

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

Grant County Administration Center, 1400 Hwy. 180, Silver City, NM

April 14, 2009 – 7:00 P.M.

Present: James R. Marshall, Mayor
Cynthia Ann Bettison, 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 L. Scavron, Town Attorney
Ed Reynolds, Police Chief
Milo Lambert, Fire Marshal

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE** – Mayor Marshall called the meeting to order at 7:00 p.m.
- 2. CEREMONIES** – None.
- 3. PROCLAMATIONS** – Mayor Marshall read the following Proclamations: “Golden Apple Foundation of New Mexico Tribute to Teacher Excellence Day” on April 17, 2009, and “Endangered Species Day” on May 15, 2009.
- 4. PUBLIC INPUT** – Paul Castellano commented on how the parking in front of the Silver City Museum had changed and expressed his concern that other areas of the downtown area would have changes to their parking without notice to the downtown businesses. Dr. Terry Timme, Chairperson of the Town’s Recycling Advisory Committee, commented on the Earth Day event and a recycling event that were scheduled for April 25, 2009.
- 5. COUNCIL COMMENTS** – The Council commented on the following: how the Town Council should stop focusing on the skatepark; the need for a crosswalk near the skatepark; welcoming comments to Councilor Bettison; downtown parking; recently attended events; holding public hearings on the plastic bag issue; congratulations to several local residents on their recent achievements; new businesses in town; and the need to recruit businesses and jobs to keep the economy healthy.

Councilor Bettison commented that she was deeply honored that the residents of District 1 had elected her to be their representative. She stated she would do her utmost to serve District 1 and the community with honesty, integrity, commitment, and dedication as she advocates for their concerns and issues in the next two years. She expressed appreciation for her supporters, friends, and campaign workers. She thanked Manager Brown for his recent budget work session and commended him and his staff for their excellent management of Town resources.

- 6. CHANGES TO THE AGENDA** – None.
- 7. APPROVAL OF THE MINUTES – Regular Meeting – March 24, 2009** – Councilor Bettison made a motion to approve the minutes, Councilor Nupp seconded. There was no further discussion. All were in favor, motion passed.
Strategic Planning Session – April 8, 2009 – Councilor Wheaton-Smith made a motion to approve the minutes, Councilor May seconded. There was no further discussion. All were in favor, motion passed.

8. REPORTS –

A) Update on Southwest Regional Transit District by Yolanda Toms, Operational Manager of Corre Caminos Transit. Ms. Toms reported on the ridership levels in the region and answered questions from the Council. She stated there were 66,000 rides in the region and Silver City had an average of 4,500 rides per month. There was further discussion about how funding from the stimulus package could provide funds for buses and bus stops; concerns about the international border situation; benches and bus stops at various locations in Silver City; and how residential areas would like electric buses that were cleaner and quieter.

B) Activities and participation of the Bikeworks Program and the upcoming launch of the Yellow Bike Project, presented by Dave Baker of the Bikeworks. Mr. Baker reported that the Bikeworks Program was a non-profit

community workshop that offered programs for children and the general public; tools were available to learn to fix bicycles; and an “earn a bike” program was available through volunteer work. He also reported on the upcoming Yellow Bike Project and said donated bikes were refurbished by volunteers and painted bright yellow, and would be released in town for free public transportation. Mayor Marshall thanked Mr. Baker and congratulated him for being an impact on the community and the children. He stated that the program was healthy and productive, and taught children skills and respect that they would need in society the rest of their lives.

Mayor Marshall approved Councilor Wheaton-Smith’s request for a privileged motion to propose a recess. Councilor May seconded the motion. All were in favor, motion passed.

Manager Brown reported that there would be no additional costs for liability, workman’s compensation or health insurance, and commented on a grant to renovate the civic center and a CDBG grant for a water line replacement in Chihuahua Hill. Police Chief Reynolds reported on the mobile data terminals, crosswalks and traffic lights. Fire Marshal Lambert reported on the current high fire conditions due to the winds and low humidity, and how Fire Chief Bencomo had stopped open burn permits for yard waste and yard materials. Mayor Marshall reported on the openings on the Town’s Boards and Committees and the Grant County/Silver City Extra Territorial Subdivision Commission, and also commented that the Town was awarded the 2008 Partnership Award by the Silver City MainStreet Project.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS – None

11. NEW BUSINESS –

A. Selection of President Pro Tempore. Councilor May made a motion to appoint Councilor Wheaton-Smith as President Pro Tempore, Councilor Nupp seconded. There were no other nominations. All were in favor, motion passed.

B. Approval / Disapproval of Special Dispenser Permit Application for Blues Festival Beer Garden. Faye McCalmont, Executive Director of the Mimbres Region Arts Council, requested approval of the Special Dispenser Permit Application for the Silver City Blues Festival Beer Garden scheduled for May 22-24, 2009 in Gough Park. There was further discussion. Councilor Bettison made a motion to approve the request, Councilor Wheaton-Smith seconded. All were in favor, motion passed.

C. Approval / Disapproval of Bid 08/09-7: Homeowner Rehabilitation. Manager Brown presented the details of Bid 08/09-7 and stated two bids had been received. He said staff’s recommendation was to award the bid to G & J Construction Company from Anthony, New Mexico, in the amount of \$79,254.00 plus gross receipts tax for a total of \$85,000.00. Councilor May made a motion to approve the bid per staff’s recommendation, Councilor Wheaton-Smith seconded. There was no further discussion. All were in favor, motion passed.

D. Mayoral appointment of a Council member to the Parks and Recreation Board as ex officio member. Mayor Marshall received the Council’s consensus to appoint Councilor Bettison to the Parks and Recreation Board.

E. Mayoral appointment of three members to the Mayor’s Climate Protection Agreement Citizens Advisory Committee. Mayor Marshall received the Council’s consensus to appoint Debaura James, Gary Edwards, and Cynthia Coleman to the Mayor’s Climate Protection Agreement Citizens Advisory Committee.

F. Mayoral appointment of one member to the Parks and Recreation Board. Mayor Marshall received the Council’s consensus to appoint Liz Baxter to the Parks and Recreation Board.

G. Mayoral appointment of one member to the Noise Ordinance Advisory Committee. Mayor Marshall received the Council’s consensus to appoint Thomas Joines to the Noise Ordinance Advisory Committee.

EXECUTIVE SESSION – Councilor Wheaton-Smith made a motion to go into Executive Session pursuant to NMSA 1978 Section 10-5-1 (H) (8) to discuss the purchase, acquisition or disposal of real property or water rights. Councilor

Nupp seconded the motion. A roll call vote was taken with the following results: Councilor May – aye; Councilor Wheaton-Smith – aye; Councilor Nupp – aye; and Councilor Bettison – aye. Motion passed. The matters discussed in the closed meeting were limited only to those specified in the motion for closure.

12. ADJOURNMENT – Councilor Wheaton-Smith made a motion to adjourn at 8:55 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