



TOWN OF SILVER CITY

Regular Meeting

June 9, 2026, 6:00 PM

Grant County Administration Center, 1400 Hwy. 180 E.,
Silver City, NM

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 educational resources such that the residents and visitors may enjoy and protect the recreational opportunities of the area and high quality of life.

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE AND SALUTE TO THE NEW MEXICO STATE FLAG**
- 2. CHANGES TO AGENDA**
- 3. CEREMONIES**
 - A. June 2026 Employee of the Month -**
- 4. PROCLAMATIONS**
 - A. "JAMES WILLIAM (BILL) HARRISON DAY" -**
- 5. COUNCIL COMMENTS**
- 6. APPROVAL OF MINUTES**
 - A. Regular Meeting on May 26, 2026 -**
- 7. PUBLIC INPUT**
- 8. REPORTS**
 - A. Manager's Report -**
 - B.**
 - A. Fire Chief**
 -
- 9. Committee Reports**

A. **Downtown Action Committee -**

B.

A. **Lodgers Tax Advisory Board**

-

10. PUBLIC HEARINGS

A. . Approval / Disapproval of a **SMALL BREWER 1ST OFF-SITE LOCATION LIQUOR LICENSE WITH ON PREMISES CONSUMPTION AND PACKAGE SALES WITH PATIO SERVICE. -**

11. UNFINISHED BUSINESS

12. NEW BUSINESS

A.

A. **Approval / Disapproval of Expenditure Report for Period Ending**

May 31, 2026. -

B.

A. **Approval / Disapproval of Annual recommendation to appoint Town Member to Local Labor Management Relations Board, Per Ordinance 1300, Section 7.B**

-

13. Approval / Disapproval of Closed Executive Session pursuant to NMSA 1978 Section 10-15-l(H)(6) for meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant.

14. ADJOURNMENT

Council Members

<u>Name</u>	<u>Elected Position</u>	<u>Telephone</u>	<u>Term of Office</u>
Simon Wheaton-Smith	Mayor	575-313-3990	01/2026 - 12/2030
Angela M. Salaiz	Councilor, District 1	575-654-0415	01/2026 - 12/2027
Nicholas H. Prince	Councilor, District 2	575-654-0087	01/2026 - 12/2030
Stan Snider	Councilor, District 3	575-342-2535	01/2024 - 12/2027
Victor Nãnez	Councilor, District 4	575-654-0148	01/2026 - 12/2030

MISSION STATEMENT OF THE TOWN OF SILVER CITY
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 educational resources such that the residents and visitors may enjoy and protect the recreational opportunities of the area and high quality of life.

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. 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;
4. 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;
5. meetings subject to the **attorney-client privilege pertaining to threatened or pending litigation** in which the public body is or may become a participant;
6. 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 \(www.townofsilvercity.org\)](http://www.townofsilvercity.org).



**Town of Silver City,
NM**

Item #3.A

Item Report

Meeting Date: June 9, 2026

Item: June 2026 Employee of the Month

Attachments:

None



**Town of Silver City,
NM**

Item #4.A

Item Report

Meeting Date: June 9, 2026

Item: “JAMES WILLIAM (BILL) HARRISON DAY”

Attachments:

1. PROCLAMATION Bill Harrison 6-9-26

TOWN OF SILVER CITY PROCLAMATION
HONORING
JAMES WILLIAM (BILL) HARRISON

WHEREAS, Mr. James William (Bill) Harrison was born on June 22, 1922; and

WHEREAS, Mr. Harrison is a World War II Navy Veteran; and

WHEREAS, Mr. Harrison was the Town of Silver City Manager from 1969 to 1971; and

WHEREAS, Mr. Harrison was the first Director of the Southwest Council of Government; and

WHEREAS, Mr. Harrison served as a Grant County Commissioner from 1993 to 1994; and

WHEREAS, Mr. Harrison was a Business Law Professor at Western New Mexico University; and

WHEREAS; the Town of Silver Mayor, Simon Wheaton-Smith and the Town of Silver City, Town Council would like to recognize and honor Mr. Harrison for his service to our Country and our Community; and

WHEREAS, Mr. Harrison will be celebrating his 104th birthday on June 22, 2026; and

NOW THEREFORE, the Town of Silver City would like to declare June 22, 2026

“JAMES WILLIAM (BILL) HARRISON DAY”

IN WITNESS WHEREOF, we have hereunto set our hands and seal of the Town of Silver City to be affixed in Silver City, Grant County, New Mexico this 9th day of June, 2026.

Mayor, Simon Wheaton-Smith
ATTEST:

Acting Town Clerk, Crystal Lester



Town of Silver City, NM

Item #6.A

Item Report

Meeting Date: June 9, 2026

Item: Regular Meeting on May 26, 2026

Attachments:

1. 2026 05 26 Regular Town Council Meeting Minutes

SILVER CITY
TOWN COUNCIL MEETING MINUTES
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
May 26, 2026, 6:00 p.m.

