

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
Hueteotl 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 7th 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 30th 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.

Ken Ladner, Mayor

Attest:

Alfred Sedillo, Town Clerk