

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY  
REGULAR COUNCIL MEETING  
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM  
August 23, 2016, 6:00 p.m.**

**Present:**

Ken Ladner, Mayor  
Cynthia Ann Bettison, District 1  
Lynda D. Aiman-Smith, District 2  
Jose A. Ray, Jr., District 3  
Guadalupe E. Cano, District 4

**Also Present:**

Alex C. Brown, Town Manager-Finance Director  
James Marshall, Assistant Town Manager  
Ann L. Mackie, Town Clerk  
Denise Smith, Office of Sustainability Director  
Ed Reynolds, Police Chief  
Robert L. Scavron, Town Attorney

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE** – Mayor Ladner called the meeting to order at 6:00 p.m. Councilor Cano was present by phone.

**2. CEREMONIES** – None.

**3. PROCLAMATIONS - "Celebrate Grant County Recovery Day!" - September 17, 2016** - Mayor Ladner read the proclamation about September being National Recovery Month to promote the societal benefits of prevention, treatment and recovery from alcohol and drug use disorders.

**4. PUBLIC INPUT** – Lucy Whitmarsh, Executive Director of the Silver City MainStreet Project, commented on the upcoming Taste of Downtown event during the September 3rd Labor Day Weekend and how it was an economic driver and helped to support interest in the downtown restaurants and businesses. She said the event would be in conjunction with several other events that weekend. Richard Maynes, a resident of Santa Clara, commented that he was an advocate for off-road vehicles on city streets and the highway if the speed limit was under 65 miles per hour. He discussed how Senate Bill 270 gave counties and municipalities the option to adopt an ordinance; how he was researching it and got input and advice from most of the local police chiefs; and how they mostly agreed that the utility terrain type of vehicle was the safest off-road vehicle because it had a roll cage and seatbelts, and it could be made street legal, etc.

**5. COUNCIL COMMENTS** - The Council commented on the following: Councilor Aiman-Smith expressed gratitude to the New Mexico Department of Transportation for paving Highway 90 and installing 6 foot wide bike lanes; upcoming events; how witnesses to a non-emergency violation of an Town Ordinance or law should call and report the violation to Central Dispatch or the appropriate Town department; how Councilor Bettison would respond to phone and email messages as soon as possible; how Councilor Cano was attending the New Mexico Conference on Aging in Albuquerque and would bring back information; Councilor Cano thanked Jaime Embick, Community Development Director, for hosting a Comprehensive Plan meeting in District 4 the previous week and how a lot of community input was received; how Councilor Cano, Councilor Bettison, and Clerk Mackie would attend the New Mexico Municipal League's Annual Conference in Hobbs the following week; Councilor Ray requested a report on the use of cell phones while driving; how District 3 would have a meeting at the Silco Theater on August 29th at 6:00 p.m.; when and why American flags should be flown at half mast and how American veterans should be honored; how District 1 would have a Comprehensive Plan meeting on August 25th at 6:00 p.m. at the Silver High School Little Theater and residents from all districts were welcome; how signs regarding cell phones were installed on each highway coming into town; and Councilor Ray thanked Mr. Maynes for his public input.

**6. CHANGES TO AGENDA** – None.

**7. APPROVAL OF MINUTES - Regular Meeting on August 9, 2016** - Councilor Aiman-Smith moved to approve the minutes of the Regular Council Meeting of the Town of Silver City on August 9, 2016. Councilor Bettison

seconded. The Mayor asked if there was any discussion, and there was none. He asked those in favor to approve the minutes to say aye, and all 4 Councilors said aye. He asked if any were opposed to say nay, and there was no opposition. Motion passed.

## **8. REPORTS -**

**A. Staff Reports.** – Police Chief Reynolds reported the Police Department started enforcement on cell phones on July 23rd and during the previous week they handed out 35 citations in 2 operations for the combination of texting and use of cell phones while driving. He said they received money from Safer New Mexico for overtime for specific operations for distracted driving and at the first of October they would receive additional funding for the same. He said it was a serious issue and how he saw violations regularly when he drove an unmarked police unit. There was further discussion about where the cell phone signs were installed and how they could put up additional signs with Police Chief Reynold's advice on identifying additional areas.