Members Present:

Simon Wheaton-Smith, Mayor
Angela M. Salaiz, Councilor District 1
Nicholas Prince, Councilor District 2
Stan Snider, Councilor District 3
Victor Nañez, Councilor District 4

Others present:

Jacqui Olea, Acting Town Manager
Charles Kretek, Town Attorney
Alfred Sedillo, Town Clerk
Manny Jaure, Administrative Lieutenant
Crystal Lester, Executive Assistant
Ben Beltron, Executive Director, CATS
Susan Moody, Chair Planning and Zoning
Vickie Toney, Code Enforcement

Members Absent: None

1. CALL TO ORDER - Mayor Wheaton-Smith called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE AND SALUTE TO NEW MEXICO STATE FLAG - Mayor Wheaton-Smith invited the public to recite the Pledge of Allegiance and Salute to the New Mexico State Flag.

2. CHANGES TO AGENDA – Councilor Prince requested under Committee Reports, add this month’s Library Advisory Committee report. Mayor Wheaton-Smith also added an Executive Session before adjournment for an update on pending or threatened litigation, following New Business. The board agreed to place the Executive Session just before Item 13 (Adjournment), and the agenda was accepted as amended.

3. CEREMONIES – NONE

4. PROCLAMATIONS: “Silver City Area’s Poet Laureate” – Mayor Wheaton-Smith read the Proclamation for the Silver City Poet Laureate proclaiming Christina Nelson as the “Silver City Area’s Poet Laureate” for 2026-2028.

5. COUNCIL COMMENTS – Councilor Salaiz thanked everyone involved in making Bluesfest successful, especially volunteers, town employees, parks and recreation staff, police, fire department, sheriff’s department, and state police. She emphasized that many sacrificed their Memorial Day weekend to support the event and said the festival was very successful.

Salaiz then addressed concerns about the first museum committee meeting she attended, saying she was disappointed and upset by what she viewed as hostility from one committee member toward both the museum society and a citizen who spoke during the meeting. Councilor Salaiz said such behavior toward the public was unprofessional, embarrassing, and unacceptable. Although she described herself as usually quiet and new to her role, she said she no longer

wanted to stay silent about these issues. Salaiz stressed that public officials and committee members should treat citizens respectfully and stated she expects professional behavior from all committees.

Councilor Snider warned neighbors to watch for package thefts after a package was stolen from his house within an hour of delivery last week. He encouraged everyone to stay aware, though they believe it was likely an isolated incident. Snider also shared that filing a police report was quick and easy, praised Officer Andazola for being professional and helpful, and noted that increased police patrols have already been noticeable in the neighborhood.

Councilor Nañez expressed appreciation to the city employees, and everyone involved in organizing the recent festival, congratulating them on a successful event and offering sincere thanks.

Councilor Prince provided updates on several upcoming community and political events in Grant County and Silver City. A public input session for Grant County's infrastructure capital improvement plan will take place Wednesday, May 27 at 5:30 p.m. at the Grant County Veterans Memorial and Conference Center. Residents are encouraged to attend and share priorities for future public spending projects ahead of the upcoming legislative session.

A closing ceremony for Jose Barrios School is scheduled for Friday at 11:15 a.m. as the school transitions out of the consolidated school district and Aldo Leopold High School moves into a permanent home.

The American Legion pancake breakfast will be held Saturday from 8:00–10:00 a.m.

A public seminar about new childcare facility regulations and qualifications for state universal childcare funding will occur Thursday, June 4 at 11:00 a.m. Interested attendees can email Councilor Prince for an invitation or notes.

Councilor Prince concluded by saying these events cover most of the community calendar for the next two weeks

Mayor Wheaton-Smith announced several board and committee vacancies, including one opening on the cemetery board, one architect position on the historic design review committee, and one vendor vacancy with Lodgers Tax. He also acknowledged that the town missed recognizing National Police Week (May 10–16, 2026) and expressed appreciation for local police officers and their work despite staffing challenges.

The mayor noted that budget pressures are affecting many communities, mentioning that Las Cruces is leaving 30 positions unfilled and making cuts. However, they said the town's financial outlook is improving and that Lodgers Tax revenues may allow for future tourism-related awards or funding opportunities, including support for events like Tour of the Gila and the Blues Festival. Discussions about those awards will continue with town staff and the Lodgers Tax committee, likely delaying the usual timeline by about three months while still providing advance notice in September.

Additional announcements included upcoming council budget training sessions and the continuation of “Coffee with the Mayor” events every third Wednesday from 1–3 p.m. at the new recreation center, with the next meeting scheduled for Wednesday, June 17.

6. APPROVAL OF MINUTES:

A. May 12, 2026, Regular Meeting. Councilor Prince moved to approve May 12, 2026, Minutes of the Regular Council Meeting of the Town of Silver City. Councilor Salaiz seconded the motion as stated. Motion carried unanimously.

7. PUBLIC INPUT – Victoria Reece, Gail Avignone, Eric Spiers, George Carr, Billie Turrieta, Nicole Eleck, Candace Breen-Lee, Roger Tree, Raul Turrieta

8. REPORTS:

A. Manager’s Report – Acting Town Manager, Jacqui Olea thanked the employees and volunteers for their recent efforts, noting that a major weekend event went well with road closures, cleanup, and strong support from public safety staff.

She highlighted several volunteer contributions, including a group that organized downtown handrail painting to improve beautification, and two volunteers at the orchard in Gough Park who have been maintaining and improving the area through pruning and cleanup to make it more usable for recreation.

