

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY**  
**REGULAR COUNCIL MEETING**  
**Grant County Administration Center, 1400 Hwy. 180, Silver City, NM**  
**June 27, 2017, 6:00 p.m.**

**Present:**

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

**Also Present:**

Alex C. Brown, Town Manager-Finance Director  
James Marshall, Assistant Town Manager  
Robert L. Scavron, Town Attorney  
Ann L. Mackie, Town Clerk  
Jaime Embick, Community Development Director  
Milo Lambert, Fire Chief  
Ed Reynolds, Police Chief  
Efren Canas, Police Officer

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE** – Mayor Ladner called the meeting to order at 6:00 p.m. Councilor Ray was absent.
- 2. CEREMONIES** – None.
- 3. PROCLAMATIONS** – None.
- 4. PUBLIC INPUT** – Lee Gruber said she was there on behalf of tourism and the Silver City Arts and Cultural District (SCACD) and commented on the following: reviews that were given on the Trip Advisor website; problems encountered in the Big Ditch and that the Big Ditch should be their glowing attraction in their historic downtown; that they had to figure out a way together to make that a safe and inviting place for people to be and take back the Ditch as a community; and that a \$350,000 grant that would try to turn the Visitor Center parking lot into a place of beauty. Faye McCalmont commented on the following: thanked the Town for their support of the Fiesta Latina event; thanked the SCACD for securing good advertising rates for a lot of businesses and entities in town; that Dr. Joe Shepard was doing an outstanding job of making the Western New Mexico University campus beautiful and inviting; that they were all putting in a lot of effort and funds to bring people to town, and if people had an unpleasant experience downtown or in the Ditch by being accosted or the panhandling, etc., it put a damper on their good experience; and she thanked the Mayor, Councilors, and Manager Brown for their efforts and support.
- 5. COUNCIL COMMENTS** – Councilor Bettison commented on the following: how wonderful the Fiesta Latina event was and she gave kudos to Faye McCalmont and Western New Mexico University for doing a great job; how she attended the New Mexico Municipal League's Policy Committee meeting and she explained its significance for municipalities; how in 2010 Ordinance No. 1164 was approved for providing police officers the means to remove an individual from an area and cite them for aggressive begging, panhandling and prohibited solicitations, etc., but it did not change the behavior of a person who was aggressively begging, etc.; how people should call Central Dispatch to report aggressive begging, etc.; how there was an increase in incidents of aggressive begging, etc. across New Mexico because of the dismantling of the state's mental health system that occurred by their Governor; how people should call their state legislators to help fix the mental health system in New Mexico; and how they all had to work together to make the town a safer environment for everyone that lives here and visits here. Councilor Cano thanked Manager Brown for allowing her to attend the National Association of Latino Elected Officials Conference in Dallas and she discussed the following: how there were several other elected officials from New Mexico in attendance; how there were sessions on how to engage with millennials; finding ways for elected officials to support their local news media; a community service project that she hoped to do in Silver City; how the main focus was about immigration and working with law enforcement to make sure immigrants were safe and supported in ways they needed to be; how it was really nice that she could say she was from a community that had already done that and was working with law enforcement and local government to make sure that everyone in the community felt like they were part of the

community; and how she hoped to put some of what she learned into practice. Councilor Aiman-Smith commented on the following: three issues brought up by the Trip Advisor reviews that included taking back the Ditch and keeping it clean, how there were sick people from drug abuse or mental health issues and they needed to work on that as a society, how she would volunteer at Visitor Center to hand out public service information regarding aggressive panhandling, etc. and how to get help from the Gospel Mission; how driving an off road vehicle on the Town's paved streets was illegal and warned people not to do it; and how her upcoming proposed ordinance to amend the business registration and licensing procedures would come up for approval in July. Mayor Ladner commented on the following: expressed appreciation to the many groups that went down to the Big Ditch to clean it up and that it was a constant battle to keep it clean, especially after a heavy rain; how he enjoyed the Fiesta Latina and he thanked all of the volunteers, sponsors, and Western New Mexico University for making it a special event; and a reminder to everybody that there would be a parade on the 4th of July, and he thanked First American Bank for contributing money to help buy the fireworks. He expressed appreciation to the Police and Fire Departments, and how during the past several weeks there had been several instances where those public servants had put themselves in harm's way. He said they were some of the heroes in the community and they should let them know how much they appreciated what they did.

## **6. CHANGES TO AGENDA – None.**

**7. APPROVAL OF MINUTES - Regular Meeting on June 13, 2017 -** Councilor Aiman-Smith moved to approve the minutes of the Regular Town Council Meeting of the Town of Silver City of June 13, 2017. 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 three Councilors that were present said aye. He asked if any were opposed to say nay, and there was no opposition. Motion carried.

