

1. 6:00 P.M. March 8, 2022 Town Council Meeting Materials

Documents:

[2022 03 08 DRAFT AGENDA REGULAR COUNCIL MEETING.PDF](#)
[2022 02 22 DRAFT MINUTES REGULAR COUNCIL MEETING.PDF](#)
[2022 03 08 LEGAL NOTICE REGULAR COUNCIL.PDF](#)



TOWN OF SILVER CITY COUNCIL

REGULAR MEETING AGENDA,

March 8, 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 February 22, 2022.
- 7. PUBLIC INPUT-**
- 8. REPORTS**
 - A. Staff Reports - Heidi Ogas from High Desert Humane Society Annual Report
- 9. PUBLIC HEARINGS - NONE**
- 10. UNFINISHED BUSINESS – Approval / Disapproval ORDINANCE NO. 1309**

AN ORDINANCE AMENDING CHAPTER 32 (NUISANCES), ARTICLE 1 (IN GENERAL), SECTIONS 32-1 THROUGH 32-32, ARTICLE II (ABANDONED VEHICLES), SECTIONS 32-33 THROUGH 32-49, ARTICLE III (RESERVED), SECTIONS 32-50 THROUGH 32-64, PROVIDING DEFINITIONS AND EXAMPLES; PROVIDING FOR ABATEMENT; AND SPECIFYING LEGAL PROCESS.
- 11. NEW BUSINESS**
 - A. Approval / Disapproval of RFP 21/22-2FE, General Engineering Service – Federally Funded.
 - B. Approval / Disapproval of Bid 21/22-2 Ridge Rd Phase 2 and Little Walnut Rd Phase III
 - C. Approval/Disapproval of a Public Celebration Permit: for Continental Divide Trail Coalition for April 22, 2022, with alcohol served from 5:00 pm to 9:00 pm at Main Street Plaza, Silver City, New Mexico. Liquor License Holder: 1) Little Toad Creek Brewery & Distillery License #67085, 203 S. Mill Road, Silver City, NM 88061

D. Appointment to Planning and Zoning Commission

E. 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 litigation in which the public body is or may become a participant.

F. 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

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**

TOWN OF SILVER CITY
REGULAR COUNCIL MEETING MINUTES
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
February 22, 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 Marshall, Assistant Town Manager
James Reynolds, Town Attorney
Freddie Portillo, Chief of Police
Alfred Sedillo, Town Clerk
Roger Lance, Grant County Beat
Ben Beltron, Executive Director, CATS
Nick Seibel, Silver City Daily Press
Patricia Cano, Silver City Citizen
James S. Harris, Silver City Citizen
Patrick Cohn, Silver City Citizen
Georgianna Duarte, Silver City Citizen
Priscilla Lucero, NM Council of Government
Jason Ringdahl, BRS Architectural Firm
Laurie Meyer-Lancisi, BRS Architectural Firm
Mark Paz, BRS Architectural Firm

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 the Salute to the New Mexico State Flag.

Mayor Ladner welcomed Chief of Police Freddie Portillo, the news media, staff and the members of the community.

2. CHANGES TO AGENDA – NONE

3. CEREMONIES – NONE

4. PROCLAMATIONS – NONE

5. COUNCIL COMMENTS –

6. APPROVAL OF MINUTES – Regular Meeting on February 8, 2022. Councilor Ray moved to approve the Minutes of the Regular Council Meeting of the Town of Silver City of February 8, 2022. Councilor Prince seconded. Motion carried.

7. PUBLIC INPUT – Patricia Cano, James Harris and Patrick Cohn all spoke in favor of NOI Ordinance 1309.

8. REPORTS – NONE

9. PUBLIC HEARINGS – NONE

10. UNFINISHED BUSINESS – NONE

11. NEW BUSINESS

A. Recreation Center update and direction by Baker Rinker Seacat Architecture Firm - Jason Ringdahl, Laurie Meyer-Lancisi, Mark Paz from BRS Architectural Firm gave a report on a feasibility study that was conducted. A project schedule from pre-design to construction, square footage and budget was also presented. Mr. Ringdahl spoke the type of activities and space priorities for recreation and community based not solely on sports and recreation.

