

TOWN OF SILVER CITY
REGULAR COUNCIL MEETING MINUTES
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
July 12, 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
Alfred Sedillo, Town Clerk
Freddie Portillo, Police Chief
Jim Reynolds, Town Attorney
James Marshall, Assistant Town Manager
Manny Jaure, Code Enforcement
Roger Lance, Grant County Beat
Ben Beltron, Executive Director, CATS
Jordan Archunde, Silver City Daily Press
Christine Wolford, SPIN Director
James Harris, Silver City Resident
Nancy Stephens, Silver City Resident
Robert Daughetee, Silver City Resident
Jana Portal, Silver City Resident
Amber Brandt, SPIN Employee
Jane Foraker-Thompson, Silver City Resident
Chelsea Cooper, Silver City Resident
Mitch Barsh, SPIN Treasurer
Will Hawkins, Silver Schools Superintendent
Sylvia Mendez, Silver City Resident
Charlotte Polanco, SPIN Social Worker

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 Police Chief Freddie Portillo, news media, guests who will be making presentations, staff and the members of the community.

2. CHANGES TO AGENDA – Mayor Ladner asked if there were any changes to the agenda. Councilor Prince stated he would like to remove agenda item 11 F, Closed Executive Session, it is no longer required. Councilor Ray Seconded the motion. Motion Carried.

3. CEREMONIES – NONE

4. PROCLAMATIONS – NONE

5. COUNCIL COMMENTS –

Councilor Farmer (via remote call in), thanked everyone for their patience while he was on family vacation and had no further comment.

Councilor Cano stated she had several comments advising the public she is having problems with her emails for the Town, the issue is being worked on and if anyone needed to get a hold of her, they are welcome to call her. She gave them her telephone number. Council Cano thanked Officer Jaure and Animal Control Officer Toney for the work they do and for always having a good attitude when they are called. She reminded everyone the Gila River Festival was coming up September 22nd, through September 25th. Councilor Cano is working with a group of New Mexico film students who are doing a film on the possible designation of wild and scenic in the Gila.

The film will premiere at the Outdoor Economic Conference in Taos New Mexico on October 5th through October 7th presented by Outdoor New Mexico where she is the Vice President. If anyone is interested attending, registration will start soon and there are scholarships given to cover the cost of the registration to attend the conference. Councilor Cano stated her and Senator Hemphill will be speaking at the conference.

Councilor Ray stated there was some graffiti at the Capia Chapel, Town staff has already removed it and there was little damage. Also, the 4th of July parade was very well attended with a lot of entries.

Councilor Prince commended the efforts of the Code Enforcement office for their work on distressed properties and abatements. Councilor Prince also thanked the city for their diligent and effective efforts towards the improvement of the community. He also thanked the organizers of the Fourth (4th) of July Celebrations, Public Safety officials and the community for their participation and attendance. Councilor Prince reminded everyone about the Clay Festival, the event schedule can be found on their website clayfestival.com. He encouraged everyone to participate. Councilor Prince advised of a funding source of ten million dollars (10,000,000) committed by Governor Michelle Lujan-Grisham on a first-come, first-serve basis for Local Governments that wish to confront poverty. He encouraged anyone to reach out to the Council and he would ask the Council to begin to consider what role they would like to play in alleviating poverty.

6. APPROVAL OF MINUTES – June 28, 2022 Regular Meeting. Councilor Ray moved to approve the June 28, 2022 Minutes of the Regular Council Meeting of the Town of Silver City. Councilor Prince seconded. Motion carried.

7. PUBLIC INPUT – Several members from the community spoke about the Pros and Cons of the Support People In Need (SPIN) facility.

8. REPORTS – Staff Reports:

A. Recreation Center – Alex Brown advised he is negotiating the final contract with the Architects for the Recreation Center and still waiting for the appraisal for the property.