The update also mentions ongoing infrastructure and planning work. The town has applied for funding through the State Board of Finance to upgrade wastewater treatment equipment and lab resources. In addition, a master plan for Gough Park is moving forward using CES procurement and potentially working with Consensus Planning to study improvements such as parking, walkability, circulation, and overall park design, with public input to be included once meetings are scheduled.

B. Police Chief – Vickie Toney, Code Enforcement Officer read report.

Mayor Wheaton-Smith asked if there were any questions or comments.

Councilor Prince reflected on recent community challenges, including a youth experiencing gun violence and a serious pedestrian-cyclist accident. He noted that while such violence was common in his upbringing in Chicago’s South Side, it remains deeply troubling in their current community. The comment emphasizes concern about ongoing suffering, the need for more youth activities, and appreciation for law enforcement’s investigative efforts. He also highlighted a desire for stronger enforcement and deterrence measures to prevent similar incidents in the future.

9. COMMITTEE REPORTS

A. Museum Community Advisory Group - Councilor Prince began with introductions of members of the museum advisory committee, including Rebecca Harwood, Colleen Jirón, George Carr, Theodore Mauer, Scott Zager, and ex officio members Raul Turrietta and himself. The group reaffirmed its mission to support public museums by providing knowledge, analysis, and recommendations to the museum director. The committee currently has five members and meets quarterly.

Leadership roles were assigned, with Scott Zager elected chair, George Carr as vice chair, and Dr. Colleen Jirón as secretary.

Museum staff reported that a recent exhibit opened this month and was well attended. They are continuing programming tied to school curricula, including museum visits and outreach, and maintaining the “Lunch and Learn” series. Upcoming work includes developing exhibits focused on the mining district beyond Silver City, led by the museum curator, who also organized previous exhibits on women in healthcare and the Chihuahua Hill community.

Upcoming events include the Fourth of July and Clay Festival. Staff also requested continued community support in areas like event organization, outreach, advertising, and engagement.

Councilor Prince emphasized the museum’s mission to represent the town’s historic and multicultural heritage. A future long-term exhibit titled “Silver City 101” is in early development. The next committee meeting is scheduled for Monday, August 3rd at 6:00 PM.

B. Planning and Zoning - Susan Moody, chair of Planning and Zoning, reported that the commission’s five members have been involved in community outreach and meetings regarding updates to Silver City’s comprehensive plan, with a draft expected in June. The commission approved increases to city licensing fees to align with other jurisdictions and is developing a vacancy ordinance addressing dangerous and vacant buildings, including those in the downtown historic district, with a draft expected before city council in July. They are also creating an ordinance to better protect homeowners in manufactured home parks. Although the commission has not held hearings since December, recent housing code revisions have streamlined processes, reducing the need for formal hearings and approvals.

Mayor Wheaton-Smith asked if there were any questions or comments.

Councilor Prince stated that creating housing in vacant downtown buildings and unused spaces is a top priority because housing remains very difficult to find. They note that more construction is happening and credit the committee’s efforts for helping address these ongoing challenges. The speaker also emphasizes the importance of supporting businesses in vacant buildings, explaining that Gross Receipts Tax (GRT) revenue funds wages, public services, and infrastructure. They encourage planning and zoning officials to request whatever support they need to help businesses effectively use downtown spaces and express interest in future recommendations, resolutions, and ordinances.

Mayor Wheaton-Smith discussed possible updates to the land use and zoning code later in the year. They specifically point out that the current definition of “supermajority” is inaccurate and

should be removed because different statutes and ordinances require different types of supermajorities. He argued that there is no single universal definition, so determining what qualifies is typically left to the chair. The speaker also expresses appreciation for the work being done by the planning and zoning commission.

C. Economic Development and Research Committee – Councilor Prince stated that the Economic Development Research Committee held a rule-setting meeting to establish standards and review economic data practices. Committee members were introduced, including Gene Jones, Brent Steinberg, Dr. Linda Aiman-Smith, Dr. Miguel Vicens, and Dr. Robert Randolph. The committee unanimously adopted compliance standards related to the Open Meetings Act, Government Conduct Act, Anti-Donation Clause, and Inspection of Public Records Act to ensure transparency and accountability when discussing economic matters.

The committee reviewed three key sources of public economic data: the state RP80 sales tax reports and the city’s RP500 monthly revenue report. The RP500 report showed a positive year-over-year increase of 5.97% in municipal revenue for March, indicating stronger taxable sales compared to the previous year. Members discussed concerns about potential impacts from international conflicts but noted that local economic trends remain stable for now.

Discussion focused heavily on how to interpret economic data responsibly. University professors on the committee emphasized descriptive statistics and comparative economic analysis rather than attempting to predict economic outcomes. The goal is to better understand current economic conditions in order to guide policy and investment decisions. Comparative economic systems, particularly lessons drawn from post–World War II redevelopment efforts, were highlighted as important frameworks for future analysis.

The committee also acknowledged that economics is not an exact science and that multiple perspectives and ongoing discussions are necessary to understand local economic conditions. Future meetings will address:

- Municipal revenue sources and sales tax breakdowns
- Property utilization and its impact on city revenue
- Research methods, including both quantitative and qualitative analysis
- Infrastructure Capital Improvement Planning (ICIP) and public engagement
- Potential use of a Local Economic Development Act tax increment for economic development projects

Councilor Prince emphasized the importance of increasing public participation in planning and infrastructure discussions and noted that any conversation about a possible tax increment will take place publicly at future committee meetings.

