

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
December 14, 2021, 6:00 p.m.**

Present:

Ken Ladner, Mayor
Lynda D. Aiman-Smith, 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, Admin Asst. to Exec. Department

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE - Mayor Ladner called the meeting to order at 6:00 p.m. The Mayor welcomed Freddie Portillo Chief of Police, the news media and the members of the community.

2. CHANGES TO AGENDA - None.

3. CEREMONIES – None.

4. PROCLAMATIONS – None.

5. COUNCIL COMMENTS – Councilor Cano started by commenting about why she was standing for the Pledge of Allegiance, people may be confused why she does not stand is that her health is getting better in such a way that allows her to stand a little bit longer. Councilor Cano stated that she was unable to attend the open house for the plans of the Rec Center because of scheduling conflict, but she sent a representative to take photos and ask question to the designers. Ms. Cano was not impressed with the plans and had concerns, especially the design that had a sports bar, which she felt was not good, especially dealing with substance abuse in our community. Councilor Cano’s main concern is accessibility for the disabled, where anyone that is in a wheelchair or other form of assistance would be able to view the games from a safe location. Only on design did, but it was two stories and the area would be on the second floor. Councilor Cano expressed different concerns and would like to see a person with disabilities to be on the Design Committee to help with the issues of accessibility for the people with disabilities before a final design is approved. Also, Councilor Cano was concerned about how much staffing would be needed to run the facility and where would the funds be coming from to support payroll and upkeep of the facility. Another issue of Councilor Cano’s concerns is the rate of pay for City employees, Ms. Cano would like to see a substantial pay increase for all City Employees than has been given in the past, she will continue to bring the issue up as budget talks start for the new year. Councilor Cano advised everyone that she will be having surgery and will not be available for any in person meeting, just by phone or email until the first meeting of the year. Councilor Ray stated that he spoke to a person that was not from the United States and asked him about abortion and his answer hit home for him. The gentleman came to the United States because it was the land of the free, but living in a small town there is quite of bit of prejudice in the community and Councilor Ray agreed. Also, Councilor Ray has asked Mayor Ladner and City Manager Alex Brown if in any way he has brought the Town Council or administration down to let him know and he would resign. Mr. Ray loves what he does and knows that sometime it gets frustrating, but knows that everyone’s opinion is valued. Councilor Aiman-Smith had heard a couple of historians speak about the separation of Church and State and she welcomed Councilor Rays comments about separating local government from any religious pledge or morality pledge to be part of it. Councilor Aiman-Smith advised that this would be her last Council meeting of her tenor, she would like to thank all the citizens who elected her and she hopes to be available as much as her health would allow her to be helpful with Town Government. Councilor Aiman-Smith thanked the Town management and staff, special thanks to previous Town Attorney Robert Scavron along with Assistant Town Manager James Marshall. Councilor Aiman-Smith wanted to advise the incoming Councilors the roll of a Councilor is that they are not the “Boss” all decisions are made by the Town Manager, but if asked for advise you would give it, but that doesn’t mean you are telling anyone what to do. Also, you don’t advocate for any individual or group. You must decide what is best for the town when proposing items. Finally, Councilor Aiman-Smith admitted to Councilor Ray that he was right and she was wrong

about Off-Road Recreational Vehicles in the community and thanked him for teaching her something long term and big. Mayor Ladner read a letter he wrote to Councilor Aiman-Smith and asked if there were any comments from other Councilors and Alex Brown spoke and thanked her for her service and wished her well. Mayor Ladner advised the public of the Trash-Bash on Saturday December 18th 9:00 am at the Visitors Center where they would be furnished with all material needed for the cleanup. Locations for cleanup will be San Vicente Creek and Highway 90 South of the Veterans Memorial bridge. Mayor Ladner wanted to thank Peter Pena and the Town for the quick response to the issues that people post on the Town's website. Mayor Ladner would like anyone to post their concerns or issues on the website. Mayor Ladner wanted to thank all the volunteers for the community as we are coming to the end of another year and that we are blessed as a community to have people roll up their sleeves to make Silver City better than what it already is. Mayor Ladner would like to work with Alex Brown and the Council this year on streets and hope to repair all that they can within the budget.

