

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING**

**Grant County Administration Center, 1400 Hwy 180, Silver City, NM
December 9, 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, Police Chief
Rudy Bencomo, Fire Chief
Robert Esqueda, Utilities Director

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

PUBLIC INPUT – None.

COUNCIL COMMENTS – The Council commented on the following: Christmas and New Year greetings; the protection of pets during cold weather; rules at the new Skate Park and their enforcement; recently attended events; the number of citations and related statistics on dog bite complaints; speeding and traffic violation concerns; and the new Community Enforcement Officer. Mayor Marshall requested that all economic sectors submit reports to the Grant County Economic Development Coalition for Progress. He also stated that the Health Council data had repeatedly shown statistics with an increase in suicide and domestic violence; he commented that programs were available in the community to assist people with issues related to substance abuse, chemical dependency, behavioral issues, and workforce issues. Councilor Wheaton-Smith recognized and praised Olivia Carrillo, Utility Billing Clerk, for her performance in handling a citizen's safety concern. Mayor Marshall commented on the approval of the sale and division of PNM into N. M. Gas for gas service and PNM for electric service.

CHANGES TO AGENDA – None.

APPROVAL OF THE MINUTES – November 12, 2008 Regular Meeting: Councilor May made a motion to approve the minutes. There was further discussion. Councilor Ward seconded the motion. All were in favor, motion passed.

REPORTS –

A. Gila National Forest Prescribed Fire Update and information on upcoming projects by Loretta Benavidez. Ms. Benavidez reported on several prescribed fire projects, the effect that weather conditions had on each project, and how prescribed fires improve the condition of forest health. She also commented that the Grant County Community Wildfire Protection Plan was a citizen driven plan to identify high risk areas near communities or subdivisions; the Forest Service was responsible for considering the Plan when developing their prescribed fire projects.

Manager Brown reported on the following: the ribbon cutting ceremony for the new Skate Park scheduled for December 12th; how the Police Department would enforce the rules at the Skate Park; the road construction on Highway 180 and traffic light concerns; how the Town departments were ready to assist the Forest Service during their prescribed fire projects; upcoming budget meetings with department heads to make cut backs; and traffic concerns on Highway 180 and Alabama Street. Ann Mackie, Town Clerk, reported on the upcoming Municipal Election on March 3, 2009, and that candidate filing day would be on January 6, 2009. Police Chief Reynolds reported that the N.M. Department of Transportation did not accept the Town's recommendations to install a traffic light signal, a lane change or alligator bumps at the intersection of Highway 180 and Alabama Street. He also reported on statistics related to animal calls for service. Fire Chief Bencomo reported that three Captains in the Fire Department (Robert Lopez, Ray Muniz, and Richard Ray) would retire soon, and invited everyone to the retirement luncheon and ceremony on December 19th. Mayor Marshall stated that he had worked with each of the Captains for over twenty years and that each of them were true professionals and he commended them for their service.

Mayor Marshall commended Attorney Scavron on his year of good service as the President of the N. M. Municipal Attorneys' Association. Attorney Scavron reported on the accomplishments of the N.M. Municipal Attorneys' Association during the past year while he served as their President, and how many of the programs had direct relevancy to the Town of Silver City.

PUBLIC HEARINGS – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS –

A. Approval / Disapproval of a request to support the development of a Mexican Wolf Center in Grant County, N.M. Kevin Bixby, Executive Director of the Southwest Environmental Center, requested the Council's approval to support the idea of a Mexican Wolf Center in Grant County. He stated it would be a museum type facility that would provide information to the public about Mexican wolves and other wildlife in the area. Several members of the public provided favorable input, and there was no public opposition. There was further discussion. Councilor Wheaton-Smith made a motion to approve the request to support the planning phase for the development of a Mexican Wolf Center in Grant County which would also cover the additional six heritage items mentioned in "The benefits of a Mexican Wolf Center in Grant County, NM" document that was provided in the Council meeting packet with emphasis on Ft. Bayard as a primary location. Councilor May seconded the motion. There was further discussion about the Center: its name; the source of funding; tourist revenue that may be created from it; its location; and the emphasis on the six heritage items of the Gila Region that were given in the proposal. Councilor Ward stated it was a divisive issue and she would not vote in favor of it. Mayor Marshall asked for a vote. Councilor Wheaton-Smith and Councilor May voted aye. Councilor Ward and Councilor Nupp voted nay. Mayor Marshall broke the tie vote by voting aye. Motion passed.

B. Approval / Disapproval of Mayor to enter into a Memorandum of Agreement for a Community D.W.I. Prevention Program. Cindy McClean, Grant County D.W.I. Coordinator, presented the details of the Agreement and the program. There was further discussion about the wording of the Agreement. Ms. McClean agreed to meet with Attorney Scavron to revise the document. Councilor Wheaton-Smith made a motion to approve the Mayor to enter into a Memorandum of Agreement for a Community D.W.I. Prevention Program subject to refinement by the Town of Silver City's attorney. Councilor May seconded the motion. There was no further discussion. All were in favor, motion passed. Councilor Ward thanked Ms. McClean for all the work that she had done on the program and Councilor May recognized her recent Award in Excellence that she received from an agency in Washington, D.C. for promoting the Corre Cantinas program.

Councilor Wheaton-Smith made a motion to recess at 8:31 p.m. Councilor Nupp seconded the motion. Mayor Marshall asked for a vote. Councilor Wheaton-Smith, Councilor May, and Councilor Nupp voted aye. Councilor Ward voted nay. Motion passed. Mayor Marshall called the meeting back to order at 8:43 p.m.

C. Approval / Disapproval of Resolution No. 2008-38: A Resolution authorizing the submission of a NM Community Development Block Grant Program Application for the 2009 CDBG funding cycle for Water System Improvements in the Chihuahua Hill neighborhood. Robert Esqueda, Utilities Director, presented the details of Resolution No. 2008-38. There was further discussion about previous CDBG projects and the application process. Councilor Wheaton-Smith made a motion to approve Resolution No.2008-38. Councilor Nupp seconded the motion. A roll call vote was taken with the following results: Councilor Ward – aye; Councilor Nupp – aye; Councilor Wheaton-Smith – aye; and Councilor May – aye. Motion passed. Mayor Marshall acknowledged the staff of the Utilities Department for their excellent work in getting the job done in a timely manner as well as having clean books.

D. Appointment of 3 members to the Planning and Zoning Commission. Mayor Marshall received the Council's consensus to appoint Gillian Sherwood and re-appoint Lori Ann Bonomo and Kenneth Foster to the Planning and Zoning Commission with two year terms.

E. Appointment of 3 members to the Recycling Advisory Committee. Mayor Marshall received the Council's consensus to appoint Deanna Mooney, George Llewellyn, and Joseph Schindler to the Recycling Advisory Committee.

F. Approval / Disapproval of the cancellation of the Town Council’s regular meeting on December 23, 2008. Councilor Ward made a motion to cancel the meeting. Councilor Wheaton-Smith seconded the motion. Mayor Marshall confirmed with Manager Brown that there were no urgent items pending, and commented that a Work Session may be held to discuss the budget. All were in favor, motion passed.

ADJOURNMENT – Councilor Wheaton-Smith made a motion to adjourn at 8:52 p.m. Councilor May seconded the motion. All were in favor, motion passed.

/s/ _____
James R. Marshall, Mayor

Attest:

/s/ _____
Yolanda C. Holguin, Acting Town Clerk