

TOWN OF SILVER CITY
REGULAR COUNCIL MEETING MINUTES
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
January 24, 2023, 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 Cano, Councilor District 4

Others present:

Alex C. Brown, Town Manager
Jim Reynolds, Town Attorney
Alfred Sedillo, Town Clerk
Freddie Portillo, Chief of Police
Manny Jaure, Code Enforcement
Ben Beltron, Executive Director, CATS
Juno Ogle, Silver City Daily Press
Lynn Janes, Grant County Beat

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 Salute to the New Mexico State Flag.

Mayor Ladner welcomed the City Administration, Law Enforcement and members of the Press and community.

2. CHANGES TO AGENDA – Councilor Prince motioned to remove item 11B Approval / Disapproval of RESOLUTION 2023-04: A RESOLUTION TO SUPPORT NEW MEXICO LEGISLATIVE ACTION THAT ADVANCES AFFORDABLE CLEAN ENERGY. under New Business Until February 14, 2023 Council Meeting. Councilor Farmer seconded the motion. Motion Carried unanimously.

3. CEREMONIES – NONE

4. PROCLAMATIONS – NONE

5. COUNCIL COMMENTS – Councilor Farmer stated he had a question from a constituent in regards to sidewalk repair and easement behind their home. Who is responsible for upkeep for the easement behind the home? Alex Brown advised per Ordinance the sidewalk is the responsibility of the home owner and the City for the upkeep, the easement behind the home if it is a Town right-of-way the Town will clean up the easement, most homes do not have easements behind their homes, but those that do they are privately owned and the town cannot work on them.

Councilor Cano stated she had spent some time at the Commons with a few of the staff members letting her know some of the activities they have going. One of the items they will be doing is placing a food stand at the schools so students will have access to fresh produce. They also have a community dinner every Friday from 5:00 pm to 7:00 pm and encourage people to join them so the community will get to know what they are doing and to get to know each other. They also expressed a very big thank you to the Town for the amount of support financially and other ways as well to the Police Department for their help

with traffic control on the days they are handing out food. Another concern are the trees from 12th Street to Corbin along the ditch, one has already fallen on their freezer and has destroyed it and they are afraid a tree might fall on someone or a house. Alex Brown advised Councilor Cano one tree had been mulched by the Fire Department and most of the property there is privately owned. Councilor Cano turned to Code Enforcement Officer Manny Jaure and asked if he would contact the homeowners. Mr. Jaure advised he would.

Councilor Ray thanked Alex Brown and Eric Sanchez for cleaning Cooper Street to the Cemetery.

Councilor Prince thanked the City staff and encouraged the public to reach out to their municipal, county and state legislators if they need help with funding or legislative issues.

6. APPROVAL OF MINUTES – January 10, 2023, Regular Meeting. Councilor Ray moved to approve the January 10, 2023, Minutes of the Regular Council Meeting of the Town of Silver City. Councilor Prince seconded. Motion carried unanimously.

7. PUBLIC INPUT – Rick Lass spoke in regards to the Local Choice Energy Act answering the questions brought up in the Work Session and advising there is a bill at the legislature; Senate Bill (SB) 165. Mr. Lass is working with a group called Public Power New Mexico that has been working on this legislation. What they are asking for is a letter of support for the concept that the Town would like to have municipalities, tribes and counties to have the ability to become Local Choice Energy providers and provide electricity to the residents or to sell any excess to sell on the open market to other communities. Both Bayard and Hurley Mayors and Councilors have expressed interest in doing it as a regional approach either with all municipalities in Grant County or the tri-county area. Mr. Lass did express if the Resolution is passed, the Town is not committed to become a Local Choice Energy Provider. He does recommend if interested to do a Joint Powers Agreement (JPA) with the County and the other three (3) municipalities. Mr. Lass expressed this would be a huge opportunity economically for the City and County to start generating their own money getting more revenue into the city and creating jobs. The government would be doing the project and there is three hundred and sixty billion dollars (360,000,000,000) in federal funding through the Inflation Reduction Act.

Anita Williams wanted to know who maintains the sidewalks on Highway Ninety (90) to Ridge Road. Alex Brown stated it was the State. Ms. Williams had concerns with derelict properties and homes. There have been vagrants move in some of the empty homes and would like to know if the owners could be held responsible for maintaining their properties. Mayor Ladner advised Ms. Williams the Code Enforcement officer would speak to her after the meeting.

8. REPORTS:

A. Staff: NONE

B. Manager: Alex Brown stated:

1. Update Recreation Center – the Construction Manager At Risk to be complete and will brought to the Council at the last meeting in February.

2. Update on Transition to City Hall Annex Building – Looking for the funds necessary for the roof and HVAC systems

3. Update on current and proposed Swimming Pool – The contract has been negotiated and Mr. Reynolds has reviewed it and will negotiate it with the contractor and he will be signing it and a schedule will be set up to start the process.

4. Update on Scott Park Golf Course – Work is being done to replace the maintenance building.

5. Update on Little Walnut – Should be complete in the next couple of weeks.

6. Update on Regional Water Project – Met last week and finalized the Joint Powers Agreement (JPA) and has been sent out to the communities to be brought up to their council for approval and will be brought to this council at the first meeting in February, there is language changes that need to be made per Mr. Reynolds.

7. Update on 32nd St. Project – Will be going out for bid in March and starting construction in April. There has been a meeting with the Silver schools and the GRMC hospital, once the bid is awarded there will be a meeting again with the schools, hospital, business, residents and the contractor to have a clear line of communication to make sure everyone knows what will be going on at all times.