6. APPROVAL OF MINUTES – Regular Meeting on November 23, 2021. Mayor Ladner asked for a motion to approve the minutes. Councilor Aiman-Smith moved to approve the Minutes of the Regular Council Meeting of the Town of Silver City of November 23, 2021. Councilor Ray 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 – Louise Hummingbird spoke about plastics pollution especially in regard to Walmart. Ms. Hummingbird would like to see Council legislate Walmart to quit giving plastic bags with purchases that contribute to the pollution of our home. She stated that we must educate the public to bring their own cloth bags. Walmart should keep empty boxes by the register in case someone has forgotten their cloth bags as the cardboard is recyclable. Carol Ann Fugagli spoke about climate migrants are shaping America. She explained that climate migrants are people who leave their homes due to climate stressors where changing rain fall, heavy flooding and sea level raise force people to leave their homes and livelihoods behind. It is happening all over the world and asked what are we going to do about it. She stated that there is no answer at this time, but all we can do is love one another have faith and do the right thing.

8. REPORTS – Mr. Alex Brown introduced Mark Valenzuela from Bosque Advisors LLC on the 2011 Bond Refinancing. Mr. Valenzuela passed out a 6-page hand out and closely reviewed each page and complemented Alex Brown on the handling of the refinancing with Capital One. Alex Brown thanked Mr. Valenzuela for his help constructing the refinancing. Mayor Ladner thank Mr. Brown and told him it was a great benefit to the Town because of it.

9. PUBLIC HEARINGS – NONE

10. UNFINISHED BUSINESS – Mayor Ladner made the appointment of Lucian Farmer to Councilor District 1 and asked each councilor if they had any objections. Councilor Ray said he wasn't aware that they were allowed to speak with the Candidates, so he invited Mr. Farmer to his house to visit and felt that Mr. Farmer would be good for the Town; Councilor Ray agreed with Mayor Ladner. Councilor Aiman-Smith also met with Mr. Farmer and completely is supportive of appointing Mr. Farmer. Councilor Cano reiterated that she was opposed to the appointment it did not have anything to do with Mr. Farmer as a human being she had not been able to meet with him. After meeting with him Ms. Cano supports the appointment of Mr. Farmer. Councilor Cano thought the process was unclear on what was supposed to happen and would like to have a writing plan for future appointments. Mayor wanted to thank all who applied for the Council position and felt they met all the qualification of the position. Mayor Ladner proceeded to appoint of Lucian Farmer as Councilor District 1.

Mayor Ladner read **Approval/Disapproval of Ordinance 1308: An Ordinance Amending Chapter 2 (Administration), Article II (Elections), Division 1 (Generally), Section 2-25 (Vacancies on the Town Council), Division 2 (Districts), Section 2-49 (Purpose) and Sections 2-51 through 2-78, and Article III (Council), Section 2-79 (Election of President Pro Tempore), of the Municipal Code of the Town of Silver City, Grant County, New Mexico, to Comply with the Local Election Act, NMSA 1978, § 1-22-1, et seq.** Mayor Ladner asked Councilor Aiman-Smith who was the sponsor to explain the Ordinance. Councilor Aiman-Smith explained that the Ordinance was to bring our local Ordinance into alinement and compliance with

the State Local Election act. Councilor Aiman-Smith asked Attorney Reynolds if he wished to add any comment about the Ordinance. Mr. Reynolds stated that Councilor Aiman-Smith summed it up perfectly and added that some of the local Ordinances were not needed anymore and this Ordinance matches State Law. Mayor Ladner thanked Attorney Reynolds and Councilor Aiman-Smith and asked for a motion. Councilor Aiman-Smith motioned to approve **Ordinance 1308: An Ordinance Amending Chapter 2 (Administration), Article II (Elections), Division 1 (Generally), Section 2-25 (Vacancies on the Town Council), Division 2 (Districts), Section 2-49 (Purpose) and Sections 2-51 through 2-78, and Article III (Council), Section 2-79 (Election of President Pro Tempore), of the Municipal Code of the Town of Silver City, Grant County, New Mexico, to Comply with the Local Election Act, NMSA 1978, § 1-22-1, et seq.** Motion was seconded by Councilor Ray. Mayor Ladner called for a roll call. Town Clerk Alfred Sedillo did a roll call vote. Councilor Aiman-Smith voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried.