B. Approval / Disapproval of Resolution 2022-03 - SUPPORTING AN APPLICATION TO NEW MEXICO FINANCE AUTHORITY UNDER THE COLONIAS INFRASTRUCTURE FUND
Alex Brown stated the City has already received the funds for the design and the construction of 32nd Street from Swan Street to Fowler Street. Mr. Brown stated this application is for funding construction to update sidewalks to make them ADA accessible, bike lanes and turning lanes will be created to make accessibility to the new Recreation Center and Silver High School. Mayor Ladner asked for a motion, Councilor Cano motioned to approve Resolution 2022-03 SUPPORTING AN APPLICATION TO NEW MEXICO FINANCE AUTHORITY UNDER THE COLONIAS INFRASTRUCTURE FUND Councilor Farmer seconded. 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 Resolution 2022-04 - SUPPORTING AN APPLICATION TO NEW MEXICO FINANCE AUTHORITY UNDER THE COLONIAS INFRASTRUCTURE FUND –
Alex Brown stated the application was to replace one hundred fifty-thousand-gallon storage tank at the Franks Wellfield, that was built about seventy-five years ago, with a three hundred-thousand-gallon tank. The Town has added capacity over the years, so more space is needed to transport water into town. Mayor Ladner asked for a motion, Councilor Ray motioned to approve Resolution 2022-04 SUPPORTING AN APPLICATION TO NEW MEXICO FINANCE AUTHORITY UNDER THE COLONIAS INFRASTRUCTURE FUND Councilor Prince seconded. 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 2022-05 - A RESOLUTION BY THE TOWN OF SILVER CITY FOR THE PURCHASE OF AN APPROXIMATELY 20.40 ACRE PARCEL OF REAL ESTATE LOCATED ON BOSTON HILL, SILVER CITY, NEW MEXICO. Alex Brown stated the Town had been looking at this land to add it to the Boston Hill Trails System. The owners have decided to sell the 20.40 acres for a purchase price of Seventy-two thousand five hundred forty-one dollars (\$72,540.00). Mr. Brown stated that the Resolution not only allows for the purchase of the land but once purchased it will be considered as essential to Open Space property. Councilor Ray moved to approve Resolution 2022-05 A RESOLUTION BY THE TOWN OF SILVER CITY FOR THE PURCHASE OF AN APPROXIMATELY 20.40 ACRE PARCEL OF REAL ESTATE LOCATED ON BOSTON HILL, SILVER CITY, NEW MEXICO. Seconded by Councilor Cano. 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.

E. Appointment to Municipal Library Community Advisory Committee - Mayor Ladner stated that Georgianna Duarte had applied for the vacancy, Director Ken Dayer and Ted Lynn President of the Advisory Committee both recommended Ms. Duarte for the position. Mayor Ladner stated he would like to appoint Ms. Duarte and asked if there were any objections. Councilor Cano stated that she had a concern Ms. Duarte was already appointed to the Museum Advisory Committee and she felt since Ms. Duarte was new to the community and it seems she is “Putting her hands in a lot of places all at the same time” Ms. Duarte should be doing one thing at a time and do good at that before doing something else. Councilor Prince Stated that he spoke to Ms. Duarte and felt that her skill set, bilingual skills, passion for literature and youth groups would make her a perfect pick of the Municipal Advisory Committee. Councilor Ray asked if there were any other applicants. Mayor Ladner stated she was the only applicant. Mayor Ladner appointed Ms. Duarte to the Municipal Community Advisory Committee.

F. Close 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 Ladner called for a motion. Councilor Cano motioned to go into Close 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. Councilor Farmer 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. Motioned carried

After a short five-minute break, the Council moved into the Red Room for Closed Executive Session. The Mayor called the meeting back to order at 8:20 pm. Clerk Sedillo attempted to call Councilor Prince to conclude the meeting; Councilor Prince did not answer. Mayor Ladner stated that with the three Councilors in attendance there was a quorum to continue the meeting. Mayor Ladner stated 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 Ray voted aye; and Councilor Cano voted aye. 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 Town Council, and asked for a motion to adjourn. Councilor Ray made a motion to adjourn at 8:21 pm. Councilor Farmer seconded, All in favor. Mayor asked all opposed say nay, there were none opposed. Motion carried.

Ken Ladner, Mayor

Attest:

Alfred Sedillo, Town Clerk

LEGAL NOTICE

The Town of Silver City Council will hold their Regular Council Meeting scheduled for Tuesday, March 8, 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 – February 22, 2022

Reports: Heidi Ogas - High Desert Humane Society Annual Report

Unfinished Business: Approval / Disapproval ORDINANCE NO. 1309

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New Business:

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B. Approval/Disapproval of Bid 21/22-2 Ridge Rd Phase 2 and Little Walnut Rd Phase III

C. Approval/Disapproval of a Public Celebration Permit: for Continental Divide Trail

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D. Appointment to Planning and Zoning Commission

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F. 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. 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.