Mayor Wheaton-Smith mentioned that he received a request from someone wanting to operate a business in one of the town’s vacant public buildings, but he responded that it should not be handled with a quick “band-aid” solution. He emphasized that opening or repurposing a vacant building requires broader discussion and input from multiple groups.

He said the Planning and Zoning Commission should be involved because of zoning regulations and land-use requirements, including “Table 3.2.” He also suggested the Economic Development and Research Committee should participate because vacant buildings are community resources that need thoughtful planning on how they will be used. In addition, he noted the Downtown Action Planning Committee is already working on related downtown issues connected to the request.

Mayor Wheaton-Smith explained that the matter is “not that simple” and warned that council decisions made without committee input can create problems, referencing past ordinance updates as examples. He stressed that committees provide important guidance and should not be ignored.

He also discussed committee operations and said he plans to encourage committee chairs to use a brief “plus/delta” review before adjournment. The process asks two simple questions: what participants liked about the meeting and what could be improved. He said the goal is to build continuous improvement into committee work, noting that this practice is common in industry and could help meetings become more effective.

D. Library Advisory Committee – Councilor Prince reported the meeting highlighted strong community engagement, growing digital use, and ongoing facility improvements at the library.

Key attendees included committee members Mickey Jemin, Jessica Salaiz, JJ Wilson, Tara Baird, and Nancy Stevens, along with staff members Director Ken Dayer and Assistant Director Lillian Galloway. The library’s new youth outreach coordinator and student participation were praised for helping expand successful programming.

One major trend noted was that digital circulation surpassed physical book circulation for the first time. While possibly temporary, this reflects a continuing increase in the use of digital library services over traditional physical services.

Summer is expected to be the library’s busiest season, with more than half of annual attendance typically occurring during these months. Plans include:

- Summer reading programs for youth and adults
- Three outreach programs at the recreation center
- Weekend passive programming to help readers find recommendations and complete reading goals

Assistant Director Lillian Galloway received recognition for securing national nonprofit support for posters and programming materials through partnerships with organizations such as the National Library Association and the state library.

The library also completed several physical upgrades, including:

- New flooring, furniture, doors, and paint
- Renovated conference rooms
- A redesigned children’s room

- A new lounge-style seating area

These improvements were funded by the Library Foundation, which currently maintains more than \$1 million in funds. The foundation is also seeking additional board members.

An annual user survey is underway through August, with over 120 responses already collected. Survey feedback is helping guide planning and has already contributed to new services such as color printing and expanded community events.

The committee also discussed staffing challenges caused by frequent illnesses and increasing demand for assistance with digital services. Because programming strongly influences attendance, the library is considering possible schedule changes, including expanded weekend hours and adjustments during the workweek. Recommendations on future hours and operations are expected later in the year.

10. PUBLIC HEARINGS - NONE

11. UNFINISHED BUSINESS: NONE

12. NEW BUSINESS:

A. Approval / Disapproval of RESOLUTION 2026-18: A RESOLUTION TO FORM A REUSE AND RECYCLE COMMITTEE FOR THE TOWN OF SILVER CITY, NEW MEXICO AND RESCINDING RESOLUTION 2026-13. Councilor Snider explained that the resolution was revised because of strong public interest in the reuse and recycle committee. The updated resolution allows the committee to expand to a full seven members, including an additional member from outside the town since recycling and reuse are considered a broader community issue, not just a city concern. The speaker also shares an example from a granddaughter's birthday party in Seattle, where children easily sorted waste into the correct recycling bins, showing that recycling becomes simple when communities build long-term habits.

Mayor Wheaton-Smith asked for a motion.

Councilor Prince moved to approve **RESOLUTION 2026-18: A RESOLUTION TO FORM A REUSE AND RECYCLE COMMITTEE FOR THE TOWN OF SILVER CITY, NEW MEXICO AND RESCINDING RESOLUTION 2026-13.** Councilor Salaiz seconded the motion as stated.

Mayor Wheaton-Smith asked for a roll call vote. Town Clerk, Alfred Sedillo did a roll call vote. Councilor Salaiz voted aye; Councilor Prince voted aye; Councilor Snider voted aye; and Councilor Nafiez voted aye. Motion carried unanimously.

B. Mayors' appointment to the Reuse and Recycle Committee. Mayor Wheaton-Smith announced the appointment of Corinne Lambden to the Reuse and Recycle Committee.

Councilor Snider recommended approval of Ms. Lambden. emphasize that she has been highly engaged, consistently attending all three committee meetings, and is viewed as a strong candidate who would make a valuable addition to the group. The appointment was approved without objection.

12. Approval / Disapproval of Closed Executive Session pursuant to NMSA 1978 10-15-1(H)(7), meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant.

Mayor Wheaton-Smith made a motion to enter executive session pursuant to NMSA 1978, Section 10-15-1(H)(7) to discuss matters subject to the attorney-client privilege concerning threatened or pending litigation in which the public body is or may become a participant. It was noted that discussion in executive session would be limited to those litigation-related matters and that no decisions or actions would be taken during the executive session.

Councilor Snider moved to approve Closed Executive Session pursuant to NMSA 1978 10-15-1(H)(7), meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant. Councilor Prince seconded the motion and proposed to include a five-minute recess before entering executive session. With no objections, the motion was amended accordingly.

Mayor Wheaton-Smith asked for a roll call vote Town Clerk, Alfred Sedillo did a roll call vote. Councilor Salaiz voted aye; Councilor Prince voted aye; Councilor Snider voted aye; and Councilor Nañez voted aye. Motion carried unanimously.

Council entered Closed Executive Session at 7:23 pm and reconvened at 8:36 pm.

Mayor Wheaton-Smith entered a motion to confirm that discussions during executive session were limited to threatened or pending litigation under **NMSA 1978, Section 10-15-1(H)(7)** and that no decisions were made.

Mayor Wheaton-Smith asked for a roll call vote Town Clerk, Alfred Sedillo did a roll call vote. Councilor Salaiz voted aye; Councilor Prince voted aye; Councilor Snider voted aye; and Councilor Nañez voted aye. Motion carried unanimously.

13. ADJOURNMENT - Mayor Wheaton-Smith entertained a motion to adjourn. Councilor Prince moved to adjourn. Councilor Salaiz seconded the motion as stated. Motion carried unanimously. Meeting adjourned at 8:38 p.m.

Simon Wheaton-Smith, Mayor

Attest:

Crystal Lester, Acting Town Clerk



Town of Silver City, NM

Item #8.A

Item Report

Meeting Date: June 9, 2026

Item: Manager's Report

Attachments:

None



**Town of Silver City,
NM**

Item #8.B

Item Report

Meeting Date: June 9, 2026

Item:

A. Fire Chief

Attachments:

None



**Town of Silver City,
NM**

Item #9.A

Item Report

Meeting Date: June 9, 2026

Item: Downtown Action Committee

Attachments:

None



**Town of Silver City,
NM**

Item #9.B

Item Report

Meeting Date: June 9, 2026

Item:

A. Lodgers Tax Advisory Board

Attachments:

None



**Town of Silver City,
NM**

Item #10.A

Item Report

Meeting Date: June 9, 2026

Item: . Approval / Disapproval of a **SMALL BREWER 1ST OFF-SITE LOCATION LIQUOR LICENSE WITH ON PREMISES CONSUMPTION AND PACKAGE SALES WITH PATIO SERVICE.**

Attachments:

1. Open Space Brewing Liquor License App.

May 19, 2026

Certified Mail No.: 7021 2720 0001 2204 6231

Town of Silver City

Attn: Ann Mackie, Clerk
PO Box 1188
Silver City, NM 88062

Lic. No. /Appl. No.: BLA-19155

Name of Applicant: Open Space Brewing, LLC
Doing Business As: Open Space Brewing
Proposed Location: 214 W. Yankie Street, Silver City, New Mexico 88061

The Director of the Alcoholic Beverage Control Division (ABC) has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

Notice of the Public Hearing required by the Liquor Control Act **shall be given by the governing body by publishing a notice** of the date, time, and place of the hearing **twice during the 30 days prior to the hearing** in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

While the law states that “within forty-five (45) days after receipt of a Notice from the Alcoholic Beverage Control, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer”, we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement.

With that in mind, when a local governing body receives a liquor license application from ABC, that governing body has a couple of options:

- 1) Hold a hearing on the license application within the statutory time frame of forty-five (45) days, as required by the Liquor Control Act, and comply with all other statutory and regulatory procedures and notify ABC of your decision within thirty (30) days of the hearing;
- 2) Request from ABC an extension of time, past the forty-five (45) days, designating how much additional time will be needed to conduct the hearing in compliance with all statutory and regulatory procedures. After the extension is granted and the hearing is held, notify ABC of your decision within thirty (30) days of the hearing;

ABC has no preference in the option you choose.

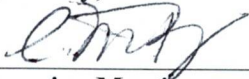
The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made** of the hearing.

THE APPLICANT IS SEEKING A SMALL BREWER 1ST OFF-SITE LOCATION LIQUOR LICENSE WITH ON PREMISES CONSUMPTION AND PACKAGE SALES WITH PATIO SERVICE.

Within thirty (30) days after the Public Hearing, the governing body shall notify ABC of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify ABC within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to ABC with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Charmaine Martinez

Hearing Officer

Alcoholic Beverage Control Division

Phone: (505) 795-4942 Fax: (505) 476-4595

Email: Charmaine.Martinez2@rld.nm.gov

Enclosures:

1. Page 1 (Business Information page) *(must be signed and returned w/notices of publication)*
2. Page 2 (Premises Information Page)
3. Copy of the Zoning Statement
4. Copy of the Floor Plan



Alcoholic Beverage Control Division
Small Brewer Off-Site Intake Application
Application Number: BLA-0000019155



Business Information

Business Information

Business Name: OPEN SPACE BREWING
Business Structure: Limited Liability Company
State Tax ID Number: XX-XXXXX3-00-3
Business Email: openspacebrewing@gmail.com

Type of Business: Alcohol
FEIN: XX-XXX0050
Business Phone: 8569865370

Contact Person Information

Contact Person Name: Alexa Tubbs
Contact Person Email: openspacebrewing@gmail.com

