

MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
October 9, 2007 – 7:00 p.m.

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

Also Present: Edward D. Reynolds, Acting Town Manager
Yolanda C. Holguin, Acting Town Clerk
Robert Scavron, Town Attorney

CALL TO ORDER / PLEDGE OF ALLEGIANCE - Mayor Marshall called the meeting to order at 7:02 p.m. and asked the visiting Boys Scouts to lead in the Pledge of Allegiance.

CEREMONIES – None

PROCLAMATIONS – None

PUBLIC INPUT – Carol Killingsworth, a county resident, voiced her concerns to the Council about the need of left turn arrows at busy intersections; DWI check point setups; and offering water, sewer and trash services to residents when the Town expands.

COUNCIL COMMENTS – The Council discussed the importance of refuse containers facing the right direction for pick up, the fact that residents might need to purchase larger refuse containers due to overflow of refuse, and that refuse left on the side of containers would not be picked up. Councilor Ward reminded residents of their responsibility of maintaining sidewalks free of weeds. Councilor Nupp advised those attending of a potential health risk to adolescents, reference excess use of cell phones which could possibly cause brain cancer. Peter Pena, Public Works Director, addressed Councilor Wheaton-Smith concerns on utility street cuts cost verses non utility cuts cost, gave a progress report on the Pope Street Project, and discussed having all four corners of Gough Park ADA compliant. Councilor Wheaton-Smith commented on the new businesses in Town and discussed a bike rack in the downtown area. Councilor Wheaton-Smith and Councilor May attended Western Bank's 100th Anniversary and Life Quest's 34th Anniversary celebrations. Councilor May stated that Tom Ogas, Executive Director of the Southwest Regional Transit District (RTD), would like to give the Council an update on the RTD at the next meeting. Councilor May talked about a formula being used for pavement breaking cost. Councilor Wheaton-Smith informed the Council of Aviation Day and the Skateboarders' plans of upcoming events.

Mayor Marshall voiced his concern on an incident that occurred where a visiting football team's buses had their tires flattened and stated that incidents like that do not promote tourism. He did follow up by writing a letter to the university. Mayor Marshall talked with Alex Brown, Town Manager, about putting a notice on refuse containers informing residents that overflow refuse would not be picked up.

CHANGES TO THE AGENDA – None.

APPROVAL OF MINUTES – October 2, 2007, Special Meeting. Councilor Ward made a motion to approve the minutes. Councilor May seconded the motion, all were in favor, motion passed. **September 25, 2007, Regular Council Meeting.** Councilor Ward made a motion to approve the minutes. Councilor Nupp seconded the motion as stated, all were in favor, motion passed.

REPORTS – Economic Impact of Arts and Culture: presented by Tom Aageson, Executive Director of the Museum of New Mexico Foundation - Nicole Robbins, Director of the Silver City Grant County Chamber of Commerce and Susan Berry, Silver City Museum Director introduced and gave a brief background history of Mr. Aageson accomplishments. Mr. Aageson explained to the Council cultural economy and its high points and cultural enterprise and its role in our communities. He stated that cultural economy creates jobs, brings new

capital into the economy like tourism, was sustainable economic development and enhances the quality of life. He gave examples of how cultural economy has helped Santa Fe's and Gallup's economies and how it started through zoning. He discussed what could be done to build cultural enterprises in our community and what was going on around the country. Mr. Ageson defined cultural terms like cultural capital, cultural entrepreneurship, etc. and addressed questions that the Council had. The Council thanked Mr. Ageson for his presentation.

PUBLIC HEARINGS – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS - Master Operating Agreement between Community Access Television of Silver, Inc. and the Town of Silver City - The Council discussed changes to the agreement; Section 2.3 reference Disclaimer and Section 3.3 Funding reference franchise tax. Attorney Scavron, after discussing the franchise fees issue, recommended that the Council approve the agreement. Councilor Wheaton-Smith made a motion to approve the Master Operating Agreement between Community Access Television of Silver, Inc. (CATS) and the Town of Silver City. Councilor May seconded the motion, all were in favor, motion passed. The Council discussed the billing process and the fact that they were currently up to date on payments. The Council thanked Herbie Marsden and John Waters of CATS for their professionalism, quality of work and for being an asset to the community.

Appointment to the Planning and Zoning Commission, District 4 – The Council gave consensus to appoint Lori Ann Bonomo to the Planning and Zoning Commission, District. 4. Letters of appreciation would be sent to those not appointed, thanking them for their efforts.

Appointment to the Lodgers' Tax Advisory Board – There were two applications. The Council gave consensus to appoint Dr. Cynthia Ann Bettison to the Lodgers' Tax Advisory Board. The Council expressed their appreciation to community members who applied for the board.

Discussion of the replacement of the Swimming Pool Boiler – Mr. Pena addressed the Council reference direction to take in the swimming pool boiler. Discussion continued reference cost, different options, amount of BTU's, and solar heating, Mayor Marshall stated that he would like to go out to bid and that solar heating could be done through performance contract so that pool's operation would not be interrupted. Mr. Pena discussed the wading pool, the pool's chlorination system requirements, and the possibility of installing water fountain equipment. The Council stated that it was important to keep the pool opened for the children and public; that pool hours need to be advertised more and have extended hours, and night use. Councilor Ward stated that school enrollment has dropped and Friends Interested in Swimming in Silver City a Heck-of-a-lot (FISSCH) would be willing to help make the pool more attractive to our young people. Mayor Marshall directed Mr. Pena to go out to bid on the boiler using the capacity of the pool, research the solar heating option, cost and size of unit, and double check the 2 million BTU's verses 4 million BTU's.

ADJOURNMENT – Councilor Wheaton-Smith made a motion to adjourn the meeting at 8:40 p.m. Councilor Ward seconded the motion, all were in favor, motion passed.

/s/

James R. Marshall, Mayor

Attest:

/s/ _____
Ann. L. Mackie, Town Clerk