



# TOWN OF SILVER CITY COUNCIL

## REGULAR MEETING AGENDA

AUGUST 22, 2023, 6:00 PM

GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM

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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 August 8, 2023.
7. PUBLIC INPUT -
8. REPORTS:
  - A. Manager's Report:
9. PUBLIC HEARINGS: NONE
10. UNFINISHED BUSINESS: NONE
11. NEW BUSINESS:
  - A. Approval / Disapproval of a Public Celebration Permit: for the Denim & Diamonds Dance and waiver of NMSA 1978 60-6B-10 for alcohol service near a church for September 16, 2023, with alcohol served from 7:00 pm to 10:00 pm at 200 W. Broadway Street, Silver City, New Mexico. Liquor License Holder: 1) Little Toad Creek Brewery & Distillery, License #67085, 203 S. Mill Road, Silver City, NM 88061.
  - B. Approval / Disapproval of a Special Dispenser Permit: for the Pride Fest and waiver of NMSA 1978 60-6B-10 for alcohol service near a church for September 9, 2023, with alcohol served from 10:00 am to 4:30 pm at 1201 N. Pope Street, Silver City, New Mexico. Liquor License Holder: 1) Q's Southern Bistro, License #28098, 101 E. College Ave, Silver City, NM 88061.

- C. Approval / Disapproval of Ordinance No. 1322: AN ORDINANCE AUTHORIZING THE SALE AND TRANSFER OF A 0.436 ACRE TRACT OF REAL PROPERTY TO RICHARD MATA, PURSUANT TO CHAPTER 48, SECTION 48-22 (a) (5), and (d) OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY.**
- D. Approval / Disapproval of Notice of Intent of ORDINANCE NO. 1323: AN ORDINANCE AMENDING CHAPTER 10, BUSINESSES, ARTICLE II, BUSINESS REGISTRATION AND LICENSING, SECTION 10-21, PARAGRAPHS (a) (6) AND (b) (7), AND SECTIONS 10-24 THROUGH 10-28, AND ARTICLE III, BUSINESS LICENSE, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO.**
- E. Approval / Disapproval of Notice of Intent of ORDINANCE NO. 1324: NOTICE OF INTENT TO ADOPT 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.**
- F. Approval / Disapproval of Resolution No. 2023-19: A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A COLONIAS INFRASTRUCTURE PROJECT FUND LOAN/GRANT AGREEMENT BY AND BETWEEN THE NEW MEXICO FINANCE AUTHORITY ("NMFA," OR THE "LENDER/GRANTOR") AND THE TOWN OF SILVER CITY (THE "BORROWER/GRANTEE"), IN THE TOTAL AMOUNT OF ONE HUNDRED FORTY THOUSAND DOLLARS (\$140,000), EVIDENCING AN OBLIGATION OF THE BORROWER/GRANTEE TO UTILIZE THE LOAN/GRANT AMOUNT SOLELY FOR THE PURPOSE OF FINANCING THE COSTS OF DESIGN A NEW SEWER LIFT STATION AND ASSOCIATED SEWER FORCE MAIN TO BYPASS A 1,300 LINEAR FEET SECTION OF EXISTING 12" GRAVITY SEWER MAIN, AND SOLELY IN THE MANNER DESCRIBED IN THE LOAN/GRANT AGREEMENT; PROVIDING FOR THE PLEDGE AND PAYMENT OF THE LOAN AMOUNT OF FOURTEEN THOUSAND DOLLARS (\$14,000) SOLELY FROM SEVENTY-FIVE PERCENT (75%) OF THE REVENUES OF THE ONE-QUARTER OF ONE PERCENT (0.25%) OF MUNICIPAL LOCAL OPTION GROSS RECEIPTS TAX IMPOSED BY THE TAX ORDINANCE (AS DEFINED IN THIS RESOLUTION) AND ACCEPTANCE OF A GRANT AMOUNT OF ONE HUNDRED TWENTY-SIX THOUSAND DOLLARS (\$126,000); CERTIFYING THAT THE LOAN/GRANT AMOUNT, TOGETHER WITH OTHER FUNDS AVAILABLE TO THE BORROWER/GRANTEE, IS SUFFICIENT TO COMPLETE THE PROJECT; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN/GRANT AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN/GRANT AGREEMENT.**
- G. Approval / Disapproval of Resolution No. 2023-20: Approval / Disapproval of RESOLUTION NO. 2023-20: RESOLUTION ADOPTING PROCEDURES FOR THE ACCEPTANCE OF PAYMENT BY CREDIT CARD, DEBIT CARD OR OTHER ELECTRONIC MEANS.**
- H. Approval / Disapproval of Resolution No. 2023-21: A RESOLUTION APPROVING THE PURCHASE OF A 14.545 ACRE TRACT OF REAL ESTATE BY THE TOWN OF SILVER CITY FROM FOWLER DEVELOPMENT, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY.**

**I. Approval / Disapproval of Resolution 2023-22 A Resolution adopting the 2025-2029 Infrastructure Capital Improvement Plan (ICIP) for the Silver City Senior Center.**

**J. Mayors' appointment to the Planning and Zoning Commission**

**12. 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	575-313-3990	01/2022 - 12/2025
Rudy Bencomo	Councilor, District 1	575-654-0415	05/2023 - 12/2023
Nicholas H. Prince	Councilor, District 2	575-654-0087	01/2022 - 12/2025
Jose A. Ray, Jr.	Councilor, District 3	575-313-4944	03/2020 - 12/2023
Guadalupe Cano	Councilor, District 4	575-654-0148	01/2022 - 12/2025

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### ***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.*

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**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** which 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. 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;
5. 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;
6. meetings subject to the **attorney-client privilege pertaining to threatened or pending litigation** in which the public body is or may become a participant;
7. 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](http://www.townofsilvercity.org).**