Contact Person Phone: 8569865370

Business Mailing Address

Mailing Street: Po Box 2369
Mailing State: NM
Mailing Country: US

Mailing City: Silver City
Mailing Zip Code: 88062

Local Option District Use Only: Local Governing Body of _____ City, County, Village

Public Hearing held on _____ 20_____. Please check one: ☐ Approved ☐ Disapproved

Signature of City/County Official: _____ Title: _____

Alcoholic Beverage Control Division Use Only: ☐ Approved ☐ Disapproved _____

Signed by Director: _____ Date: _____



Alcoholic Beverage Control Division
Small Brewer Off-Site Intake Application
Application Number: BLA-0000019155



Premises Information

Premises DBA

Premises Doing Business As (DBA): Open Space Brewing

Proposed Premises Physical Address

Physical Street: 214 W Yankie Street

Physical Zip Code: 88061

Physical County: Grant

Local Option District: Silver City

Physical City: Silver City

Physical State: New Mexico

"Local Option District" means a county that has voted to approve the sale, serving or public consumption of alcoholic beverages, OR an incorporated municipality that falls within a county that has voted to approve the sale, serving or public consumption of alcoholic beverages, OR an incorporated municipality of over five thousand population that has independently voted to approve the sale, serving or public consumption of alcoholic beverages under the terms of the Liquor Control Act or any former act.

Ownership

The land and building which is proposed to be the licensed premises is: Leased by Applicant

The following information is required to ensure the issuance of a license to this location will not result in the violation of a county or municipal ordinance.

Specify Owner(s) of the land and building: Brent Steinberg and Jennifer Olson

Specify Date and Terms of Lease/Operating Agreement: Beginning March 1st 2026 for a one (1) year term

Zoning

Is the proposed premises location zoned? Yes

You will be required to upload "Copy of Zoning Statement" issued by the local municipality or county. If not applicable, you will be required to upload "Copy of Zoning Statement" or Letter from local government to indicate that there is no zoning for the proposed location.

Specify the zone for proposed premises location (example C-1): Commercial Historic District (C-HD)

Distance from nearest School

Name of School: Sixth Street Elementary

School City: Silver City

School Zip Code: 88061

School Distance (in feet): More than 400 but less than 1000

Specify the shortest direct line distance from the nearest point of the proposed premises to the nearest point of the property line of the school.

School Street: 405 W 6th St

School State: New Mexico

School Country: United States



Alcoholic Beverage Control Division
Small Brewer Off-Site Intake Application
Application Number: BLA-0000019155



Distance from nearest Church

Name of Church: The Oak Centre

Church City: Silver City

Church Zip Code: 88061

Church Distance (in feet): Less than 300

Church Street: 315 N Texas St

Church State: New Mexico

Church Country: United States

Specify the shortest direct line distance from the nearest point of the proposed premises to the nearest point of the property line of the church.

The Liquor Control Act prohibits the issuance of a license to a proposed premises within 300 feet of a church or school. However, a license may be granted for a proposed premises if the applicant has obtained a waiver from the local option district governing body for the proposed premises location.

Premises Information 2

Please specify the appropriate option for the premises that you have specified in the application?

- ☐ A license has never been issued to the location of the proposed premises.
- ☒ A license was once issued to the location of the proposed premises but is no longer being operated at the location.
- ☐ Alcohol operations are currently being performed at the proposed premises by the applicant business.
- ☐ Alcohol operations are currently being performed at the proposed premises by a business other than the applicant business.

Please provide more details for the option selected in above question?

You can specify more details such as license has become expired non-renewable, business ownership has changed, planning to extend operations of existing premises or planning to buy premises etc.

Two (2) Public Celebration Permits have been issued to Open Space Brewing at the location of the proposed premises.

Licenses at Proposed Premises

Please specify the active New Mexico licenses currently held by the proposed premises.

If you need to view, edit, or delete any records, click the down arrow under action for that specific record.

License Number: PUB-2025-0896

License Type: Small Brewer

License Number: PUB-2025-0895

License Type: Small Brewer

Questions

Has the applicant business ever had a liquor license denied, suspended, revoked, surrendered, or had any other form of discipline or disciplinary action by a licensing agency in another state or jurisdiction?	No
Has the structure and/or ownership disclosure for the applicant business changed since last reported to the department?	No
Does the applicant business own any (direct/indirect) interest in a liquor license?	No



Alcoholic Beverage Control Division
Small Brewer Off-Site Intake Application
Application Number: BLA-0000019155



Payment

Fee Name	Fee Amount
Application Fee	200.00
Resident Agent Fee	50.00
Total Fee Amount:	250.00

Attestation/Oath

Under penalty of perjury, I hereby depose and state that I am the person identified in this application and the information given by me is true and complete to the best of my knowledge and belief. I understand that any information contained in this application may be investigated and any false or dishonest answer to any question in this application may be grounds for denial or revocation of my license.