## **8. REPORTS -**

### **A. Staff Reports.**

Manager Brown reported it was close to the end of the fiscal year 2017 and they ended up in good shape, better than what he presented in the preliminary budget. He said the next fiscal year would have a good start. He also reported that one of the Town's 30 foot by 30 foot tents used for community events was stolen from a church in Georgetown. He said they would replace it with two 20 foot by 40 foot tents that would fit better in the streets, especially downtown.

Jaime Embick, Community Development Director, reported on the update of the Town's Comprehensive Plan. She said the Steering Committee edited the draft, and it was scheduled for the August 1 Planning and Zoning Commission meeting for a vote. She said they had 12 public meetings on the Comprehensive Plan and would continue to focus on public input during the next month. She also discussed several vacancies on the Planning and Zoning Commission and how the Mayor spoke to a couple of people to possibly fill those vacancies.

Milo Lambert, Fire Chief, reported that with Manager Brown's permission the Fire Department would be setting up a tent on the front lawn of the Fire Department to provide seating for the public as a public service for the 4th of July parade. He also stated the sale of fireworks were allowed to start on June 30 and sell through July 4. He discussed the weather conditions and said they did not ban fireworks per state statute. He asked the citizens to exercise caution and use fireworks judiciously by keeping to a barren or paved area and have an extinguish method on hand. He stated ground and aerial fireworks could be sold in the city limits from June 30 to July 4, and they could be ignited only between the hours of 9:00 a.m. and 10 p.m. except for weekend nights where they were allowed to be ignited until midnight.

Efren Canas, Police Officer, reported that he and Sergeant Woods were certified two years ago for bike patrol and since that time they had been patrolling the downtown area and certain areas in the community, as directed by their administration, where there was a rise in crime. He said he was patrolling about six hours per week in the downtown area in varying hours and visible to the public, and he talked to community members to see if they had any problems or issues and enforced any violations.

Police Chief Reynolds commented on the following: how the county was about to pass an ordinance that would allow all-terrain vehicles on the roadways that were governed by them; how it was still illegal within the jurisdiction

boundaries of the Town of Silver City, and people would be cited and a heavy fine would be assessed to them; the issue of homeless people and panhandling and he suggested doing a survey to find out how many people were actually concerned with panhandling; what constituted aggressive panhandling per the Town's ordinance and how people should call Central Dispatch when it happened; how the citizens needed to participate by giving the police a statement and appear in court as a witness; how aggressive panhandling violated the ordinance; how being homeless was not a crime unless, but it depended on where they camped; how it was unlawful to sleep in a park; a question of how many people were homeless by choice or by mental illness and what the community was doing to deal with those issues; how there had to be a community coordinated effort to deal with it; and being proactive and taking an approach to rectify it without always relying on law enforcement the entire time.

Manager Brown said Bethel Development did get the credits to start moving forward on the development of the actual project on the city property known as the Old Hillcrest Hospital site.

Assistant Town Manager Marshall reported on a recent Youth Conservation Corps (YCC) Trail Group project under the Broadway Bridge and further in the Big Ditch, and he asked John Bjornstadt, Supervisor of the Aldo Leopold Charter School's Trail Crew, to introduce his crew. Mr. Bjornstadt introduced the coordinator, David Chandler, and crew members Nathaniel Woodruff, and Caleb Lambert. He said the crew put in over a hundred tons of rock and recycled concrete to build a retaining wall, etc., and they worked on 100 to 150 yards of trail that was three to five feet wide, and he said they had the beginning of a great natural experience and a great system. He thanked the Council for the opportunity and for the support of Manager Brown, Assistant Town Manager Marshall, Demecio Torrez, Supervisor in the Streets Department, and Robert Esqueda, Utilities Director. There was further discussion.

Assistant Town Manager Marshall also reported on unsightly graffiti under the bridge; Mr. Shelley's Eagle Scout project at the Visitor Center to clean up the landscape; how the Water Works Building project for the abatement of lead, asbestos, and other biological matters had been resolved, tested, and approved; how they were trying to reconcile the downtown vacant building ordinance to produce a safe downtown experience; how the Mayor was reinitiating the "Welcome to Silver City" sign project that was approved by Manager Brown for the new budget and people could submit their designs by July 31; and how he was having discussions with the Public Works Director and Parks Supervisor on the park rules for Gough Park and he would report to Manager Town.

There was further discussion and Mayor Ladner mentioned that Assistant Town Manager Marshall was putting together a trail committee comprised of people that were interested in improving the trail system, and that they now had a trails coordinator that would work with the group. He said he appreciated all of those efforts.