Manager Brown reported that Silver City Radio wanted to start a project to mount a video camera on City Hall so the view could be seen on the Town of Silver City's website to see what was happening downtown and how the Town would do that. He also reported on the accurate meter readings with the new water meters and how the unaccounted water previously had been an average of 8 to 10 percent with extra water conservation measures in place, but with the new meters the unaccounted water was only 4 percent in June and 4.1 percent in July so in a short amount of time the installation of the new water meters was already a huge success. He said they were also working on a grant with the Interstate Stream Commission and that he would bring a Resolution to them for the next agenda. There was further discussion about how the drop in the unaccounted water was contributed to the change of the water meter system; other things they would do to improve unaccounted water issues; how 4 percent unaccounted water was unheard of; and how glass was no longer recycled and that it would be a big project for Code Enforcement when the curbside recycling started on the automated system at the beginning of 2017. Mayor Ladner said he was excited about the live video at City Hall and how it would be an important tool for tourism for people that wanted to get a view of Silver City or if they were thinking about relocating to Silver City. Manager Brown also reported that the Town received the approval of the Construction Industries Division in Santa Fe, with Senator Howie Morales' help, to have an agreement between the Town of Silver City and the City of Deming for building official services.

**9. PUBLIC HEARINGS - None.**

**10. UNFINISHED BUSINESS- None.**

## **11. NEW BUSINESS -**

**A. Approval / Disapproval of 2 Public Celebration Permit Applications and a waiver of NMSA 1978 60-6B-10 of the prohibition of dispensing of alcoholic beverages within 300 feet of a church or school. Event information: the first Silver City Gay Pride Festival to be held on September 17, 2016 on the Old Elks Lodge patio at 315 N. Texas Street, Silver City, NM, sponsored by LGBT Grant County. Liquor License Holder Information: 1) Little Toad Creek Brewery #67021, HC68 Box 134, Silver City, NM, 2) Little Toad Creek Distillery #63004, HC68 Box 134, Silver City, NM.** Susan Golightly said she was representing LBGT Grant County and that 8 to 9 percent of the community was lesbian, bisexual, gay or transgender. She said they were planning their first Gay Pride celebration and she described the event. She said they wanted to have a beer garden put on by Little Toad Creek on the patio of the Elks Club and that Little Toad would be responsible for the fencing and checking identification; that beer and wine was already on that patio from Vicki's Eatery so it was nothing new. She confirmed to the Mayor that she had the permits from the Town and they obtained the church (St. Vincent de Paul Catholic Church) waiver of serving alcohol at the event that would be within 300 feet of their church. Councilor Cano stated the entrance to the patio was not handicap accessible and handicap people would like to drink, too. Ms. Golightly said they should have been more aware of that and would consider it in the future. Mayor Ladner said he was looking forward to welcoming the group on behalf of Silver City. He said he would entertain a motion. Councilor Ray applauded them for doing the event and said they should be supportive of everybody. He said the alcohol service would be from 1:00 pm to 8:00 pm. He made a motion to approve 2 Public Celebration Permit Applications and a waiver of NMSA 1978 60-6B-10 of the prohibition of dispensing of alcoholic beverages within 300 feet of a church or school. Event information: the first Silver City Gay Pride Festival to be held on September 17, 2016 on the Old Elks Lodge patio at 315 N. Texas Street,

Silver City, NM, sponsored by LGBT Grant County. Liquor License Holder Information: 1) Little Toad Creek Brewery #67021, HC68 Box 134, Silver City, NM, 2) Little Toad Creek Distillery #63004, HC68 Box 134, Silver City, NM. Councilor Bettison seconded. Mayor Ladner said they had a motion and a second and he asked if there was any discussion. There was none. He asked all those in favor to vote aye, and all 4 Councilors voted aye. He asked if any were opposed, and there were none. Motion passed.

