

**TOWN OF SILVER CITY
REGULAR COUNCIL MEETING MINUTES
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
September 12, 2023, 6:00 p.m.**

Members Present:

Ken Ladner, Mayor
Rudy Bencomo, Councilor District 1
Nicholas Prince, Councilor District 2
Jose A. Ray, Jr., Councilor District 3
Guadalupe Cano, Councilor District 4

Others present:

Alex Brown, Town Manager
Jim Reynolds, Town Attorney
Alfred Sedillo, Town Clerk
Manny Jaure, Police Corporal-Code Enforcement
Thomas Hernandez, Code Enforcement
Vickie Toney, Code Enforcement-Animal Control
Ben Beltron, Executive Director, CATS
Juno Ogle, Silver City Daily Press

1. CALL TO ORDER - Mayor Ladner called the 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 Salute to the New Mexico State Flag.

Mayor Ladner welcomed the City Administration, Law Enforcement and members of the Press and community. Mayor Ladner spoke regarding 9-11 and asked for a moment of silence.

2. CHANGES TO AGENDA – NONE

3. CEREMONIES – NONE

4. PROCLAMATIONS – “BUDDY WALK WEEK” Mayor Ladner read the Proclamation and presented it to Vicki Galindo and Jessica Garcia. Ms. Galindo thanked everyone for their support, especially Mayor Ladner who has been their Grand Marshall for every “Buddy Walk”.

5. COUNCIL COMMENTS – Councilor Cano congratulated Councilor Ray and his committee for putting on a fantastic Carnitas Musica Y Mas Fiesta over the Labor Day weekend. She was unable to attend this year but has heard great things from several people who did attend. Councilor Cano also recognized the Board Members from the LGBT board members of Grant County along with their volunteers who put on a great Pride Fest the past weekend. She participated in almost all the events and had a lot of fun. Councilor Cano thanked the Silver City Police Department for pulling people over, her being one that was pulled over and stated she deserved to be pulled over for not obeying the traffic laws. Councilor Cano recognized officer Murieta who is new to the Silver City Police Department. He was extremely polite, very professional and was very kind, letting her know what she did wrong. She feels it is important that everyone should be pulled over because no one in this town drives very well and maybe if we are reminded every now and then we will all do better. Councilor Cano stated she was elected to the Board of Directors of the New Mexico Municipal League; her term begins on the first of

October and is looking forward getting involved. Her focus will be on the Legislative issue for the Municipal League and working on a mentorship for Councilors and Mayors.

Councilor Ray stated he had a great time in Farmington, it is a very nice town, he did not realize how big the town was and did a lot of driving intentionally and unintentionally. He did not see very many homeless people and was very impressed. Councilor Ray gave thanks to the principal of 6th Street Elementary School Ms. Holguin for allowing the students to do the Pledge of Allegiance and the Salute to the New Mexico State Flag. He also contacted Commissioner Ponce regarding the flag at the Court House on Cooper St., for what ever reason it seems they do not want for put up the flag. This is not the first time he has asked about the flag not flying. Councilor Ray gave kudos to the Code Enforcement officers for helping at the Carnitas Musica Y Mas Fiesta along with the Silver City Police Department, Sheriffs Department and the volunteers who all did a great job. Councilor Ray also gave kudos to Juno Ogle from the Daily Press for attending the fiesta, she is the only one that has ever attended the fiesta and thanked her for the article she wrote on “Al Hurricane” the main performer at the Fiesta. Councilor Ray’s last comment was regarding the thirty (30) day suspension of open carry and concealed carry of firearms in Bernalillo County. Stating “Our Governor is mentally ill”. Stating this is his opinion only. If this is allowed, we are starting to give our rights away and we had better start protecting our rights and start pushing back against these people. Not just the Governor, but the rest of the administration for the President on down.

Councilor Prince – Exhibit “A”

Councilor Bencomo stated he attended the New Mexico Municipal League Annual Conference. It was well attended, and he did a lot of networking with other Councilors. He congratulated Councilor Cano on her election to the New Mexico Municipal Board of Directors. The Carnitas Musica Y Mas Fiesta was great and very well attended. He was approached by several people who live in the southeast corner where there have been issues with the homeless. They are very thankful for the City Administration and Police Department for doing an awesome job in their neighborhood. He also commented that at the Fiesta there was an older lady who fell, and he was disappointed there was no medical support area or a Public Safety canopy where Police and Firefighters could be in the event of something happening. He stated they used to it in the past and would like to bring it back for future events. Councilor Bencomo thanked all city departments who participated in the event and the large police presence at the Fiesta. Councilor Bencomo met with Public Service of New Mexico (PNM) officials who covered a lot of Economic opportunities that are available. He also attended a meeting at the Silco Theater regarding the discussion about hospitals, the raising of healthcare and the closing of rural hospitals. He is confident the Board of Trustees here will do everything possible to keep our hospital open in Grant County. Councilor Bencomo stated he was disappointed in the executive order from our Governor banning open carry and concealed weapons. He feels there should be more concentration in the upcoming legislative session with stiffer bills to address criminals. He does not think banning law biding citizens is effective. He stated the comment is his opinion only. He also stated he took a drive to Memory Lane Cemetery, there is a lot of work happening to alleviate the drainage issue that occurred in the past, the Parks Department are doing a great job spreading decorative gravel on the west side of the cemetery where the drainage issues occur when there is a lot of rain.

