

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
July 25, 2017, 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
Robert L. Scavron, Town Attorney
Ann L. Mackie, Town Clerk
Milo Lambert, Fire Chief
Anita Norero, Deputy Finance Director

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Mayor Ladner called the meeting to order at 6:00 p.m.

2. CEREMONIES – None.

3. PROCLAMATIONS – None.

4. PUBLIC INPUT – Jen Pack from the Silver City Arts and Cultural District (SCACD) expressed her concerns about Councilor Cano's comments to the SCACD in the last several months and at the Lodgers Tax meeting about the racial insensitivity in its advertising, etc.; and how Callie Kennington, the Executive Director of the SCACD, was open for improvements, met with the photographer to develop more inclusive imagery, and invited the Council to her office to discuss the issues, etc. Cecilia Bell, President of the Fort Bayard Historic Preservation Society, invited everyone to the 151st birthday events on August 19 at Fort Bayard, and she discussed the historic culture of Fort Bayard and how it had probably the most mix of cultures in the community. She also commented that Silver City and Deming had shared the Butterfield Stage and their organization would like to put up two signs at the Visitor's Center about it. Simon Ortiz commented that under the concept of governance he agreed with Mayor Ladner's opinion to the editor of the *Silver City Daily Press* newspaper that Councilor Cano's comments during the Lodgers Tax meeting were not the view of the Council, however, he stated Councilor Cano's comments were a mere reflection of reality. He asked the Council to embrace the spirit of those comments and work among themselves and the community to make sure their diversity was represented fairly in the advertising that was promoted by the Town's funding.

5. COUNCIL COMMENTS – Councilor Ray commented on the following: how panhandling was a serious problem in Silver City and they needed to protect their citizens; how Attorney Scavron told him it would be unconstitutional to put restrictions on panhandlers during certain hours downtown; how he witnessed the wonderful job that dispatchers did and they averaged 250-300 calls per day; how some people did not understand how 9-1-1 worked; a request to Manager Brown that a deer crossing sign be installed on Cooper Street; and how the Silver City Police Department put a lot of effort into doing their jobs and it was frustrating to them and others when the District Attorney's office dismissed the charges on individuals. Councilor Aiman-Smith commented on the new handout about aggressive panhandling and what to do about it; how the New Mexico Tourism Department chose a project submitted by Silver City MainStreet called "Bullard's Storybook, Tales of Silver City's People and Buildings" and the prize was 20 hours of training for the steering committee; and how the first ICIP (Infrastructure Capital Improvement Plan) meeting would be held on July 26 at the City Annex. Councilor Bettison stated Western New Mexico University was hosting the International Economic Development Council's New Mexico Economic Development Course from July 23-27, 2017 and she provided details. She also said the Silver City CLAY Festival would be held from July 22-30, and she encouraged everyone to get out and about and make the visitors feel welcome. Councilor Cano had no comments. Mayor Ladner reminded the public that the Town was still accepting designs for the Welcome to Silver City signs, and he encouraged people to check the Town's website for the guidelines. He also said that in the 17 months that he had served as Mayor he had the opportunity to work with the Executive Director of the Silver City Arts and Cultural District, Callie Kennington, and he thanked her for her hard work in trying to promote tourism in Silver City.

6. CHANGES TO AGENDA – None.

7. APPROVAL OF MINUTES - Special Meeting on July 10, 2017 - Councilor Aiman-Smith moved to approve the minutes of the Special Council Meeting of the Town of Silver City of July 10, 2017. Councilor Ray 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 four Councilors said aye. He asked if any were opposed to say nay, and there was no opposition. Motion carried. **Regular Meeting on July 11, 2017 - Councilor Aiman-Smith moved to approve the minutes of the Regular Council Meeting of the Town of Silver City of July 11, 2017.** Councilor Ray 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 four Councilors said aye. He asked if any were opposed to say nay, and there was no opposition. Motion carried.