B. Current and Proposed Swimming Pool – Covered under Gough Park

C. Gough Park – Mr. Brown stated James Marshall Priscilla Lucero and himself had met to explore more funding opportunities that they might be able to apply for including the funding source Mayor Ladner had presented to him for funding the design for the swimming pool (Aquatic Center) in the future.

D. City Hall – Mr. Brown stated he is looking for finance opportunities to replace the roof and HVAC units.

E. Scott Park Golf Course – Mr. Brown advised 10 golf carts had arrived that should help with revenue. They were short golf carts limiting play and revenue to offset expenses.

F. Ridge Road – Mr. Brown stated Ridge Road was complete and the Little Walnut project was commencing. Also, Mr. Brown stated he is beginning to work on the Regional Water Project along with Freepport McMoran who is very involved helping push the project along.

9. PUBLIC HEARINGS – NONE

10. UNFINISHED BUSINESS – NONE

11. NEW BUSINESS

A. Remand CU 22-01 Conditional Use Permit request to add new transitional house addressed as 505 N. Cooper Street to business license. Applicant is SPIN: Supporting People in Need back to Planning and Zoning. James Marshall stated the Land Use Code has specific process for consideration of non-conforming requests such as a Conditional Use Permit that was applied

for by Support People In Need (SPIN) to add the location at 505 N. Cooper Street a transitional home for women.

Planning and Zoning had a hearing last month, since that hearing speaking with legal assistance and it is necessary to remand the case back to Planning and Zoning for them to further establish evidence for the required finding for the issuance of the Conditional Use Permit. Mayor Ladner asked if there were any questions for Mr. Marshall. Councilor Cano did not have any questions, just comments stating she is in agreement remanding making sure following the procedures and go through the entire process and have stronger conversations especially with Mr. Hawkins and that Planning and Zoning do their job before the consideration of the Council. Councilor Prince asked if there was a business license in place for the property at Cooper Street and being under Conditional Use if there were any other avenues or forms discussions that are a part of the Conditional Use being made for the Business License coming up. James Marshall stated the proper process to follow with in the Land Use Code is an administrative process where Planning and Zoning Commission will act as an Administrative Hearing Board which has requirements should it be appealed either side then the Town Council is charged with being the Administrative Hearing Board for the consideration of an appeal. Councilor Prince asked about public notification, James Marshall advised every resident within three hundred (300) feet would be notified by certified mail along with a second letter with the file kept with Planning and Zoning so people are able to review. Mayor Ladner entertained a motion. Councilor Cano moved to **Remand CU 22-01 Conditional Use Permit request to add new transitional house addressed as 505 N. Cooper Street to business license. Applicant is SPIN: Supporting People in Need back to Planning and Zoning.** Councilor Farmer seconded the motion. Mayor Ladner asked for a roll call vote. Councilor Farmer voted aye; Councilor Prince voted nye; Councilor Ray voted aye; and Councilor Cano voted aye. Mayor Ladner stated motioned carried three (3) to one (1) with Councilor Prince voting in the nye.

B. Approval / Disapproval of having a Work Session before Regular Town Council Meeting. Town Clerk Alfred Sedillo presented information needed to make sure the Legal Notice for the Work Session can be advertised within the seventy-two (72) hour time frame required by the Open Meeting Act and making sure meeting room is available for the meeting. All Councilors had comments on having a work session with Mayor Ladner suggesting Council discussing with Town Clerk a permanent day for the work session. Mayor Ladner had a concern with the seventy-two (72) hour window for advertising in the Daily Press, he would also like to add the Grant County Beat for advertising as well. Mayor Ladner asked for a motion. Councilor Prince moved to approve having a **Work Session before Regular Town Council Meeting with details to be figured out with Town Clerk in the coming month.** Councilor Cano seconded the motion. Motion Carried.