Mayor Ladner thanked Councilor Ray and his committee for the Fiesta, it was a great success. He also congratulated Councilor Cano who is also, Mayor Pro Tem, for her election to the New

Mexico Municipal League Board of Directors which is a “big thing”. The Municipal League Board gets to determine all the things that are coming up involving Municipalities. He also thanked the Council for all that they are involved and engaged in our community. Mayor Ladner stated the appreciation that was given to him from Vicki Galindo regarding the “Buddy Walk” should be to Alex Brown, because of COVID several years went by and they could not have any fundraisers and it looked like this years Buddy Walk was not going to happen. Alex Brown stepped up and made the resources available to them to have the “Buddy Walk”, once again and have a chance to have fund raisers for next year’s “Buddy Walk”.

6. APPROVAL OF MINUTES – September 12, 2023, Regular Meeting. Councilor Ray moved to approve the September 12, 2023, Minutes of the Regular Council Meeting of the Town of Silver City. Councilor Prince seconded the motion as stated. Motion carried unanimously.

7. PUBLIC INPUT – NONE

8. REPORTS:

A. Manager’s Report: NO REPORT

9. PUBLIC HEARINGS: NONE

10. UNFINISHED BUSINESS: NONE

11. NEW BUSINESS:

A. Approval / Disapproval of ORDINANCE NO. 1324: AN ORDINANCE AMENDING CHAPTER 44, TAXATION, ARTICLE III, LODGER’S TAX, SECTION 44-115, EXEMPTIONS TO ARTICLE, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO. Town Attorney Jim Reynolds stated the Ordinance was presented in a Notice of Intent (NOI) amending the Lodgers Tax Ordinance making it conform to State Law. It eliminates the exception those that have less than three (3) rooms or less than three (3) units were not subject to the Lodgers Tax. With the rise of short-term rentals these will be subject to Lodgers Tax.

Mayor Ladner asked if there were any questions for Mr. Reynolds.

Councilor Prince asked if there are any recourse for collecting back taxes from short-term rentals since the state law went into effect on January 1, 2020.

Mr. Reynolds stated it would be difficult to go back and do that, he feels we need to concentrate on getting everyone into compliance in the future.

Mayor Ladner asked if there were any other questions or comments for Mr. Reynolds. Seeing none, Mayor Ladner entertained a motion.

Councilor Cano moved to approve **ORDINANCE NO. 1324: AN ORDINANCE AMENDING CHAPTER 44, TAXATION, ARTICLE III, LODGER'S TAX, SECTION 44-115, EXEMPTIONS TO ARTICLE, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO.** Councilor Bencomo seconded the motion as stated. Mayor Ladner asked for a roll call vote. Alfred Sedillo did a roll call vote. Councilor Bencomo voted aye; Councilor Prince voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried unanimously.

Alex Brown stated since the Ordinance was passed today it will go into effect in five (5) days. The Airbnb owners that have not been paying will start being responsible in the month of October and will be required to report their sales in November.

Mayor Ladner asked if there were any questions or comments for Mr. Brown.

Councilor Bencomo asked if there will be any way to notify the Airbnb owners.

Alex Brown stated the Town is working with a company called Avenu Insights & Analytics who will be sending out notices.

Councilor Bencomo asked if there will be an ad in the newspaper.

Alex Brown said we would place an ad.

Mayor Ladner asked if there were any other questions or comments for Mr. Brown.

Councilor Prince stated with all of the challenges that constituents and folks visiting have had, there are a hundred (100) units of housing not available in our community because they are converted to short-term rentals, he hopes the city goes hard as far as helping so many in our community.

12. ADJOURNMENT - Mayor Ladner stated this concluded the items on the agenda. Mayor Ladner asked for a motion to adjourn. Councilor Bencomo moved to adjourn. Councilor Prince seconded the motion. Motion carried unanimously. The meeting adjourned at 6:26 p.m.

/s/ _____
Ken Ladner, Mayor

Attest:

/s/ _____
Alfred Sedillo, Town Clerk