**B. Approval / Disapproval of Resolution No. 2016-21: a Resolution of the Council of the Town of Silver City, New Mexico, authorizing and approving the submission of an application for financial assistance and project approval to the New Mexico MainStreet Program; and authorizing the Mayor to act as the Town of Silver City's Chief Executive Officer and authorized representative in all matters pertaining to the Town of Silver City's participation in the New Mexico MainStreet Great Blocks on MainStreet Program.** Lucy Whitmarsh, Executive Director of the Silver City MainStreet Project, said her organization was interested in applying to New Mexico MainStreet for the Great Blocks Grant for the 200 to 400 blocks of Bullard Street from Broadway to Kelly on both sides of the street and she called it the entertainment district. She said the purpose of the grant was to make public infrastructure improvements that would attract private investment and that would be a path to economic growth downtown. She provided further details of the grant and said they were looking at a pedestrian gateway entrance to the Big Ditch Park and the entertainment district that would be designed to bring people from the Visitor Center parking lot across the Market Street pedestrian bridge and attract them into the downtown district. She discussed how they were looking at doing streetscaping to slow down vehicle traffic and increase safety, and also pedestrian way finding signage. There was further discussion that included the following: how it needed to mesh with the Town's Comprehensive Plan meetings and the Comprehensive Plan would need to be adjusted to make sure the project was funded; that MainStreet needed to involve the Town's Community Development Department and the Police Chief; how there needed to be input from a variety of groups and how the entertainment district should include the whole downtown area and not just 3 blocks; how it needed to be connected to what MainStreet was doing with the Farmers Market; how the grant application should indicate it was for the first 3 blocks so they could apply for more funding; how it should ramp up MainStreet, the Arts and Cultural District, and the Historic Downtown District; how there needed to be improvements to Pope Street and the parking lot at Morning Star; how the Great Blocks Grant was very iffy and was not for a lot of money; how the key was that it required them to identify specific blocks for a specific purpose; how the Visitor Center parking lot could be called the Gateway parking lot; how MainStreet knew they needed to work with everyone and that they met with businesses the day before, which included a representative from the Arts and Cultural District and business owners; how Ms. Whitmarsh would work with the police and the merchants; and how Silver City MainStreet Project and Town staff met with New Mexico MainStreet's Rich Williams, Charlie Deans, and some stakeholders downtown to discuss various issues downtown and to make sure they put together a grant application that would truly fit and meet the standards of the New Mexico MainStreet Program. Mayor Ladner said he would hear a motion. Councilor Aiman-Smith moved to approve Resolution No. 2016-21: a Resolution of the Council of the Town of Silver City, New Mexico, authorizing and approving the submission of an application for financial assistance and project approval to the New Mexico MainStreet Program; and authorizing the Mayor to act as the Town of Silver City's Chief Executive Officer and authorized representative in all matters pertaining to the Town of Silver City's participation in the New Mexico MainStreet Great Blocks on MainStreet Program. Councilor Bettison seconded. Mayor Ladner said there was a motion and a second and he asked if there was any discussion. There was none. He asked for a roll call vote. Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion passed.

Councilor Bettison called for a short break at 7:06 p.m. Councilor Aiman-Smith seconded. Mayor Ladner called the meeting back to order at 7:12 p.m.

**B. Approval / Disapproval of Resolution No. 2016-22: adoption of Town of Silver City Bicycle Master Plan.** Mayor Ladner said a lot of people spent a lot of time on the Bicycle Master Plan and he thanked them for their efforts. He gave the floor to Councilor Aiman-Smith and said she represented the Council in a big way on the committee. Councilor Aiman-Smith said after she was first elected she was approached by Michelle Giese and Rebecca Summer, local bicycling advocates, in May 2014 to work with them on the plan and to be the elected official to champion moving the process forward. She explained the process and how Town staff provided encouragement and support and that Manager Brown said the Town needed such a plan, and she described how he clarified the processes of how the

Town did grant proposals and worked with consultants, etc. She said her first formal act as a Councilor was to sponsor Resolution No. 2014-38 which authorized and approved financial assistance and project approval to develop the Bicycle Master Plan and it was passed on December 9, 2014. She said getting together an initiative required many steps in "C" and she named: champion, coordination, competence and expertise, community engagement, compromise, constraints, and capitol. She discussed the following: her role as the champion of the plan; how hundreds of hours of effort had already been laid; how Manager Brown's role was to work hard to cobble together the funding to pay for the plan and delegated tasks to get the application in for funding; how Office of Sustainability Director Denise Smith's role was to write the grant and coordinate the consulting or competent expertise for the Town and community engagement; how Assistant Town Manager James Marshall's role was to coordinate communication with Town staff; and Public Works Director Peter Pena's role was to review the document due to his expertise with the Town's streets system. Ms. Smith and Assistant Town Manager Marshall provided comments. She said the plan described infrastructure changes to increase bicycling safety and quality of life in town and it added benefits to those infrastructure changes; that the benefits would be part of a more comprehensive transportation plan. She described a couple changes that were made to the draft plan. Mayor Ladner talked about how in the past the committees met and developed plans, Councils had approved them, but in many cases there were things in the plans that were not possible to do, so the plans sat on the shelf. He said the Bicycle Master Plan was a great example of how they all got together to work as a team to get some things done. He gave the floor to Councilor Aiman-Smith and she moved to approve Resolution No. 2016-22: adoption of Town of Silver City Bicycle Master Plan with an amendment on page 31 subtitle to delete the text that says, "but does not delete" and she explained why it was deleted. Councilor Bettison seconded. Mayor Ladner said they had a motion and a second, and there was further discussion. The Mayor asked for a roll call vote: Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion passed.

**12. ADJOURNMENT** – Mayor Ladner asked for a motion to adjourn. Councilor Ray moved to adjourn at 7:32 p.m. Councilor Aiman-Smith seconded. Mayor Ladner stated there was a motion and a second to adjourn. He asked for a vote of all those in favor, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion passed.

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Ken Ladner, Mayor

Attest:

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Ann L. Mackie, Town Clerk