

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY**  
**REGULAR COUNCIL MEETING**  
**GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM**  
**September 25, 2007 – 7:00 p.m.**

**Present:** James R. Marshall, Mayor  
A. Judith Ward, District 1  
Thomas Nupp, District 2  
Simon Wheaton-Smith, District 3  
Steve May, District 4

**Also Present:** Alex C. Brown, Town Manager-Finance Director  
Ann L. Mackie, Town Clerk  
Robert Scavron, Town Attorney  
Chief Ed Reynolds, Police Department

**CALL TO ORDER / PLEDGE OF ALLEGIANCE** - Mayor Marshall called the meeting to order at 7:00 p.m.

**PROCLAMATIONS** – Mayor Marshall proclaimed October 13, 2007 as “Aviation Day”.

**PUBLIC INPUT** – Judy Allen commented on the success of the Rolling Stones Gem and Mineral Show during Labor Day Weekend held in the Recreation Center. She also commented on several things that need improvement: more daytime security; better overhead lighting; additional parking; additional rest room facilities; and more lodging and sit-down restaurants in town.

**COUNCIL COMMENTS** – Comments included the different events that were attended by each member of the Council; the lighting, roof and carpeting done at the Recreation Center; current advertising for open positions on the Festival Grounds Task Force and Noise Ordinance Advisory Committee; and upcoming events at the Museum and the Grant County Airport. Councilor Nupp remarked on a rumor and stated that he was not running for Magistrate Judge because Judge Ron Hall is not ready to retire yet. Mayor Marshall commented that the medians in the “Adopt a Median Program” need maintenance.

**APPROVAL OF MINUTES – September 11, 2007 Regular Council Meeting.** Councilor May made a motion to approve the September 11, 2007 Minutes, which was seconded by Councilor Ward and passed unanimously.

**REPORTS** – Mr. Brown reported that he will have quotes on the swimming pool boiler for the next Council Meeting, and also stated that the kids’ pool will need to be closed. Chief Reynolds reported on the mobile data terminals at the Police Department, and there was discussion of the new system.

**NEW BUSINESS –**

**A. Public Celebration Permit and Waiver for Western New Mexico University Museum’s Black on White Gala, A Night at the Museum, to be held on November 3, 2007 at the Western New Mexico University Museum.** Dr. Cynthia Bettison, Director of the Western New Mexico University Museum, requested that the Council approve the permit and sign the waiver that would allow the Museum to serve wine and champagne during the event. Councilor Ward made a motion to approve the Public Celebration Permit and Waiver and Councilor Wheaton-Smith seconded the motion. There was no further discussion and the motion passed unanimously.

**B. Discussion of Veterans’ Memorial Site.** Fred Fernandez and Frank Donahue presented their idea to have a Veterans’ Memorial Site in a prominent place in town and they asked for the Town’s full support. Mr. Fernandez stated that he will also try to get funds from the legislature. There was discussion on possible locations. Councilor Wheaton-Smith suggested using part of the land that was recently exchanged for the skate park, which was found to be a favorable location by all. Mayor Marshall commented that they will discuss it with the members of GIFFT (Gila Institute for Tots to Teens) to see if they will support the location near the skate park.

**C. Resolution 2007-30: A Resolution in Support of the Silver City MainStreet Project.** Frank Milan, Manager of the Silver City MainStreet Project, presented the New Mexico MainStreet Program Memorandum of Understanding with the Silver City MainStreet Project and the Town of Silver City. Mr. Brown advised that the New Mexico Economic Development Department requires the Resolution from the Town of Silver City. There was discussion of the wording of the Resolution and it was decided that the wording would include “intend to” in Item No. 1 to state, “The Town of Silver City does hereby intend to commit to the funding of MainStreet ...” Councilor May encouraged MainStreet and the Chamber of Commerce to try to get local restaurant owners to open on Sunday evenings and shop owners to open on Sundays, especially during holiday weekends. Mr. Milan said he would discuss it with the Manager of the Chamber of Commerce. Councilor Wheaton-Smith moved to pass, approve and adopt Resolution 2007-30 with the wording changed per their discussion. Councilor May seconded the motion as stated. There was no further discussion. Councilor Ward voted aye; Councilor Nupp voted aye; Councilor Wheaton-Smith voted aye; and Councilor May voted aye. Motion passed unanimously.

**D. Bid 07/08-3: Senior Citizen’s Center Re-Roof.** Mr. Brown presented the bid details to Council and stated that only one bid was received. Councilor Wheaton-Smith moved to award the bid to MasterCraft Metals Incorporated in the amount of \$81,367.52 (including gross receipts tax). Councilor Nupp seconded the motion. Councilor Wheaton-Smith asked Mr. Brown if the re-roof would require that the air conditioners be relocated. Mr. Brown commented that they asked for quotes on replacing the air conditioning system. He stated that they received a legislative allocation in the amount of \$65,000 and an insurance payment in the amount of \$34,000 so only \$10,000 more was needed to replace both the roof and the air conditioning. There was no further discussion. All were in favor, motion passed.

**E. Resolution 2007-31: A Resolution Authorizing the Implementation of the Mayor’s Climate Protection Agreement Citizens Advisory Committee.** Mayor Marshall presented Resolution 2007-31 and stated that it is important to monitor, observe, and try to improve the efficiencies of the Town in order to lower utility bills and have a positive impact on the climate. He stated that the Committee would be charged with advising the Council on what the best economic and feasible ways are to address these issues. Councilor Wheaton-Smith made a motion to pass, adopt and approve Resolution 2007-31. Councilor May seconded the motion. There was further discussion that the Committee will have to consider the science of climate protection; the amount of staff commitments and money needed for the Committee to conduct research; and the pursuit of grant funding. Councilor Ward voted aye; Councilor Nupp voted aye; Councilor Wheaton-Smith voted aye; and Councilor May voted aye. Motion passed unanimously.

**EXECUTIVE SESSION** – Councilor Wheaton-Smith made a motion to go into closed Executive Session to discuss limited personnel matters in accordance with NMSA 1978 §10-15-1 (H)(2). Councilor Ward seconded the motion. A roll call was taken of the Council with the following results: Councilor Ward – aye; Councilor Nupp – aye; Councilor Wheaton-Smith – aye; and Councilor May - nay. Motion passed three to one. The matters discussed in the closed meeting were limited only to those specified in the motion for closure.

**ADJOURNMENT** – Councilor Wheaton-Smith made a motion to adjourn the meeting at 9:30 p.m., Councilor Ward seconded. All were in favor, motion passed.

/s/

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James R. Marshall, Mayor

Attest:

/s/

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Ann L. Mackie, Town Clerk