

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY  
REGULAR COUNCIL MEETING  
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM  
November 28, 2017, 6:00 p.m.**

**Present:**

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

**Also Present:**

Alex C. Brown, Town Manager-Finance Director  
Robert L. Scavron, Town Attorney  
Ann L. Mackie, Town Clerk

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

**2. CHANGES TO THE AGENDA** – None.

**3. CEREMONIES** – None.

**4. PROCLAMATIONS** – None.

**5. COUNCIL COMMENTS** – Councilor Cano said she attended the Grant County Prospectors' Legislative Forum and she thanked all of the Grant County Prospectors, including Councilor Bettison, for the work they put into the Forum to educate their legislators on concerns and priorities that each of the entities had. She thanked Fire Chief Milo Lambert, Fire Marshal Kyle Marshall, Silver City Police Officers, and Grant County Sheriff Officers for restoring order in a recent public meeting concerning the Holloman Air Force Base flyovers. She said she attended the Silver City Grant County Chamber of Commerce dinner where they honored businesses and individuals for their work in the community; that it was a great event and she encouraged people to attend next year. She congratulated Charmaine Wait and the Board of the Silver City MainStreet Project for their successful Shop Small Saturday event. Councilor Ray talked about a meeting that he attended to discuss how the Gospel Mission should perhaps move away from the Jalisco's Café parking lot. He also commented on his dislike of a recent "Letter to the Editor" in the Silver City Daily Press newspaper that talked about stuff happening at the Police Department and how they blamed the Mayor and Council for not doing anything on certain situations. He discussed how they take an oath to help the people; how the judges and lawyers were too lenient; how everything falls back on the Police Department when it was the judicial system; how the judicial system was wrong and needed to be corrected; how Nick Siebel at the Silver City Daily Press was wrong to point fingers at everybody; how maybe the City fathers should take a closer look at department heads and their policies and how he thought some people were in there too long; and how they needed to protect and help their citizens. Councilor Aiman-Smith thanked the Silver City MainStreet Project for Shop Small Day and for the lighted Christmas parade. She also stated she was planning to run again for the District 2 Councilor position. Councilor Bettison also thanked MainStreet for asking her to be a judge during the lighted Christmas parade and how every single float was five-stars, and she thanked them for the Shop Small Day. She thanked Councilor Cano for her kind comments about the Prospectors' event. She mentioned that Grant County Day for the Prospectors was scheduled to be on Wednesday, January 24 in Santa Fe so the Council would need to think about their regular Council meeting scheduled for January 23, and she provided further information about the Grant County Prospectors' Grant County Day. She thanked Councilor Ray for being in the Color Guard that marched at the event. She said was unable to attend the Chamber of Commerce event and the meeting about the flyovers because she was attending the National League of Cities conference. She congratulated all of the folks that were awardees of the different categories that the Chamber had. Mayor Ladner thanked all of the volunteers in Silver City and how they had some great events recently. He thanked all of those that participated and the Gospel Mission that provided dinners during Thanksgiving. He said they literally had thousands of people in the community that made the community work. He also announced that he would be a candidate for Mayor for a second term.

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

**7. PUBLIC INPUT** – None.

## **8. REPORTS -**

**A. Staff Reports.** None.

At 6:16 p.m. Councilor Cano moved for the Council to go into Executive Session pursuant to Section 10-15-1 H (7) of the State's Open Meetings Act to meet with the Town Attorney pertaining to threatened or pending litigation in which the public body is or may become a participant. Councilor Ray seconded. Mayor Ladner said they had a motion and a second. He 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. The Mayor said after a five-minute recess the Council would convene in the conference room for an Executive Session.

Mayor Ladner and the Councilors returned to the open meeting at 7:42 p.m. Mayor Ladner stated no matters other than those matters included in the motion to go into Executive Session were discussed. He asked the Council members to affirm that statement with a roll call vote. Councilor Cano voted aye; Councilor Ray voted aye; Councilor Aiman-Smith voted aye; and Councilor Bettison voted aye. The Mayor stated the vote was unanimous in the affirmative.