8. REPORTS -

A. Staff Reports. James Marshall, Assistant Town Manager, reported the Community Development Department had received submissions from two people for designs for the Welcome to Silver City signs, and he encouraged other submissions by the deadline of July 31. He also reported that the Police Department was so busy with calls that there was little time for general patrol; that the public needed to slow down and have respect and tolerance for each other.

Chief Lambert reported that the Fire Department's call volume in July was 27 fire incidents to date, seven of those were from the 4th of July with one being an actual fire, and there had been four other fires since the 4th of July. He also reported that since the last Council meeting they had 149 Emergency Medical Services (EMS) calls and the Silver City Fire Department transported five of those patients due to the unavailability of ambulances from the Gila Regional Medical Center (GRMC). He said they sent personnel to assist GRMC for four of those calls during their transport, and the call volume had exceeded previous estimates. He also reported that their two business inspectors had done 65 inspections since the last Council meeting. He said their transports had increased in the last two weeks from previous months, and they had some discussion with GRMC about negotiating the contract, but nothing came to fruition yet.

Manager Brown said he wanted Chief Lambert to report to the Council because they needed to get the hospital to the table because in one of the incidents GRMC showed up in a personal vehicle. Chief Lambert stated two of the Town's EMS providers arrived on the scene with one of their rescue units because EMS was unavailable at that point; that the GRMC responders showed up in a personal vehicle and street clothes to assist them with no equipment or ambulance. Manager Brown said they would continue to follow-up on it and would soon report them to the PRC (New Mexico Public Regulation Commission) and the EMS Bureau.

9. PUBLIC HEARINGS - None.

10. UNFINISHED BUSINESS - None.

11. NEW BUSINESS -

A. Approval / Disapproval of a Memorandum of Understanding supporting Community Development of Fort Bayard, Grant County, NM. Priscilla Lucero, Executive Director of the Southwest New Mexico Council of Governments, presented the history of where they were with Fort Bayard and how they could support one another with the Fort Bayard efforts. She described the work and meetings that had taken place since the Fall of 2016 and how a Memorandum of Understanding with the local governments and Western New Mexico University (WNMU) would show how they all felt it was important to retain Fort Bayard and to revitalize it as much as possible within their means. She said the Village of Santa Clara and the Grant County Commission had approved it, and the rest of communities and WNMU have it on their agendas for approval. There was further discussion. Mayor Ladner asked for a motion. Councilor Cano moved to approve the Memorandum of Understanding supporting Community Development of Fort Bayard, Grant County, NM. Councilor Ray seconded. There was no further discussion. The Mayor asked all those in favor to say aye, and all four Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

B. Approval / Disapproval of Resolution No. 2017-20: a Resolution rescinding Resolution No. 2017-14 which had provided for an adjustment of property tax rates within the Town. Mayor Ladner explained that Resolution No. 2017-14 for the mill levy was passed as a backup in case the Town lost their hold harmless funds which would have had a devastating effect on the Town finances. He said they told the public that if they did not lose their hold harmless they would rescind the property tax. He strongly encouraged the Council to rescind the Resolution. Manager Brown said it was brought up early in the budgetary process because they could only approve a property tax increase one time a year so they approved the one mill increase with their preliminary budget, but would rescind it if the state did not mess with their hold harmless, and they had until July 31 to rescind it. He said the budget was fine and he asked Grant County Assessor Raul Turrieta to talk about the property taxes. Mr. Turrieta reviewed the property tax valuations for the Town of Silver City that were certified on June 30, 2017. He said he was very proud of the Town Council for rescinding the one mill. Mayor Ladner asked for a motion. Councilor Bettison moved to approve Resolution No. 2017-20: a Resolution rescinding Resolution No. 2017-14 which had provided for an adjustment of property tax rates within the Town. Councilor Aiman-Smith seconded. 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 carried.

