

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY  
REGULAR COUNCIL MEETING  
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM  
August 8, 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  
Carmen Vendelin, Museum Director  
Vickie Kelman, Animal Control Officer  
Ed Reynolds, Police Chief

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE** – Mayor Ladner called the meeting to order at 6:00 p.m.
- 2. CEREMONIES** – None.
- 3. PROCLAMATIONS – "National Health Center Week" - August 13-19, 2017.** Mayor Ladner read the proclamation and presented it to Dr. Darrick Nelson, Chief Medical Officer of Hidalgo Medical Services. Dr. Nelson thanked the Mayor and Councilors for the proclamation and invited everyone to attend their upcoming event on August 14 to celebrate "Community Health Center Week".
- 4. PUBLIC INPUT** – None.
- 5. COUNCIL COMMENTS** – Councilor Bettison and Councilor Cano had no comments. Councilor Ray commented on the following: how the city can cut down trees that are on city property and the neighboring property owner would not be reimbursed for the loss of the tree; how he thought the Council could do better at expressing themselves; many experiences were shared that described how he had been disrespected since becoming a Councilor; how there was some truth to what Councilor Cano said during a recent Councilor meeting; and how he would like to see the "Welcome to Silver City" signs also written in Spanish because they had a very diverse community. Councilor Aiman-Smith thanked Councilor Ray for having the courage to make his comments, and said she strongly believed that rational, thoughtful, compassionate, civil discourse could go a long way in restoring breaches or any wounds that had happened, and that she was willing to do that every day. She also acknowledged the active and committed volunteers and non-profits that worked in the community. Mayor Ladner commented on the following: thanks to the Town for sharing the cost of the waterline that would give the El Sol Theater a sprinkler system; how he and the other local Mayors had formed a Mayors Council and he described the topics of their next meeting on August 10 at 6:00 pm; and a reminder to the public to submit their designs through the end of August for "Welcome to Silver City" signs. The Mayor announced that the next "Territorial Charter Day" celebration would be in February 2018 and a committee was being formed that would be chaired by Carmen Vendelin, Museum Director. He invited the Councilors to offer nominations and to let him know if they wanted to be on the committee. Councilor Cano and Councilor Ray said they would like to be on the committee.
- 6. CHANGES TO AGENDA** – None.
- 7. APPROVAL OF MINUTES - Regular Meeting on July 25, 2017 - Councilor Aiman-Smith moved to approve the minutes of the Regular Council Meeting of the Town of Silver City of July 25, 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 four Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

**8. REPORTS - A. Staff Reports.** Manager Brown announced that he just promoted Ken Dayer, Assistant Library Director, as the new Library Director, and he would introduce him at the next Council meeting.

Fire Chief Lambert reported there were 74 EMS (Emergency Medical Services) calls since the July 25 Council meeting and none of the calls were transported by the Silver City Fire Department. He also reported there were nine additional fire related calls and three of those were actual large-scale fires.

Carmen Vendelin, Museum Director, reported the following: how 2017 marked the Silver City Museum's 50th Anniversary and she described some of the events to celebrate their anniversary; how the True West Magazine had the Silver City Museum in their top 10 of West Museums; how their slate of programs and exhibition for the anniversary were supported in part by the New Mexico Humanities Council; and improvements made at the Museum and how the Museum Society supports them. Ms. Vendelin also introduced her staff: Amanda Gomez, Katherine Gauer, and Courtney Ewert.

Manager Brown answered questions from Councilor Aiman-Smith about the timeline for the installation of red blinking lights at the intersection of Bullard and Broadway Streets downtown. He stated the lights would be installed during the last week of August, and he discussed other street and sidewalk projects.

**9. PUBLIC HEARINGS** - None.

**10. UNFINISHED BUSINESS** - None.

**11. NEW BUSINESS** -

**A. Approval / Disapproval of Resolution No. 2017-21: a Resolution of the Town of Silver City ratifying a certain agreement between the Town of Silver City and the Southwest New Mexico Council of Governments, dated August 8, 2017, and authorizing the execution of same by the proper official of the Town of Silver City.** Manager Brown said it was the annual agreement to be a member of the Southwest New Mexico Council of Governments (SWNMCOG) and the membership was very valuable because the SWNMCOG was always advocating for the Town on the state and federal level, and they were a huge help with grant writing. Councilor Bettison moved to approve Resolution No. 2017-21: a Resolution of the Town of Silver City ratifying a certain agreement between the Town of Silver City and the Southwest New Mexico Council of Governments, dated August 8, 2017, and authorizing the execution of same by the proper official of the Town of Silver City naming Mr. Brown as the member of the SWNMCOG, Alternate 1 as Peter Pena, and Alternate 2 as herself, Cynthia Ann Bettison. Councilor Ray seconded. Mayor Ladner 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.

