

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
February 13, 2018, 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
Ann L. Mackie, Town Clerk
Robert L. Scavron, Town Attorney
Carmen Vendelin, Museum Director
Jaime Embick, Community Development Director

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

2. CHANGES TO THE AGENDA – Councilor Bettison moved to remove agenda item 12 B from the agenda. Councilor Aiman-Smith seconded. There was no discussion. Mayor Ladner asked all those in favor to say aye, and all four Councilors said aye. Motion carried.

3. CEREMONIES – None.

4. PROCLAMATIONS –

A. "Territorial Charter Day" - February 17, 2018. Mayor Ladner said they would be celebrating “Territorial Charter Day” on February 17, 2018, and he read the proclamation that was issued the previous year on February 14, 2017.

B. "Western New Mexico University's Quasquicentennial Week" - February 11 - 17, 2018. Mayor Ladner asked Abe Villarreal, Assistant Dean for Student Activities of Western New Mexico University, to come forward to accept the proclamation. He read the proclamation that described how Western New Mexico University (WNMU) was founded 125 years ago on February 11, 1893. Mr. Villarreal thanked the Mayor and the city leadership for their continued enormous support of Western New Mexico University. He stated they had been generating thousands and thousands of proud alumni for the last 125 years, and they would continue to make Silver City their home and a very special place for their students.

5. COUNCIL COMMENTS – Councilor Ray commented that the Color Guard went back to Western New Mexico University (WNMU) and it turned out very well; that he and Dr. Shepard, President of WNMU, had ironed out their differences, and he really respected that and the Color Guard would be honored to do it again at WNMU. He also mentioned an upcoming meeting about bees at the Knights of Columbus building and how other Council members were also invited to attend. Councilor Aiman-Smith thanked the local community non-profit radio station, Gila/Mimbres Community Radio, for having all of the 2018 municipal candidates on with a live round table, and she encouraged all of the registered voters to vote. Councilor Bettison commended staff because she received a letter to thank staff for closing off the access to the hills at 20th Street and Ursa Major. She explained how it took several years to get the fence up and to put no trespassing signs up to stop folks from dumping, and that the Town could not amend the no trespassing signs because they were for the private property. She reminded walkers, hikers, and bikers to get the permission of the land owners. She said she also received thanks from a number of residents for Town staff opening up the new public parking lot off of Arizona Street in time for the Chocolate Fantasia event. She encouraged people to attend the Territorial Charter Day events downtown and how different businesses would have specials for folks. Councilor Cano commented that the MainStreet Project was partnering with local businesses to have "love local days" which was a chance for locals to come downtown to get great deals. She also mentioned an upcoming MainStreet Project 5k fun run on February 17 as part of the Territorial Charter Day celebrations, how the entry fee was three cans of food, and that participants would get a limited edition tee shirt. Mayor Ladner said he appreciated the public parking lot and suggested that a sign be installed on Bullard Street to point toward the public parking lot. Manager Brown said

they could make a sign. The Mayor also thanked the Mimbres Region Arts Council and the businesses downtown that made the great Chocolate Fantasia event possible, and how there were a record number of people and out of town people at the event. He also said he gave each of the Councilors a list of all of the Mayors of the Town of Silver City and he remarked on how John Fleming was Mayor for 14 or 15 years, and that he was also on the Board of Regents at the time when the Normal School was formed and when the city gave 20 acres of land to build the Normal School on.

6. APPROVAL OF MINUTES - Regular Meeting on January 30, 2018 - Councilor Aiman-Smith moved to approve the minutes of the Regular Council Meeting of the Town of Silver City of January 30, 2018. 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.

PUBLIC INPUT – None.