11. NEW BUSINESS –

A. Mayor Ladner asked Councilor Aiman-Smith to read the Approval/Disapproval of a Public Celebration Permit. Anthony Quintana from Q's Southern Bistro applied for the permit to serve alcohol at the event. Mr. Quintana stated that this was the first time serving at this location and they are taking all safety precautions required. Councilor Cano was concerned with the security issue, due to an event she attended had an incident occur and there was no security. Mr. Quintana advised Councilor Cano that at a public event, it is the responsibility of the individuals hosting the event to provide security he is responsible making sure no alcohol is leaving the premises, people are being carded and there is no over-serving of alcohol. Mayor Ladner asked for a motion, Councilor Cano moved to approve a **Public Celebration Permit: for a Knights of Columbus New Year's Eve Celebration on December 31, 2021, with alcohol service from 6:00 pm to 1:00 am at 1301 N. Swan St., Silver City, NM. Liquor License Holder: 1) Q's Southern Bistro License #28098, 101 E. College Ave., Silver City, NM.** Seconded by Councilor Ray and stated that more celebration needs to happen and was happy that the Knights of Columbus were hosting the event. Mayor Ladner called for a roll call. Town Clerk Alfred Sedillo did a roll call vote. Councilor Aiman-Smith voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried.

B. Mayor Ladner asked Alex Brown to present the RFP from Professional Design Services for the Recreation Facility. Mr. Brown stated that there were two proposals, but first wanted to explain that there are two RFP's one for State and Local funds and one for Federal funds. The first proposal was from Baker Rinker Seacat Architecture/Dekker Perich Sabatini Architecture and SMPC Architects. Staff would like to recommend Baker Rinker Seacat Architecture/Dekker Perich Sabatini Architecture and SMPC as an alternate. Mayor Ladner asked for any comments, Councilor Aiman-Smith asked if it was for detailed design, Mr. Brown advised it was actual design putting ideas on paper and start making decisions. Mayor Ladner asked for a motion, Councilor Cano motioned the approval of RFP 21/22-1P and RFP 21/22-1FFE Professional Design Services for Recreation Facility Baker Rinker Seacat Architecture/Dekker Perich Sabatini Architecture, 3457 Ringsby Court #200, Denver CO 80216 and SMPC Architects as alternates. Seconded by Councilor Aiman-Smith, Mayor Ladner called for a roll call. Town Clerk Alfred Sedillo did a roll call vote. Councilor Aiman-Smith voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried.

C. Mayor Ladner read the appointment of Nancy Lee Stephens to the Municipal Library Community Advisory Committee with the recommendations from Ken Dayer (Director) and Ted Lynn (Chair). Mayor Ladner asked if there were any objections, seeing none Mayor made the appointment of Nancy Lee Stephens to the Municipal Library Community Advisory Committee.

Mayor Ladner stated the reciting of the pledge to the New Mexico State Flag in addition to the Pledge of Allegiance to the flag of the United States of America and if approved it would be recited at the beginning of the meeting. Mayor Ladner asked Councilor Cano for any comments who stated she was very thankful Mayor Ladner decided to do it. Mayor Ladner asked for a motion, Councilor Ray made the motion to Recite the Pledge to the New Mexico State Flag in addition to the Pledge of Allegiance to the flag of the United States of America, seconded by Councilor Cano as stated, Mayor Ladner asked for any discussion.

Seeing none, Mayor asked that all in favor say aye. All in favor. Mayor asked those opposed to say nay. There were none opposed. Motion carried. Mayor Ladner stated that there will be hand-outs of the pledge at the next meeting on January 11, 2022.

12. ADJOURNMENT - Mayor Ladner stated that concluded the business of the Town of Silver City, and asked for a motion to adjourn. Councilor Aiman-Smith made a motion to adjourn at 7:10 pm. Councilor Ray seconded the motion. All in favor. Mayor asked all opposed say nay, there were none opposed. Motion carried.

Ken Ladner, Mayor

Attest:

Alfred Sedillo, Town Clerk