Attestation Signature: Alexa Tubbs

Date: 03/23/2026

March 13th, 2026

ZONING STATEMENT:

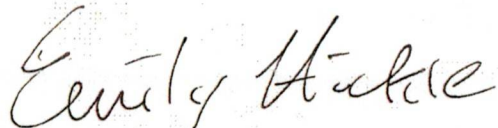
214 W. Yankie St.
Silver City, New Mexico
88061

To Whom It May Concern:

This letter verifies the current zoning for the property addressed as **214 W. Yankie Street, Silver City, New Mexico, 88061**. The property is currently located in a **Historic Downtown Commercial (C-HD) District** as outlined in section 3.1.6 of the Silver City Land Use Code of 2025. The Historic Downtown Commercial District allows for the use of open container and retail alcohol sales on licensed premises.

Please feel free to contact me with any inquiries regarding the information provided.

Sincerely,



Emily Hickle

Planner/Mapping Technician

Phone: (575) 534-6372

Community Development Department

ehickle@silvercitynm.gov

OPEN SPACE BREWING

11990 US Highway

180 Santa Clara, NM 88026

Small Brewer Off-Site Application:

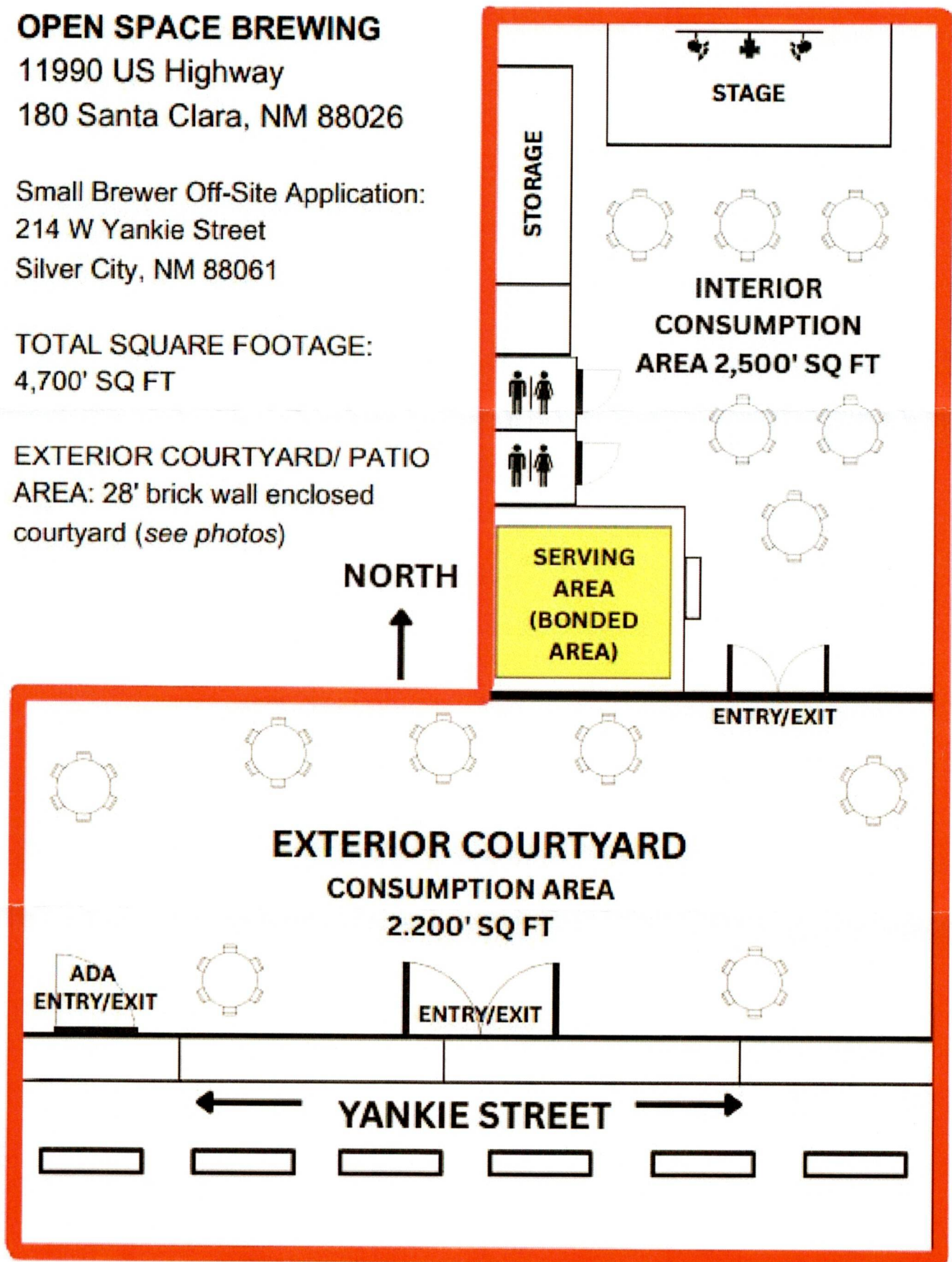
214 W Yankee Street

Silver City, NM 88061

TOTAL SQUARE FOOTAGE:

4,700' SQ FT

EXTERIOR COURTYARD/ PATIO
AREA: 28' brick wall enclosed
courtyard (*see photos*)



Nearest intersection: TEXAS STREET < 100' →

TOWN OF SILVER CITY

STAFF REPORT

APPLICATIONS FOR LIQUOR LICENSE, SPECIAL DISPENSER PERMIT, OR PUBLIC CELEBRATION PERMIT

To: Jacqui Olea, Acting Town Manager
Freddie Portillo, Police Chief
Milo Lambert, Fire Chief
Eloy Vasquez, Fire Marshal
Susan Mittelstadt, Community Development Director
Peter Pena, Public Works Director
Vickie Toney, Code Enforcement Officer

From: Alfred Sedillo, Town Clerk

Date: May 20, 2026

☒ Please review the attached Preliminary Approval documents that were received from the NM Regulation and Licensing Department, Alcohol and Gaming Division, regarding a Liquor License application for a **Small Brewer 1st Off-Site Location Liquor License with on premises consumption and package sales with patio service.**

☐ Please review the attached application for a Special Dispensers Permit.