Councilor Bettison moved for short break at 6:56 p.m. Councilor Aiman-Smith seconded. Mayor Ladner asked those in favor to say aye, and all three Councilors that were present said aye. Motion carried. The Mayor called the meeting back to order at 7:03 p.m.

**9. PUBLIC HEARINGS** - None.

**10. UNFINISHED BUSINESS** - None.

**11. NEW BUSINESS** -

**A. Approval / Disapproval of Pawnbroker Bond, Principal: DK Rockn LLC DBA DK's Gun and Pawn, 1800 Highway 180 East, Suite C, Silver City, NM, Bond amount \$5,000.** Don Klein said he was seeking approval of a surety bond to open a pawn shop and retail sale store which would include selling firearms at 1800 Highway 180 East. There were no questions from the Council. Mayor Ladner asked for a motion. Councilor Cano moved to approve the Pawnbroker Bond, Principal: DK Rockn LLC DBA DK's Gun and Pawn, 1800 Highway 180 East, Suite C, Silver City, NM, Bond amount \$5,000. Councilor Aiman-Smith seconded. Mayor Ladner asked if there were any comments from the public, and there were none. He asked those in favor to say aye, and all three Councilors that were present said aye. He asked if any were opposed to say nay, and there was no opposition. Motion carried.

**B. Approval / Disapproval of a Public Celebration Permit application and waiver of NMSA 1978 Section 60-6B-10 for alcohol sales near a church or school for the CLAY Festival's Farm to Table Fundraiser event to be held on July 22, 2017 with alcohol service from 6 pm to 9 pm at the Volunteer Center, 501 E. 13th St., Silver City, NM. Liquor License Holder Information: Precept Wine, LLC, DBA Gruet Winery, License No. 60029, 8400 Pan American Freeway NE, Albuquerque, NM 87113.** Lee Gruber said she was representing the Silver City Arts and Cultural District which was presenting the 6th Annual Silver City CLAY Festival scheduled from July 22 to July 30. She said they were going to hold a farm to table fundraising event at the Volunteer Center and were seeking a public celebration permit with the company Gruet Winery, which was famous around the world so it was a huge deal. There was further discussion. Mayor Ladner asked for a motion. Councilor Cano moved to approve a Public Celebration Permit application and waiver of NMSA 1978 Section 60-6B-10 for alcohol sales near a church or school for the CLAY Festival's Farm to Table Fundraiser event to be held on July 22, 2017 with alcohol service from 6 pm to 9 pm at the Volunteer Center, 501 E. 13th St., Silver City, NM. Liquor License Holder Information: Precept Wine, LLC, DBA Gruet Winery, License No. 60029, 8400 Pan American Freeway NE, Albuquerque, NM 87113. Councilor Bettison seconded. Councilor Aiman-Smith stated there was a church within a certain distance and they had submitted a letter of approval. Mayor Ladner asked if there were any questions or comments from the public, and there were none. He asked all those in favor to say aye, and all three Councilors that were present said aye. He asked if any were opposed, and there were none. Motion carried.

**C. Approval / Disapproval of Bid #16/17-6: Janitorial Services.** Manager Brown said the Town received two bids for Bid #16/17-6 Janitorial Services: one from Complete Care Cleaning Services and another one from NM Cleaning and Janitorial Services. He said it was staff's recommendation to do a multi-award thereby giving each one of the bidders the facilities that they bid the lowest on. He said it was staff's recommendation to award Complete Care Cleaning Services the Visitor's Center in the amount of \$450.00 per month, Municipal Court in the amount of \$450.00 per month, the City Hall Annex in the amount of \$900.00 per month, and the City Annex II (Fuel Station) in the amount of \$200.00 per month for a total of \$2,000.00 per month or \$24,000 per year. He stated staff's recommendation was to award the NM Cleaning and Janitorial Services the City Hall in the amount of \$625.00 per month, the Police Department in the amount of \$550.00, and the Hub Plaza restrooms in the amount of \$325.00 per month for a total of \$1,500.00 per month or \$18,000 per year plus gross receipts taxes. Mayor Ladner asked for a motion. Councilor Bettison moved to approve Bid #16/17-6: Janitorial Services per staff recommendation as already entered into the record. Councilor Aiman-Smith seconded. There was no further discussion. Mayor Ladner asked all those in favor to say aye, and all three Councilors that were present said aye. He asked if any were opposed, and there were none. Motion carried.

**12. ADJOURNMENT** – Mayor Ladner concluded the meeting and asked for a motion. Councilor Aiman-Smith moved to adjourn at 7:14 p.m., and Councilor Bettison seconded. Mayor Ladner asked all those in favor to say aye, and all three Councilors that were present said aye. He asked if any were opposed, and there were none. Motion carried.

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Ken Ladner, Mayor

Attest:

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Ann L. Mackie, Town Clerk