Mr. Brown stated the Resolution being voted on, the contract is ready to go out to bid but will start construction in the summer to not worry about the demand water issues in the water system and hopefully have it complete and changed over in late fall when the water demand goes down.

9. PUBLIC HEARINGS: NONE

10. UNFINISHED BUSINESS: NONE

11. NEW BUSINESS:

A. Approval / Disapproval of RESOLUTION 2023-03: A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A COLONIAS INFRASTRUCTURE PROJECT FUND LOAN/GRANT AGREEMENT BY AND BETWEEN THE NEW MEXICO FINANCE AUTHORITY (“FINANCE AUTHORITY,” OR THE “LENDER/GRANTOR”) AND THE TOWN OF SILVER CITY, NEW MEXICO (THE “BORROWER/GRANTEE”), FOR THE BENEFIT OF SILVER CITY, ARENAS VALLEY, PINOS ALTOS, ROSEDALE AND TYRONE TOWNSITE, IN THE TOTAL AMOUNT OF \$1,138,320, EVIDENCING AN OBLIGATION OF THE BORROWER/GRANTEE TO UTILIZE THE LOAN/GRANT AMOUNT SOLELY FOR THE PURPOSE OF FINANCING THE COSTS TO CONSTRUCT A NEW RAW WATER STORAGE TANK LOCATED AT THE FRANKS WELLFIELD REPLACING AN EXISTING WATER TANK, AND SOLELY IN THE MANNER DESCRIBED IN THE LOAN/GRANT AGREEMENT; PROVIDING FOR THE PLEDGE AND PAYMENT OF THE LOAN AMOUNT OF \$113,832 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 AND ACCEPTANCE OF A GRANT AMOUNT OF \$1,024,488; 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 ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN/GRANT AGREEMENT. Alex Brown stated this will be a larger tank to replace the smaller and older tank to meet the current and future needs. Mayor Ladner asked if there were any questions? Seeing none Mayor Ladner asked for a motion? Councilor Ray moved to approve **RESOLUTION 2023-03: A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A COLONIAS INFRASTRUCTURE PROJECT FUND LOAN/GRANT AGREEMENT BY AND BETWEEN THE NEW MEXICO FINANCE AUTHORITY (“FINANCE AUTHORITY,” OR THE “LENDER/GRANTOR”) AND THE TOWN OF SILVER CITY, NEW MEXICO (THE “BORROWER/GRANTEE”),**

FOR THE BENEFIT OF SILVER CITY, ARENAS VALLEY, PINOS ALTOS, ROSEDALE AND TYRONE TOWNSITE, IN THE TOTAL AMOUNT OF \$1,138,320, EVIDENCING AN OBLIGATION OF THE BORROWER/GRANTEE TO UTILIZE THE LOAN/GRANT AMOUNT SOLELY FOR THE PURPOSE OF FINANCING THE COSTS TO CONSTRUCT A NEW RAW WATER STORAGE TANK LOCATED AT THE FRANKS WELLFIELD REPLACING AN EXISTING WATER TANK, AND SOLELY IN THE MANNER DESCRIBED IN THE LOAN/GRANT AGREEMENT; PROVIDING FOR THE PLEDGE AND PAYMENT OF THE LOAN AMOUNT OF \$113,832 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 AND ACCEPTANCE OF A GRANT AMOUNT OF \$1,024,488; 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 ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN/GRANT AGREEMENT. Mayor Ladner asked for a Roll Call vote. Town Clerk Alfred Sedillo did a roll call vote. Councilor Farmer voted aye; Councilor Prince voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried unanimously.

B. Approval / Disapproval of RESOLUTION 2023-04: A RESOLUTION TO SUPPORT NEW MEXICO LEGISLATIVE ACTION THAT ADVANCES AFFORDABLE CLEAN ENERGY. Item postponed to February 14, 2023 Regular Council Meeting.

C. Approval / Disapproval of Bid for cleanup property at 209 Mountain View Road. Code Enforcement officer Manny Jaure explained the bid was for cleanup of vehicles and debris on the property at 209 Mountain View Road. Cleanup would start in late February. Alex Brown advised since the bid was below sixty thousand (60,000) it did not need to be approved by the Council; Mr. Brown stated since this was the first appeal against this Ordinance, we wanted to keep the Council abreast on the process that they will continue to move to clean up the property. Mayor Ladner asked for a motion? Councilor Cano moved to approve **Bid for cleanup property at 209 Mountain View Road** in the amount of ten thousand four hundred ninety-nine dollars and nine cents (10,499.09) to S. A. Skid Steer. Councilor Ray seconded the motion. Mayor Ladner asked for a Roll Call vote. Town Clerk Alfred Sedillo did a roll call vote. Councilor Farmer voted aye; Councilor Prince voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried unanimously.

D. APPOINTMENT TO THE MUNICIPAL LIBRARY COMMUNITY ADVISORY GROUP - Mayor Ladner stated one application was received for the opening for the Municipal Library Community Advisory Group from Catalina Pilar Claussen. Mayor Ladner read her qualification and recommended appointing Ms. Claussen to fill the vacant position. Mayor Ladner asked if there were any objections, he would like to appoint her to **THE MUNICIPAL LIBRARY COMMUNITY ADVISORY GROUP**. There were no objections.

12. ADJOURNMENT - Mayor Ladner stated this concluded the business of the Town of Silver City Town Council. Meeting adjourned at 6:34 p.m.

/s/
Ken Ladner, Mayor

Attest:

/s/
Alfred Sedillo, Town Clerk