Councilor Bettison moved for a short recess at 7:43 p.m. Councilor Aiman-Smith seconded. Mayor Ladner stated there was a motion and second for a short recess. He 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. The Mayor called the meeting back to order at 7:47 p.m.

**9. PUBLIC HEARINGS** - None.

## **10. UNFINISHED BUSINESS -**

**A. Approval / Disapproval of Ordinance No. 1264: an Ordinance amending Chapter 48 (Town Property), Article II (Sale, Lease or Exchange), Sections 48-22, 48-24, 48-26 and 48-27 of the Town of Silver City Municipal Code.** Mayor Ladner asked for a motion. Councilor Aiman-Smith moved to approve Ordinance No. 1264: an Ordinance amending Chapter 48 (Town Property), Article II (Sale, Lease or Exchange), Sections 48-22, 48-24, 48-26 and 48-27 of the Town of Silver City Municipal Code. Councilor Bettison seconded the motion. Mayor Ladner asked Manager Brown if he had any comments. Manager Brown said it was for the process of the sale and lease of city owned property and it raised the levels that required an ordinance to be passed; that the original ordinance was passed quite some time ago so the dollar amounts were burdensome to bring as an ordinance. He explained further and gave examples. He said it also included additional protections to any Town-owned trail that he would designate as essential property so it could not be sold. There was further discussion and Councilor Aiman-Smith reminded everyone that the ordinance still allowed the Council to make the final decisions. 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.

## **11. NEW BUSINESS -**

**A. Approval / Disapproval of Resolution No. 2017-28 for the Regular Municipal Election to be held on March 6, 2018.** Mayor Ladner gave the floor to Clerk Mackie. She requested approval of Resolution No. 2017-28 to call for the Regular Municipal Election and she provided the following information: how the elective offices would be for the positions of Mayor, Councilor in District 2, Councilor in District 4, and Municipal Judge; how the Mayor and Councilor positions had two-year terms and the Municipal Judge position had a four-year term; how there would be one Voting Convenience Center at the Silver City Woman's Club; how Absentee Voting would begin at City Hall on January 30 and Early Voting would begin on February 14; how persons could file their Declaration of Candidacy only

on January 9, 2018 at her office; how the votes would be tabulated on the Dominion electronic tabulator, etc. Mayor Ladner asked for a motion. Councilor Ray moved to approve Resolution No. 2017-28 for the Regular Municipal Election to be held on March 6, 2018. Councilor Cano seconded. The Mayor asked if there was any discussion, and there was none. He 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.

**B. Approval / Disapproval of Resolution No. 2017-29: Adopting Recount/Recheck Costs for the Regular Municipal Election to be held on March 6, 2018.** Mayor Ladner gave the floor to Clerk Mackie. She requested the Council's approval of Resolution No. 2017-29 for the estimated costs of a recount or recheck for the upcoming election. Mayor Ladner asked for a motion. Councilor Bettison moved to approve Resolution No. 2017-29: Adopting Recount/Recheck Costs for the Regular Municipal Election to be held on March 6, 2018. Councilor Aiman-Smith seconded. The Mayor asked if there was any further discussion and 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 carried.

**C. Appointment to Recycling Advisory Committee.** Mayor Ladner said the Town received one application from Ms. Arlan Lazere and the Chair of the Recycling Advisory Committee recommended her appointment. He said if there was no objection from the Council he would appoint her to the Recycling Advisory Committee. There was no objection, and Ms. Arlan Lazere was appointed.

**D. Approval / Disapproval to cancel the regular Council meeting scheduled for December 26, 2017.** Mayor Ladner said it was the day after Christmas and it was also a Town holiday and a day when a lot of people were traveling. He asked for a motion. Councilor Cano moved to approve the cancellation of the regular Council Meeting scheduled for December 26, 2017. Councilor Ray seconded. There was no further discussion. 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.

**12. ADJOURNMENT** – Mayor Ladner concluded meeting and asked for a motion. Councilor Ray moved to adjourn at 7:58 p.m., and Councilor Bettison 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. 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