8. REPORTS -

A. Annual report by Heidi Ogas of the High Desert Humane Society. Ms. Ogas reported they had an agreement with the Town of Silver City to take in animals, dogs and cats, and she reviewed the numbers from 2017 as follows: the annual animal intake report indicated they took in 387 dogs in 2017 and 72 were returned to their owners, and they took in 374 cats and three were returned to their owners; how the intake on dogs went down and the intake on cats went up compared to 2016; how the Town had a diligent animal control officer and was making a difference in feral cat populations by trapping a lot of cats; how the warmer weather may have affected the kitten season because it did not quit from August to December in 2017 versus the normal kitten season in April and September; how the Paws Cause Thrift Shop raised enough money to issue out 854 spay and neuter coupons; how the shelter adopted out 280 dogs and a total of 195 were returned to their owners, and 138 cats were adopted out and four were returned to their owners; how their overall euthanasia rate for adoptable animals was less than 20 percent for dogs and less than four percent for cats, much better than the national average; how they had a full crematorium and provided cremation services for pets; how they had a new four kennel quarantine run to help better house animals being held on bite cases and court cases; and how their goal of a new adoption center by 2025 was on track and they were getting blueprints together. Mayor Ladner thanked her for the report.

B. Staff Reports. Carmen Vendelin, Museum Director and Chair of the Territorial Charter Day Committee, recognized all of the members of the committee and she reported on the various events that were scheduled for the February 17 Territorial Charter Day celebration. There was further discussion.

Jaime Embick, Community Development Director and Trails Coordinator, gave an update on the trails system and stated there had been a lot of work done. She thanked the volunteers, especially Bob Schiowitz who had really helped to train their new trails maintenance worker, and she said without the hard work of the volunteers they would be starting from scratch. She said the new employee had repaired gates, worked on trailheads, gated off Town right-of-way where four-wheelers were entering on Corbin Street, and fixed the gate near the Griffin's where people were accessing with four-wheelers. She said since she began as Trails Coordinator earlier in 2018 they had done a lot of property work and she described in detail how maps had been updated; how no unauthorized motor vehicles could be on Town-owned open space or Town property; various easements that would allow access to trails; upcoming appointments to the new Trails and Open Space Advisory Committee; and how she would also be the conduit to the Grant County Trails Group, etc. She said several years of work had come to fruition in the last couple of months. Mayor Ladner thanked Ms. Embick, Mr. Marshall, and all of the trails committee for their hard work. He said they received a number of nominations for people to fill the Trails Committee and they would hopefully make those appointments at the next Council meeting.

Clerk Mackie reported that early voting would begin at City Hall the next day, February 14, and would run through March 2. She said the last day she could issue an absentee ballot was also on March 2 and election day would be on March 6.

9. PUBLIC HEARINGS - None.

10. UNFINISHED BUSINESS – None.

11. CONSENT AGENDA - Mayor Ladner stated all items under the Approval of the Consent Agenda were considered to be routine by the Town Council and would be enacted by one motion, and there would be no discussion of the items. He said if discussion was desired, that item would be removed from the Consent Agenda and be considered separately. He read the following:

A. Approval / Disapproval of Resolution No. 2018-03: Adopting a Fair Housing Policy.

B. Approval / Disapproval of Resolution No. 2018-04: Citizen Participation Plan CDBG Program.

C. Approval / Disapproval of Resolution No. 2018-05: Residential Anti-Displacement and Relocation Plan and Certification.

D. Approval / Disapproval of Resolution No. 2018-06: Section 3 Plan.

E. Approval / Disapproval of Resolution No. 2018-07: CDBG Procurement Policy.

He asked for a motion. Councilor Aiman-Smith moved to approve the following resolutions, and she read all five of the resolutions that were listed on the Consent Agenda. Councilor Bettison seconded. The Mayor asked if there was any 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.

Councilor Bettison moved for a short break at 6:43 p.m. Councilor Aiman-Smith seconded. The Mayor asked all those in favor to say aye, and all four Councilors said aye. Motion carried. The Mayor called the meeting back to order at 6:45 p.m.