**B. Approval / Disapproval of Notice of Intent Ordinance No. 1261: an Ordinance amending Chapter 6 (Animals), Article II (Administration and Enforcement), Section 6-34 (Authority of Town Manager and Animal Control Officer) and Section 6-187 (Restraining and Confinement of Animals) of the Municipal Code of the Town of Silver City.** Councilor Bettison stated Notice of Intent Ordinance No. 1261 was to continue with improvements to the Animal Ordinance in the care of animals, and it was their intention to always make sure that animals were cared for and their restraint and confinement was humane. She said the proposed ordinance was initiated by staff and she asked the Animal Control Officer and Police Chief Reynolds to explain why the specific thing they were doing was related to animals in hot cars and why it did not include extreme cold. Vickie Kelman, Animal Control Officer (ACO), said it was very pertinent to keep the animal's temperature lower than what a hot vehicle could end up being, and in the extreme cold the vehicle worked as a shelter for the animal; that her main concern was the heat and the number of calls she went to in the summertime for animals stuck in hot vehicles. Councilor Bettison stated Ms. Kelman was a certified ACO, and was able to make the determination as to whether an animal was in an extreme heat situation, based on her certification and the education she had received. There was further discussion about the steps involved in the determination and rescue of the animal; how the ACO would not be liable for damages to the vehicle if extreme heat conditions existed; how the animal would be euthanized if warranted by a veterinarian; how the ordinance gave guidelines for only the ACO or police officers to follow; and how citizens would need to call Central Dispatch if they saw an animal in dire distress because of a hot vehicle, etc. Police Chief Reynolds stated the officers

would break the window if an animal was in distress and they could not find the owner; that the incident may fall under animal abuse depending on the severity and impact on the animal. He agreed with Councilor Bettison that the Police Department asked for the amendment to the Animal Ordinance so they could do their jobs better, especially in the hot summer months. Councilor Bettison moved to approve Notice of Intent Ordinance No. 1261: an Ordinance amending Chapter 6 (Animals), Article II (Administration and Enforcement), Section 6-34 (Authority of Town Manager and Animal Control Officer) and Section 6-187 (Restraining and Confinement of Animals) of the Municipal Code of the Town of Silver City. 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.

**C. Approval / Disapproval of Notice of Intent Ordinance No. 1262: an Ordinance amending Chapter 10, Article II (Business Registration), Section 10-23 of the Municipal Code of the Town of Silver City.** Councilor Aiman-Smith explained that Notice of Intent Ordinance No. 1262 was correcting an oversight in the recently adopted Ordinance No. 1259 by replacing Section 10-23 (c) with the following language, "In addition to any license fees mentioned herein this section, the fee(s) for any inspections provided for by this chapter shall be in accordance with the fee schedule adopted and published by the Town's Fire Chief and in effect at the time of inspection." She said if the ordinance was adopted she would have the fee appended to the ordinance so they would all see what the table of fees were. Councilor Aiman-Smith moved to approve Notice of Intent Ordinance No. 1262: an Ordinance amending Chapter 10, Article II (Business Registration), Section 10-23 of the Municipal Code of the Town of Silver City. Councilor Bettison 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.

**D. Approval / Disapproval of Memorandum of Agreement for the Lease of Town-Owned Property (Office of Sustainability Building).** Manager Brown said the Office of Sustainability had a staff of one person so he moved her to the Community Development Department at the City Annex. He said he was approached by the Grant County Community Foundation (GCCF) to lease the building for a non-profit incubator. He said they needed a lead entity to lease the building and the GCCF stepped up to be that. He asked Peggy Hutchison, Secretary of the GCCF, to explain further. Ms. Hutchison said the office would include the GCCF, the United Way of Southern New Mexico, the Community Partnership for Children, and possibly Healthy Kids Healthy Communities depending on their grant. She said they hoped to work on projects together. Manager Brown said the ordinance did not allow a lease for more than \$5,000 without an ordinance so he wanted to decrease the term of the agreement from one year to nine months. There was further discussion. Mayor Ladner asked for a motion. Councilor Aiman-Smith moved to approve the Memorandum of Agreement for the Lease of Town-Owned Property (the Office of Sustainability Building) changing the term of the agreement from one year to nine months. Councilor Bettison seconded. Councilor Aiman-Smith acknowledged that having a shared services non-profit incubator model made a great deal of economic sense for those non-profits, and she acknowledged the Town for being willing to pilot a project to do so. 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.

**E. Appointments to the Incentive Review Committee.** Mayor Ladner said currently there were only two members on the committee, Sherry Clements and Robert Donnelly, and both of their terms were expiring. He said they had both reapplied to continue serving on the committee. He said if there was no objection he would like to reappoint them. There was no objection by the Council so they were reappointed. The Mayor stated they still had vacancies on the committee for a member in District 2 and District 4, and he invited people that were interested to step up.

**12. ADJOURNMENT** – Mayor Ladner concluded the meeting. Councilor Ray moved to adjourn at 6:57 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.

Attest:

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Ann L. Mackie, Town Clerk

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Ken Ladner, Mayor