councilor Ray also asked to support the Give Grandly event on May 7<sup>th</sup> and the Tour of the Gila.

Councilor Prince had no comments.

Councilor Farmer wanted to echo Councilor Ray's comments about the upcoming events bringing tourist back to the community. Councilor Farmer also wanted to thank the Aquatic Committee for all their hard work.

**6. APPROVAL OF MINUTES** – April 12, 2022 Regular Meeting. Councilor Ray moved to approve the April 12, 2022 Minutes of the Regular Council Meeting of the Town of Silver City. Councilor Farmer seconded. Motion carried.

**7. PUBLIC INPUT** – Georgianna Duarte thanked Councilor Cano on her comments about accessibility and feels it should be discussed. Ms. Duarte spoke about the Dog Park and would like the Councilors to consider the Dog Park in their park system for the community to make it dog and people friendly with accessibility, platforms, tunnels and equipment that is long term and sustainable for K-9's in the community. Ms. Duarte recommended a website from Santa Clara, California that integrates Dog Parks in their Park Systems.

Mick Smith thanked the Council for listening to the community. Ms. Smith stated she has done research on the internet on how communities combine Recreation Centers and swimming pools. She has provided links from other communities, so the Council can click and research how the other communities did their Recreation Centers and Swimming Pools to make them profitable and sustainable. Ms. Smith advised the Council she would be happy to do any research for the Council.

Francine Miranda stated the Recreation Center and Swimming Pool should be located in separate areas due to unaccompanied minors coming from low-income housing that need help in the area of the Recreation Center and should be used for outreach. Ms. Miranda recommended the swimming pool should be located off Highway 90 toward Tyrone which is located by the Whiskey Creek reserve which has a nine hundred forty (940) acre feed and is reserve for one hundred (100) years to provide for the community's children's future. Ms. Miranda also stated she spoke to some local business owners that would like to see some saunas and bath houses so disabled people could take advantage of the hot baths. Ms. Miranda also recommended that the Climbing Wall could be placed by Silver High School at Pinos Altos Creek.

**8. REPORTS** – Silver City Fire Chief Milo Lambert gave a report on stage one (1) fire restrictions for the City limits. No open fires, all charcoal and gas grills need to be inspected before use by the Fire Department to make sure they are in good shape to be used. According to the National Weather Service Silver City has extreme drought, also speaking with the Forest Service and Southwestern Coordination Center shows we have doubled our Red Flag warnings for the month of April. Chief Lambert advised a copy of the restrictions have been posted in high trafficked locations in the community and the Fire Department and is in conjunction with the State Forester who is also in stage one (1) fire restriction. Chief Lambert asked the public to call the Fire Department for inspections of grills to make sure they are in good working conditions. There will not be any outdoor fire permits issued at this time.

**9. PUBLIC HEARINGS – NONE**

**10. UNFINISHED BUSINESS – NONE**

**11. NEW BUSINESS**

**A. Approval/ Disapproval of Resolution No. 2022-06: Acceptance and Approval of the Fiscal Year 2021 Audit.** Alex Brown stated that every year the Town goes through an audit and the Town's audit was released and Mike Stone from Stone, McGee & Company would be discussing results of the audit. Mike Stone advised audit year June 30, 2021 had an Unmodified Opinion for the Financial Statements as presented which is the highest opinion an auditor can give, an Unmodified Opinion on the Compliance of Federal Program Regulations and one (1) comment which was on him for not getting the audit to the State Auditor before their deadline. It had nothing to do with the Town of Silver City which was commented in the audit. Mr. Stone wanted to complement all the staffs handling of the Grants that the Town receives. The staff does a good of job on managing the Grants. Mr. Stone recommended the approval of the Fiscal Year 2021 Audit. Alex Brown also commended the staff on a job well done handling the Grants, they are the reason the Town is able to receive the amount of Grants the Town receives. Councilor Cano motioned to approve Resolution No. 2022- April 26, 2022

06: Acceptance and Approval of the Fiscal Year 2021 Audit. Seconded by Councilor Farmer. Mayor Ladner 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. Approval / Disapproval of Recreation Center Update and approval of exploration of funding for Swimming Pool Project.** Alex Brown stated he met with the Swimming Pool Steering Committee to discuss moving the Recreation Center forward as well as a swimming pool option. Mr. Brown stated he would like to set aside Eighty Thousand Dollars (80,000.00) in next years budget to fund a study process, preliminary design and engineering process to look at every option and opportunity as well as additional funding or partners to help with the process. Matti Eagle stated she sent the scope of work to the Council with what the Committee has come up with for the future of the swimming pool. Randi White thanked the Council for all their help, support and leadership. Councilor Cano motioned to approve **of Recreation Center Update and approval of exploration of funding for Swimming Pool Project at Eighty Thousand Dollars (80,000.00).** Seconded by Councilor Prince. Mayor Ladner 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.