Councilor Bettison moved for a short break at 6:57 p.m. Councilor Ray seconded. Mayor Ladner asked all those in favor to say aye, and all four Councilors said aye. He asked if any were opposed, and there were none. Motion carried. Mayor Ladner called the meeting back to order at 7:08 p.m.

C. Approval / Disapproval of Resolution No. 2017-17: a Resolution amending the approved and adopted budget for the Fiscal Year commencing July 1, 2016 through June 30, 2017, and for Municipal Purpose in the Town of Silver City, New Mexico, transferring and appropriating funds thereof. Manager Brown said the budget adjustment included the new grants that were received after the preliminary budget was approved, and also to transfer funds to projects that were over expended. He said they were primarily capital projects that he knew they would have the funds for so he let the project happen. He said they did give him the authority for the projects. Mayor Ladner asked for a motion. Councilor Ray moved to approve Resolution No. 2017-17: a Resolution amending the approved and adopted budget for the Fiscal Year commencing July 1, 2016 through June 30, 2017, and for Municipal Purpose in the Town of Silver City, New Mexico, transferring and appropriating funds thereof. Councilor Bettison seconded. There was no discussion. The Mayor asked for a roll call vote. Councilor Cano voted aye; Councilor Ray voted aye; Councilor Aiman-Smith voted aye; and Councilor Bettison voted aye. Motion carried.

D. Approval / Disapproval of Resolution No. 2017-18: Final Quarter Financial Report Year Ending June 30, 2017. Manager Brown said the document was the final reconciled quarterly report for the fourth quarter and the total expenditures for the year were \$24,009,780, the total revenues were \$23,289,100, and the beginning cash balance was approximately \$3,000,000 with all the funds combined. He said the main operating fund was the General Fund with over \$9,000,000. He said he was very conservative with the preliminary budget and projected a beginning cash balance of \$569,000, but their ending cash balance came out better with \$857,976. There were no questions. Mayor Ladner asked for a motion. Councilor Aiman-Smith moved to approve Resolution No. 2017-18: Final Quarter Financial Report Year Ending June 30, 2017. Councilor Ray seconded. 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 carried.

E. Approval / Disapproval of Resolution No. 2017-19: approval and adoption of the Budget for the Fiscal Year commencing July 1, 2017 through June 30, 2018. Manager Brown stated the only difference between the final budget and the preliminary budget was the updated beginning cash balance and the scheduled raises for the unions and a three percent increase for the exempt employees. He said they still met their one-twelfth percent cash reserve plus \$93,000. Mayor Ladner asked for a motion. Councilor Ray moved to approve Resolution No. 2017-19: approval and adoption of the Budget for the Fiscal Year commencing July 1, 2017 through June 30, 2018. Councilor Aiman-Smith seconded. The Mayor asked for a roll call vote. Councilor Cano voted aye; Councilor Ray voted aye; Councilor Aiman-Smith voted aye; and Councilor Bettison voted aye. Manager Brown said without the staff that they had they could not do the things that they had been achieving for so many years. He thanked Anita Norero, Deputy Finance

Director, all of the finance staff, and the departments for understanding when he often said no, but they were still able to achieve a lot of good things for the community. Motion carried.

F. Approval / Disapproval of the Selection of a Voting Delegate and Alternate to vote at the New Mexico Municipal League's Annual Conference. Mayor Ladner said he, Councilor Bettison, and Councilor Cano were registered to attend the conference. He asked for a motion. Councilor Aiman-Smith moved to select Mayor Ladner as the Voting Delegate and Mayor Pro Tem Bettison as the Alternate to vote at the New Mexico Municipal League's Annual Conference. Councilor Ray seconded. There was no discussion. Mayor Ladner asked all those in favor to say aye, and all four Councilors said aye. There was no opposition. Motion carried.

12. ADJOURNMENT – Mayor Ladner concluded meeting and asked for a motion. Councilor Ray moved to adjourn at 7:14 p.m., and 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 four Councilors said aye. Motion carried.

Ken Ladner, Mayor

Attest:

Ann L. Mackie, Town Clerk