C. Approval / Disapproval of Special Dispenser Permit for: Knights of Columbus Car Show and waiver of NMSA 1978 60-6B-10 for alcohol service near a church for July 30, 2022 with alcohol served from 5:00 pm to 11:00 pm at 1201 N. Pope St., Silver City, New Mexico. Liquor License Holder: 1) Q's Southern Bistro License #28098, 101 E. College Ave., Silver City, New Mexico 88061. Anthony Quintana pointed out the time was incorrect. Councilor Prince read correct times for alcohol sales being 11:00 am to 8:00 pm. Mayor Ladner asked Councilor Prince if he was going to read the amendment. Councilor Prince moved to approve a **Special Dispenser Permit for: Knights of Columbus Car Show and waiver of NMSA 1978 60-6B-10 for alcohol service near a church for July 30, 2022 with alcohol served from 11:00 am to 8:00 pm at 1201 N. Pope St., Silver City, New Mexico. Liquor License Holder: 1) Q's Southern Bistro License #28098, 101 E. College Ave., Silver City, New Mexico 88061.** Councilor Ray seconded the amendment. Motion carried.

D. Approval / Disapproval of Special Dispenser Permit for: Carnitas, Musica Y Mas Festival and waiver of NMSA 1978 60-6B-10 for alcohol service near a church for September 2, 2022, with alcohol served on Friday September 2, 2022 from 5:00 pm to 11:00 pm, at 1201 N. Pope St., Silver City, New Mexico. Liquor License Holder: 1) Q's Southern Bistro License #28098, 101 E. College Ave., Silver City, New Mexico 88061. Mayor Ladner read item eleven (11) D stating there was an amendment by Councilor Ray.

Councilor Ray moved to amend item eleven (11) D by removing the line reading September 2, 2022 with alcohol served from 5:00 pm to 11:00 pm and inserting the line September 2-4, 2022 with alcohol served from 5:00 pm to 12:00 am on September 2, 2022, from 11:00 am to 12:00 am, September 3, 2022 and from 11:00 am to 7:00 pm September 4, 2022 at 1201 N. Pope St., Silver City, New Mexico, Liquor License Holder: 1) Q's Southern Bistro License #28098, 101 E. College Ave., Silver City, New Mexico 88061. Mayor Ladner asked for a second on the amendment. Councilor Cano seconded the amendment. Motion Carried. Mayor Ladner asked to approval.

Councilor Ray moved to approve a Special Dispenser Permit for: Carnitas, Musica Y Mas Festival and waiver of NMSA 1978 60-6B-10 for alcohol service near a church for September 2-4, 2022, with alcohol served from 5:00 pm to 12:00 am on September 2, 2022, from 11:00 am to 12:00 am September 3, 2022 and from 11:00 am to 7:00 pm September 4, 2022 at 1201 N. Pope St., Silver City, New Mexico, Liquor License Holder: 1) Q's Southern Bistro License #28098, 101 E. College Ave., Silver City, New Mexico 88061. Councilor Cano seconded the motion. Motion Carried.

E. Approval / Disapproval of RFP 21/22-4P Prosecution Services (Re-Bid) – Alex Brown stated the Town has received only one (1) bid for Prosecution Service from Bradburn Law Offices, LLC and staff's recommendations are to award the RFP to them. Mayor Ladner asked if there were any questions or comments. Councilor Prince asked Mr. Brown if the Town had acquired any services from the firm prior to the RFP. Mr. Brown answered no, this is the first-time doing business with the firm and the police department was comfortable with the prosecution services as well. Mayor Ladner asked for a motion. Councilor Ray moved to approve RFP 21/22-4P Prosecution Services (Re-Bid). Councilor Cano seconded the motion. Motion carried.

F. 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, Estate of Nikki Bascom, Deceased, ET AL., V. The Town of Silver City, EX REL., Case No. 17-cv-1143-WJ-GBW. Removed from agenda

12. ADJOURNMENT - Mayor Ladner stated this concluded the business of the Town of Silver City Town Council. Meeting adjourned at 7:31 p.m.

Ken Ladner, Mayor

Attest:

Alfred Sedillo, Town Clerk