**C. Approval / Disapproval of Notice of Intent - Ordinance 1311:** An Ordinance authorizing the issuance and sale of the Town's Gross Receipts Tax Revenue Bonds, Series 2022 in one or more aggregate principal amounts not to exceed \$10,000,000 to: 1) Pay, discharge, and satisfy outstanding risk management mitigation measures, 2) fund a debt service reserve fund, and 3) pay the costs of issuance of the bonds. Alex Brown stated the bonds would be for an outstanding law suit that cannot be discussed. The debt will be paid for by the proceeds from the GRT passed last month. The reason for the need to pass the GRT and Revenue Bond Ordinance before the settlement agreement has been finalized is due to the time requirements imposed by the Taxation and Revenue Department for the passage of the GRT and the time needed to finalize the Revenue Bonds. Councilor Ray motioned to approve **of Notice of Intent - Ordinance 1311:** AUTHORIZING THE ISSUANCE AND SALE OF THE TOWN OF SILVER CITY, NEW MEXICO GROSS RECEIPTS TAX REVENUE BONDS, TAXABLE SERIES 2022 IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 FOR THE PURPOSE TO (1) PAY, DISCHARGE AND SATISFY CERTAIN OUTSTANDING RISK MANAGEMENT MITIGATION MEASURES ENTERED INTO FOR THE BENEFIT OF THE TOWN AND ITS RESIDENTS, (2) FUND A DEBT SERVICE RESERVE FUND, AND (3) PAY COSTS OF ISSUANCE OF THE BONDS; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE FROM AND SECURED BY A PLEDGE OF A 0.3625 PERCENT MUNICIPAL GROSS RECEIPTS TAX DISTRIBUTED TO THE TOWN PURSUANT TO SECTION 7-19D-9 NMSA 1978, AS AMENDED, AND TOWN ORDINANCE NO. 1310 ADOPTED ON MARCH 22, 2022; PROVIDING FOR THE DISPOSITION OF THE RECEIPTS DERIVED FROM SAID TAX PROCEEDS; APPROVING THE DELEGATION OF AUTHORITY TO MAKE CERTAIN DETERMINATIONS REGARDING THE SALE OF THE BONDS PURSUANT TO THE SUPPLEMENTAL PUBLIC SECURITIES ACT; PROVIDING FOR THE TERMS AND OTHER DETAILS CONCERNING THE BONDS; PROVIDING FOR CERTAIN DOCUMENTS PERTAINING TO THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN; REPEALING ALL ACTIONS INCONSISTENT WITH THIS ORDINANCE; AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE ISSUE AND SALE OF THE BONDS.

Seconded by Councilor Farmer. Mayor Ladner 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.

**D. Approval/ Disapproval of Resolution No. 2022-07:** A resolution by the Town of Silver City to amend the State Road Fund Cooperative Agreement, Contract Number D19180, by and between the New Mexico Department of Transportation (Department) and the Town of Silver City, entered into on November 3, 2021, control number HW2M700057. Alex Brown stated during the 2021 Legislative Session the Town was allocated Three Hundred Fifty Thousand Dollars (350,000.00) for Ridge Road. At the time of the allocation Mr. Brown had discussion with the Cabinet Secretary of the Department of Transportation stating they had enough money for Ridge Road and Little Walnut. The current Grant for Ridge Road has more than enough to complete the project. He asked for a request to transfer the fund to Little Walnut and extend the time frame of the Grant of the Ridge Road project that will end in June 30<sup>th</sup> and Little Walnut will start in June and end around November. Mr. Brown will be asking for extension for until the end of December to be able to close out the Grants. The resolution is asking to change the scope of work from Ridge Road to Little Walnut. A Grant amendment has already been issued for the time extension this will be the last request and the funding of Little Walnut will be done in a timely fashion. Councilor Farmer Motioned to approve **Resolution No. 2022-07: A resolution by the Town of Silver to amend the State Road Fund Cooperative Agreement, Contract Number D19180, by and between the New Mexico Department of Transportation (department) and the Town of Silver City, entered into on November 3, 2021, control number HW2M700057. Seconded by Councilor Prince.** Mayor Ladner 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.

**12. ADJOURNMENT** - Mayor Ladner stated this concluded the business of the Town of Silver City Town Council. Meeting was adjourned at 7.08 pm.

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**Ken Ladner, Mayor**

**Attest:**

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**Alfred Sedillo, Town Clerk**

## **LEGAL NOTICE**

The Town of Silver City Council will hold their Regular Council Meeting scheduled for Tuesday, May 10, 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 – April 26, 2022

**New Business:**

**A. Presentation on Redistricting by Rod Adair from New Mexico Demographic Research.**

**B. Approval / Disapproval of RFP 21/22-2P, General Engineering Support**

**C. Town of Silver City Fiscal Year 2023 Preliminary Budget**

### **12. ADJOURNMENT**

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](http://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.