

MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy 180, Silver City, NM
October 28, 2008 – 7:00 P.M.

Present: James R. Marshall
A. Judith Ward, District 1
Thomas A. 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 L. Scavron, Town Attorney
Ed Reynolds, Chief of Police
Milo Lambert, Fire Marshal

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

COUNCIL COMMENTS – The Council commented on the following: recently attended events; a positive remark on the landscaping at La Capilla; parking issues on several downtown streets; identity theft prevention within the Town’s utilities departments, etc.; safety issues related to the road construction on Highway 180; an invitation to show support for the proposed Racino in Hidalgo County; bicyclists that were not observing traffic laws; and a commendation to Justin Reese, Assistant to the Director of the Public Works Department, for the new retaining wall at the Memory Lane Cemetery.

APPROVAL OF THE MINUTES – October 14, 2008 Regular Meeting: Councilor Ward made a motion to approve the minutes. Councilor Nupp seconded the motion. All were in favor, motion passed.

REPORTS - Manager Brown reported that the Town had already taken measures for identity theft prevention, and additional procedures were being developed to comply with the new Federal Trade Commission’s regulations. Milo Lambert, Fire Marshal, reported that he was compiling data from other municipalities to ease parking concerns. Ed Reynolds, Chief of Police, reported that the roads and driveways off of Highway 180 that were involved in the road construction were as safe as they could be. He also commented that citations were given to bicyclists that were not obeying the traffic laws.

A. Presentation of a proposal for a Mexican Wolf Center in Grant County, NM, by Kevin Bixby. Mr. Bixby, Executive Director of the Southwest Environmental Center in Las Cruces, New Mexico, presented the details of a proposed economic development and tourism initiative for a Mexican Wolf Center in Grant County. There was further discussion on a location for the facility, how it would be funded, and who would manage it. Mayor Marshall stated that the Council would review the information and place the item as an action item on an agenda in November.

B. Report from the Building Inspection Program Advisory Task Force. Patrick Casey, a member of the Task Force, reported on the directive that they were given by Resolution No. 2007-33 and presented their conclusions in detail. He reported that the Task Force’s recommendation was that the Town explores with other local governments in Grant County the feasibility of establishing a full service inspection program that would serve all of Grant County. Robert Scavron, Town Attorney, confirmed that it would be possible to have regional Joint Powers Agreements with other cities and counties. There was further discussion and the Mayor thanked the members of the Building Inspection Program Task Force for their work.

C. Presentation of “Grant County is a great place to raise a family” notebook by Vicki Johnson and Susie Trujillo. Ms. Johnson and Ms. Trujillo, Grant County Community Health Council, presented the 2008 Community Resource Kit notebooks to members of the Council and reported that it was a prevention grant project with the Juvenile Justice Advisory Committee, and it would assist parents in raising their families. They stated that 250-300 notebooks were assembled and distributed to school teachers, social workers, Judges, providers, etc.

Councilor Wheaton-Smith made a motion to recess at 8:00 p.m., and Councilor May seconded. The motion passed 3 to 1. All were in favor except Councilor Ward, who did not vote. The meeting was called back to order at 8:12 p.m.

NEW BUSINESS –

A. Approval / Disapproval of a request for the Town of Silver City to be the fiscal agent for a proposed solar covered parking project at the Silver City Visitor's Center. Teri Matelson requested approval for the Town to act as fiscal agent to the project. There was further discussion about the project, how it would benefit the Town, and possible funding sources. Mayor Marshall stated that Mary Stoecker, Chair of the Mayor's Climate Protection Agreement Citizens' Advisory Committee, asked that the Town Council support Ms. Matelson's project. Councilor May made a motion to approve the request for the Town to be the fiscal agent of the project. Councilor Wheaton-Smith seconded the motion. The Mayor stated that the project was not on the Town's infrastructure capital improvement plan, but he would testify for it if it made it to the Legislative Committee. All were in favor, motion passed.

B. Approval / Disapproval of the Town of Silver City's support for a Racino to be constructed and operated in Hidalgo County. Mayor Marshall stated that he had received a letter from Mayor Arthur Clark Smith of the City of Lordsburg that asked for the Town of Silver City's support in the proposed Racino in Lordsburg. There was further discussion: Councilor May and Councilor Wheaton-Smith commented favorably for the proposed Racino and how it would benefit the region economically, and Councilor Nupp confirmed that the Racino would also have slot machines. Councilor May made a motion to approve the Town's letter of support for the proposed Racino in Hidalgo County. Councilor Wheaton-Smith seconded the motion. Councilor Ward commented on her work experience in promoting job growth in Grant County, Deming, and Lordsburg and read statistical data on the negative impact of gambling. Councilor May and Councilor Wheaton-Smith voted aye. Councilor Nupp and Councilor Ward voted nay. Mayor Marshall broke the tie vote by voting aye. Motion passed.

C. Approval / Disapproval of Bid 08/09-4: Installation of monitor wells and soil instrumentation. Manager Brown presented the details of Bid 08/09-4 and stated it was staff's recommendation to award the bid to Hydro Geologic Services, Incorporated: total for 3 sites was \$78,390.00, or total plus gross receipts tax was \$84,269.25. There was further discussion on how the bid from Hydro Geologic Services out of Albuquerque was significantly lower than the local bidder, Badger Western Exploration Incorporated, out of Silver City. Councilor Wheaton-Smith made a motion to approve the bid to be awarded to Hydro Geologic Services, Incorporated. Councilor May seconded the motion. Councilor Ward confirmed with Manager Brown that the low bidder had been investigated and had a good reputation. All were in favor, motion passed.

D. Approval / Disapproval of authorization for the Mayor to enter into contract negotiations with the Town Manager. Mayor Marshall stated that Manager Brown's contract would expire on January 16, 2009, and asked that the Council approve and authorize him to enter into negotiations with the Town Manager so his contract would not lapse. The Council agreed that an Executive Session to discuss personnel matters was not required. Councilor Ward made a motion to approve the authorization. Councilor Wheaton-Smith seconded the motion. All were in favor, motion passed.

ADJOURNMENT – Councilor Wheaton-Smith made a motion to adjourn at 8:38 pm. Councilor Ward seconded the motion. All were in favor, motion passed.

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk