

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
April 24, 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
James Marshall, Assistant Town Manager
Ann L. Mackie, Town Clerk
Ed Reynolds, Police Chief
Milo E. Lambert, Fire Chief

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 – "Give Grandly! Give Local Day" - May 5, 2018. Mayor Ladner read the proclamation and presented it to Betty Spence. Ms. Spence said she belonged to one of the many non-profits that were participating in the event, and she was happy to accept the proclamation on behalf of the Grant County Community Foundation and the Southwest New Mexico Non-Profit Coalition. She thanked the Mayor and Council for supporting it for the fifth year in a row and for always supporting the non-profits in the community. She said the area non-profits provided much needed services that enhanced the quality of life in Southwest New Mexico. She said since 2014 their communities had exceeded expectations with donations that totaled more than \$350,000 and their goal was to move that total up to \$500,000.

5. COUNCIL COMMENTS – Councilor Cano reported on the first District Work Day on April 14 in District 4 and how 40 people participated at the Visitor Center for landscaping and beautification work downtown and at Ybarra Park to scrape paint off of the wall and repaint it a nice purple color that was already drawing in more kids. She thanked Gary Stailey and the youth for their hard work, and Assistant Manager Marshall and Gary Stailey for coordinating the event. She commented on construction and traffic issues in District 4 and how she received more complaints in the past week than in the entire time she had been a Councilor, and that a lot of the complaints stemmed from the April 18 *Silver City Daily Press* article about the meeting that the New Mexico Department of Transportation (NMDOT) had that reported the Police Department had better things to do than patrol the area according to the traffic control supervisor for the construction company. She said the article really upset the community and made it hard for them to trust the police when things like that were put in the paper. She said she hoped Police Chief Reynolds would address that. Chief Reynolds came forward and said he had Captain Portillo call the traffic control supervisor and the supervisor said he did not know who he talked to or if it was an officer; that in the end it seemed that he just made it up. Chief Reynolds assured the Council and the community that the Police Department was enforcing the area, especially Pine Street, Pinos Altos Street, and Kimberly Street because of the detours in those areas and they would continue to do so through the life of the construction. He said they had regular patrols conducting enforcement operations, etc. Councilor Cano encouraged everyone to leave five minutes earlier and to be patient.

Councilor Ray commented on reporter Ben Fisher's article in the *Silver City Daily Press* after the last Council meeting when Councilor Ray told him no comment after he pulled his Notice of Intent Ordinance (NOI) off of the agenda. He said he did not appreciate Mr. Fisher's article because it made it sound like the lady stopped his NOI which was not true. He looked at Mr. Fisher and told him that he was telling him again not to put words in people's mouths and thoughts in people's minds, and that the *Silver City Daily Press* was always making mistakes. He said he pulled his NOI because it was not a good thing to do.

Councilor Aiman-Smith commented on the past weekend's events and how she was on a personal mission to visit every park in Silver City. She encouraged the public to go to the Town's website to see where all of the parks are in Silver City. She said she was grateful for the very small staff who tend the widely separated parks, and that she appreciated the opportunity for recreation and green space, etc. in Silver City.

Councilor Bettison commented that during the Earth Day event a number of people thanked the Town for doing fast repairs on the trails and for trying to keep ATVs (all-terrain vehicles) out, etc. She also commented on traffic issues on Cactus Street to bypass the traffic going down Swan Street and how people were not stopping at the stop signs and were speeding in a residential area. She suggested they put a left-hand turn signal for the northbound and southbound Swan Street traffic to Highway 180 or Silver Heights Boulevard, and she described the issues. There was further discussion with Manager Brown on the traffic issues due to the Silver Street road construction, etc. and how the state did not work with the Town, but he would ask the state for a left-hand turn signal on Swan Street at the Highway 180 intersection. Councilor Bettison thanked Central Dispatch for sending officers immediately to Silver Heights Boulevard after high winds smashed a sign that would have damaged people's tires. She said the construction companies needed to batten down the signs because of the high winds. She encouraged the public to contact them by phone, report issues on the Town's website, or to call Central Dispatch with traffic concerns.

Mayor Ladner commented on the previous weekend's events and how it was amazing about all of the things that take place in Silver City, and it was more amazing about the number of volunteers they had to make all of those kinds of things possible. He thanked all of the volunteers in the community for helping to make Silver City even better, and how he saw Councilor Cano, Councilor Aiman-Smith, Councilor Bettison and Assistant Manager Marshall also participate in the events which really made it great. He said there were still three more community projects based upon the Territorial Charter Work Day and that he did not pick a project so he could work with the other projects. He said he had been working with Assistant Manager Marshall and other community members to put together a program to try to do something about the litter in the area and that he would keep the Council updated and solicit their input. He thanked Fire Chief Lambert for his quick response to declare the state of fire danger and for posting it all over town. He asked Fire Chief Lambert if it was at the radio stations, etc. Chief Lambert said yes, it had been on the radio and he said the Silver City Fire Department had a public information line that people could call. He said the notice had been sent to the newspapers and was posted in 14 prominent places in town, and the Fire Department had distributed paper copies as well.

6. Approval of Minutes for the Regular Town Council Meeting held on April 10, 2018. Councilor Aiman-Smith moved to approve the Minutes of the Regular Town Council Meeting of the Town of Silver City of April 10, 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.

7. PUBLIC INPUT – None.

8. REPORTS -

A. Quarterly Report on Silver City Arts & Cultural District and Visitor Center Operations by Colleen Morton, Executive Director. Ms. Morton began by making a few corrections to the written report that was provided to the Council. She said they were on budget for the lodgers tax grant that they got for Fiscal Year 2018 and they would give a more thorough report at the end of the fiscal year. She invited everyone to the upcoming ribbon cutting for the trail kiosk in the Visitor Center's parking lot that was scheduled for May 1 at 11:30 a.m. She reported that they saw a six percent increase in overall traffic to the Visitor Center in the third quarter of 2017, and that when asked how the visitor heard about Silver City the statistics showed that the internet had become the primary source of information; that 17.8 percent of the visitors said they used internet research, secondly they saw Silver City on a map, and thirdly they saw Silver City on a travel website. She said it was in keeping with the overall industry trends so they were putting a lot more emphasis on the online marketing of the Town. She also reported on the non-lodgers tax initiatives: how their panel at the Denver Southwest Summit on Creative Placemaking Leadership was very successful; how they carried out a Tourism Town Hall earlier in the month and all of the feedback had been positive; how they worked on a grant proposal to the U.S. Department of Agriculture for a feasibility study for a joint or combined incubator-maker space

and she was optimistic of their chances to get the grant; and how they were busy with working on the proposal for the cooperative agreement that they have every year with the New Mexico Department of Tourism in terms of the overall advertising budget for Fiscal Year 2019. Mayor Ladner read several visitor comments and stated people were finding things to do and were seeing the friendly people and the beauty like they did.

B. Staff Reports. Manager Brown reported they were having issues with the companies that they had been selling the single-stream curbside recycling to; that the only market now was for cardboard and metal. He explained the issues that the Southwest Solid Waste Authority (SWSWA) was having in selling the recyclables and how last month they actually received a bill for taking the recycling; that China had been the largest purchaser of recycling materials, but was no longer purchasing the materials. He said he had been working with the SWSWA and they were working with another company out of El Paso to fix things, but if not then the Council would have to make a decision and he gave three possible options. He said he hoped to have enough information by the second Council meeting in May when they had to adopt their preliminary budget. There was further discussion about the recycling issues. Manager Brown also reported that he was working on the budget and how the hold harmless was continuing to be phased out; how next year they would have a \$440,000 decrease in hold harmless payments from the state. He said they would have to increase revenue in some way and he recommended they pass one of the hold harmless increments, but not all of them. He said they could impose just one-eighth percent in January 2019 so they would get about four months worth of revenue, approximately \$98,000, which was enough to make things work this fiscal year. He said lodgers tax revenue was up about 17 percent and gross receipts tax revenue was close to what he projected, and his projections did not include the revenue from the construction projects. He said he would have numbers for them at the next Council meeting.

9. PUBLIC HEARINGS - None.

10. UNFINISHED BUSINESS – None.

11. NEW BUSINESS -

A. Approval / Disapproval of Resolution No. 2018-13: a Resolution amending the approved and adopted budget for the fiscal year commencing July 1, 2017 through June 30, 2018 and for municipal purpose in the Town of Silver City, NM, transferring and appropriating funds thereof. Manager Brown said they had funds in the negative while waiting for reimbursements so they had to transfer money from other funds into the negative funds, and then basically they would transfer the money straight back once they sent in the quarterly report. He said they were all for transfers to offset negative balances, and there were no increases or decreases. Mayor Ladner asked for a motion. Councilor Cano moved to approve Resolution No. 2018-13: a Resolution amending the approved and adopted budget for the fiscal year commencing July 1, 2017 through June 30, 2018 and for municipal purpose in the Town of Silver City, NM, transferring and appropriating funds thereof. Councilor Ray seconded. Mayor Ladner 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 a Grant County Regional Dispatch Authority Joint Powers Agreement. Assistant Manager Marshall stated the Grant County Regional Dispatch Authority originated in 1999, and they were currently working off of the original Joint Powers Agreement (JPA). He stated the Town of Silver City and Grant County were the only contributors outside of the gross receipts tax. He said the board was so large that it was often hard to get a quorum, and not all of the significant partners were included 19 years ago. He also said the state's general template for JPAs had significant changes. He stated the new JPA was negotiated with all of the agencies involved until there were no objections. He said the board was going from 12 members to seven members while Silver City and Grant County attendance would be counted as one, for the purpose of forming a quorum, but votes on action items would be counted as two. He described how each member would make appointments and how the powers of the board did not significantly change; that they were to run the Dispatch Center. He described how the fiscal liability of the members would be calculated by the approved expenses of the agency that exceeded the County Emergency Communications and Emergency Medical Services gross receipts tax, and how the balance shall be covered by the JPA partners. He discussed the formula in the new agreement and how it was based on call volume, and stated Silver City and Grant County were at 35 percent. He said the Silver City Police Department had about 26,000 calls a year compared to the City of Bayard that had about 5,000 to 6,000 calls per year. He said the City of Bayard, Town of Hurley, and Village

of Santa Clara were at five percent. He said the Gila Regional Medical Center was at 10 percent because they did about 4,000 calls per year plus they got emergency medical dispatch which was horrendously time consuming on the agency to stay on the phone committed to one caller and to provide pre-arrival instructions. He said Western New Mexico University was at five percent. He said any capital requirement expenses would be divided by using the same formula, and he commented that they were considering a new computer-aided dispatch software. He said non-member users may be billed a cost per call and that amount would be calculated annually based on the actual cost per call. He stated the agreement would take effect when executed by all of the parties and approved by the New Mexico Department of Finance and Administration, and the agreement may be terminated with 180 days notice. He said the term of the agreement is until amended, replaced or a majority of the members exit. He said the Town Attorney reviewed it and signed off. There was further discussion about how the non-member usage cost per call was for an agency, mostly for public safety, and not for individual citizens. Mayor Ladner asked for a motion. Councilor Aiman-Smith moved to approve the Grant County, New Mexico Joint Powers Agreement for Consolidated Public Safety Answering Point (PSAP). Councilor Bettison 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.

12. ADJOURNMENT – Mayor Ladner concluded the meeting and asked for a motion. Councilor Aiman-Smith moved to adjourn at 6:59 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. Motion carried.

Ken Ladner, Mayor

Attest:

Ann L. Mackie, Town Clerk