

skies and birding. The website has been recently updated and a trade show booth to sell Silver City has been developed. The Chamber is celebrating their 100th year anniversary and will hold a banquet on January 29, 2005.

DISCUSSION OF GOALS FOR HISTORIC SAN VICENTE ENTERPRISES

Susan Berry and Mike Eley presented their viewpoints on the problems that the project is having in determining whether it should be a heritage park or an economic development project. The members have differing opinions as to the direction the project should take and seem unable to solve their differences. The Council agreed that the Town should only act as a fiscal agent in this project. The land is owned or may be owned by the Town in the future will be leased from the Town at fair market value. Mayor Fortenberry asked Ms. Berry and Mr. Eley to try to work together or perhaps create separate proposals for the Town to consider.

APPROVAL OF MINUTES

DECEMBER 14, 2004 REGULAR MEETING

Councilor May moved to approve the minutes. Councilor Ward seconded the motion, which passed unanimously.

UNFINISHED BUSINESS

ORDINANCE 1103, GRANTING TO TEXAS-NEW MEXICO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO DISTRIBUTE ELECTRICAL ENERGY IN THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, AND USE THE STREETS, ALLEYS AND OTHER PUBLIC PLACES FOR SUCH PURPOSE

After discussion involving a request by Frank Drysdale to include the words “pedestrian” and “sidewalks” in several places in the ordinance, Robert Scavron suggested that the wording he requested be modified to say “public rights of way (including but not limited to sidewalks, alleys and other public places).” Councilor May made a motion to adopt Ordinance 1103 with the proposed changes in wording to include “public rights of ways (including but not limited to sidewalks, alleys and other public places).” Councilor Nupp seconded the motion, which passed unanimously.

COOPERATIVE MAINTENANCE AGREEMENT BETWEEN THE TOWN AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION

Mr. Brown said that the Town was originally offered \$500,000 for pedestrian and sidewalk improvements on Highway 180 East. Now, the State is offering an additional \$350,000 to improve pedestrian and sidewalks on Highway 180 West. Councilor May said his main objections to the agreement were the requirement of snow removal and no time frame was stated. Mr. Scavron suggested that if circumstances change, the Town could renegotiate with the State to change requirements. Mr. Brown said that Mr. Peña had said that the cost to the Town would be around \$25,000 a year. However, he said that the Town is already doing some of the maintenance that is in the agreement, so it will actually be less. Councilor Nupp made a motion to approve the Cooperative Maintenance Agreement. Councilor May seconded the motion, which passed unanimously.

APPOINTMENTS (6) TO THE INCENTIVE REVIEW COMMITTEE

Mayor Fortenberry, with Council consensus, appointed Committee members as follows: Two-year terms, ending December 31, 2006—Edwin J. Horton, Michael Trujillo and Larry Sullivan. One-year terms, ending December 31, 2005—Lloyd Alexander, Robert E. Myers and John Eich.

NEW BUSINESS

NOTICE OF INTENT ORDINANCE 1105, AMENDING CHAPTER 10 (FIRE PROTECTION AND PREVENTION) OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO

Craig Pfeifer, Fire Marshal, presented the four proposed changes to the Council. Mayor Fortenberry said he would like to find out more about the proposed changes and suggested postponing it to the January 25, 2005 meeting. Councilor Nupp made a motion to postpone discussion of this ordinance until the next Council meeting. Councilor Clauss seconded the motion, which passed unanimously.

NOTICE OF INTENT ORDINANCE 1104, AMENDING ARTICLE II, SECTION 2.2 (DEFINITIONS), ARTICLE VIII, SECTION 8.2.1 (PERSONS LIABLE), AND SECTION 8.4.2 (PENALTIES AND REMEDIES FOR VIOLATIONS), OF THE LAND USE CODE OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO

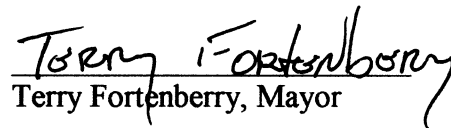
Councilor Nupp made a motion to postpone discussion of this ordinance until the next Council meeting. Councilor Clauss seconded the motion, which passed unanimously.

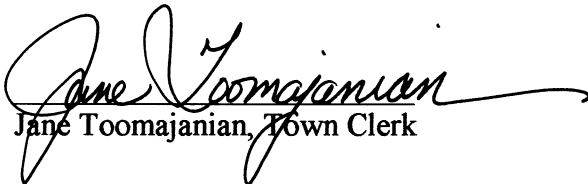
RESOLUTION 2005-01, OPEN MEETINGS

Councilor Clauss made a motion to approve Resolution 2005-01. Councilor May seconded the motion, which passed unanimously.

ADJOURNMENT—At 10:18 p.m., Councilor Clauss made a motion to hold **EXECUTIVE SESSION** pursuant to NMSA 1978 10-15-1 (H)(2) to discuss Limited Personnel Matters—Town Manager’s Evaluation, (H)(7) to discuss Threatened or Pending Litigation and (H)(8) to discuss Water Rights. Councilor Nupp seconded the motion. The Council agreed that only the items in the motion would be discussed and that no decisions would be made. If decisions needed to be made, the item would be placed on the next meeting agenda. The Council was polled with the following results: Councilor Ward—aye, Councilor Clauss—aye, Councilor Nupp—aye, Councilor May—aye.

Attest:


Terry Fortenberry, Mayor


Jane Toomajianian, Town Clerk