☐ Please review the attached applications for a Public Celebration Permit.

On page 2 of this memo, you will certify that you have completed the necessary investigation and recommend APPROVAL of the application or provide a written statement of your concerns on why you would recommend denial of the request. **Please sign the original Staff Report in my office by May 28, 2026.** Your comments will be forwarded to the Town Council for consideration during their Regular Council Meeting scheduled for **June 9, 2026.** Thank you.

Note: There is one Liquor License Application attached:

Application No.: **BLA-0000019155 for a Small Brewer 1st Off-Site Location Liquor License with on premises consumption and package sales with patio service.**

Applicant Name: **Open Space Brewing**

Proposed Location: **214 W. Yankee Street, Silver City, NM 88061**

I hereby certify that I have reviewed the attached application, I have performed the necessary investigation on the applicant, and I recommend APPROVAL of the Liquor License Application.

If denial is recommended, please attach a written statement explaining the reason for denial.

CHECK IF THE FOLLOWING WAIVER IS REQUIRED:

☐

Map including all ADA entrances and exits. ADA Inspection will be day of event for compliance with ADA requirements before Alcohol Sales can commence.

Police Chief:

Mailed Approval
Signature

5-20-26
Date

Fire Chief:

Mailed Approval
Signature

5-20-26
Date

Fire Marshal:

[Signature]
Signature

5-20-26
Date

Community Development Director:

Mailed Approval
Signature

5-20-26
Date

Public Works Director

Peter Peters
Signature

5-20-26
Date

Code Enforcement Supervisor:

Vickie L. Young K40
Signature

5-20-26
Date

Town Manager:

[Signature]
Signature

5-20-26
Date

Fire Chief ADA Compliant Inspection:

Signature

Date



**Town of Silver City,
NM**

Item #12.A

Item Report

Meeting Date: June 9, 2026

Item:

A. Approval / Disapproval of Expenditure Report for Period Ending

May 31, 2026.

Attachments:

None



**Town of Silver City,
NM**

Item #12.B

Item Report

Meeting Date: June 9, 2026

Item:

- A. Approval / Disapproval of Annual recommendation to appoint Town Member to Local Labor Management Relations Board, Per Ordinance 1300, Section 7.B**

Attachments:

1. Recommended Appointee to Town's Labor Management Relation's Board



TOWN OF SILVER CITY

BOX 1188, SILVER CITY, NEW MEXICO 88062 • (575) 538-3731 • FAX (575) 534-6377

May 20, 2026

Mayor and Council
Town of Silver City
Silver City, NM 88061

RE: Recommended Appointee to Town's Labor Management Relation's Board

Dear Mayor Wheaton-Smith and Council Members:

Per the attached stipulations of Section 7 of the Labor Management Relations Board (Local Board), I am recommending the appointment of Mr. Terry Fortenberry as the Town's Member to serve on the Town's Local Labor Management Relations Board.

Thank you for your consideration of this recommendation.

Respectfully,

Jacquie Olea
Acting Town Manager

Attachment

- B. Determine qualifications for employment and the nature and content of personnel examinations;
- C. Take actions as may be necessary to carry out the mission of the employer in emergencies, and;
- D. Retain all rights not specifically limited by a collective bargaining agreement or by the Public Employee Bargaining Act.

SECTION 7. LABOR MANAGEMENT RELATIONS BOARD – CONDITIONS OF CONTINUED EXISTENCE AND TRANSFER OF AUTHORITY UPON TERMINATION.

A. The Labor-Management Relations Board, created by ordinance in 1975 and later amended in 2008, shall continue to exist except as provided in NMSA 1978 Section 10-7E-10(B) through 10-7E-10(J) (2020). Revised Ordinance No. 1297, submitted to New Mexico Public Employee Labor Relations Board on December 15, 2020 is hereby been amended by Ordinance No. 1300 to cure defects noted in Ordinance No. 1297.

* B. The Board shall be composed of three members appointed by the Council of the Town of Silver City. One member shall be appointed on the recommendation of individuals representing labor, one member shall be appointed on the recommendation of the Town of Silver City Manager, and one member shall be appointed on the recommendation of the first two appointees.

C. Board members shall serve for a period of one (1) year with terms. Vacancies shall be filled in the same manner as the original appointment and such appointments shall only be made for the remainder of the unexpired term. A Board member may serve an unlimited number of terms.

D. During the term of appointment, no Board member shall hold or seek any other political office or public employment or be an employee of a union, an organization representing public employees or a public employer.