11. NEW BUSINESS -

A. Approval / Disapproval of Resolution No. 2018-08: a Resolution in support of NM House Bill 191 and Senate Bill 154 freezing the phase-out of hold harmless funding at eighty-two percent (82%) and expressing opposition to all further diminution of current hold harmless payments. Councilor Bettison said it was a State issue and if approved the bill would specifically assist Silver City by allowing the freeze of the phase-out of the Hold Harmless in Silver City at 82 percent and that would mean they could continue to maintain what they had at 82 percent by continuing at six percent per year. She said the Town Council felt it would harm the public to impose the three-eighths percent Hold Harmless gross receipts tax that was authorized by the State Legislature, and that only six municipalities had not imposed any portion of it. She provided further details. Manager Brown said the bill had passed the House and had moved over to the Senate side, but would need to get through a couple of committees before the State Legislature ended on February 16. He provided further details and said it would really help the Town, and that they had been able to cut and adjust operations so they would not have to raise taxes. He said even if they did impose the tax they would still lose over \$700,000 from the phase-out. He said it was important that they support the bill. There was further discussion. Mayor Ladner said he would entertain a motion. Councilor Bettison moved to approve Resolution No. 2018-08: a Resolution in support of NM House Bill 191 and Senate Bill 154 freezing the phase-out of hold harmless funding at eighty-two percent (82%) and expressing opposition to all further diminution of current hold harmless payments. Councilor Aiman-Smith seconded. There was no further discussion. 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 Resolution No. 2018-09: a Resolution in Opposition to NM House Bill 98 titled "Local Election Act". This item was removed from the agenda per Item 2 above.

C. Approval / Disapproval of Request for Proposal #17/18-2P: General engineering services for streets and drainage. Manager Brown said the RFP was put out to procure engineering services for federally funded projects which had a lot more requirements. He said they currently had two federally funded projects that had already been awarded, the Visitor Center parking lot with signage and the bike lane realignment, and those projects were waiting on this award for engineering. He said the RFP listed every possible federally funded project they could think of, and they received six RFPs. He said it was staff's recommendation to award the RFP to Occam Engineer's Inc. from Silver City, NM. Mayor Ladner asked if there was any discussion, and there was none. He asked for a motion. Councilor Ray moved to approve RFP 17/18-2P: General engineering services for streets and drainage per staff's recommendation to Occam Engineer's Inc. at 3400 Highway 180 E. Suite A, Silver City, NM 88061. Councilor Aiman-Smith 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 Bid #17/18-2: 32nd Street sidewalk improvements. Manager Brown said the Town received one bid for the project and the total cost would have been \$183,782.00, but because it was severance tax money the project went through the NM Department of Transportation (NMDOT). He said NMDOT required that all bidders be registered with NMDOT at the time of the bid opening, but the only bidder, Southwest Concrete and Paving, let their registration lapse with NMDOT for a week. He said during that week they opened the bid. He said NMDOT would not allow them to award the bid so it was staff's recommendation to reject the bid and put it out for the minimum amount of days required. There were no questions. Mayor Ladner asked for a motion. Councilor Bettison moved to reject Bid #17/18-2 for the 32nd Street sidewalk improvements. Councilor Ray seconded. There was no 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.

E. Discussion and action on proposed 2018 dates for Town sponsored "Charter Days" volunteer projects. Manager Brown said most of the Council members had sent him projects, but some of them would not work out. He discussed the projects that were suggested from each Councilor. He said they needed to get the schedules made. There was further discussion and the following dates were chosen: for District 1 June 9; for District 2 August 4; for District 3 August 11; and for District 4 April 14. The Mayor asked for a motion. Councilor Aiman-Smith moved to approve the following dates for volunteer work associated with Territorial Charter Day: April 14, June 9, August 4, and August 11 of 2018. Councilor Bettison seconded. There was no further discussion. Mayor Ladner asked all those in favor of the dates to say aye, and all four Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

F. Approval / Disapproval to reschedule the regular Council Meeting scheduled for March 13, 2018 at 6:00 p.m. to March 16, 2018 at 9:00 a.m. at the Grant County Administration Center. Councilor Bettison said she asked for the meeting date change because she would be attending the National League of Cities Congressional Cities Conference in Washington, D.C. from March 9 to March 15 as a member of the Executive Committee of the New Mexico Municipal League, and she provided further details. The Mayor asked for a motion. Councilor Bettison moved to approve to reschedule the regular Council Meeting scheduled for March 13, 2018 at 6:00 p.m. to March 16, 2018 at 9:00 a.m. at the Grant County Administration Center. Councilor Aiman-Smith 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.

12. ADJOURNMENT – Mayor Ladner concluded the meeting and asked for a motion. Councilor Aiman-Smith moved to adjourn at 7:20 p.m., and Councilor Ray 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