

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
September 11, 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
Ken Dayer, Library Director

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Mayor Ladner called the meeting to order at 6:02 p.m.

2. CHANGES TO THE AGENDA – Councilor Bettison moved to change Item 11. E. under New Business to Approval / Disapproval of cancelling the next Regular Town Council Meeting scheduled for September 25, 2018. 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.

3. CEREMONIES – None.

4. PROCLAMATIONS – None.

5. COUNCIL COMMENTS – Councilor Cano said she was happy to see Councilor Ray back and that she heard from a lot of people in his district, and they were glad he was back, too. She said that she and many others mourned with the City of Bayard in the fact that their Councilor Zeke Santa Maria passed away after a long illness, and that he served for 17 years on the Council in Bayard. Councilor Ray thanked the public, his colleagues on the Council, and Attorney Scavron for asking him to come back. He made remarks in Spanish, and then translated in English as follows, "We're here to help you guys out. If you have a problem you can always call Councilor Bettison, Councilor Aiman-Smith, Councilor Cano, and myself. You have a right to know what we are doing here. We would like for you people to come to the meetings. Again, thank you." He also said they had a little situation that day and he thanked Chief Portillo for taking action right away on it. He said to Chief Portillo that there is a state law about walking, jogging, and running in the streets. He asked Chief Portillo if he could give them a report of how many people were stopped because of texting and driving at the same time, and how many people were stopped from riding bicycles and not stopping at stop signs. He thanked the Council for going as far as they did on the NOI (Notice of Intent Ordinance No. 1269 about off-highway motor vehicles). He also talked about football and how it was a disgrace that the players were kneeling for the National Anthem; that he was not going to watch it as much because it was a disgrace for veterans. Councilor Aiman-Smith said she was glad that Councilor Ray was back, and she wished Councilor Bettison and Councilor Cano a happy birthday. She mentioned that the Town's Public Safety Building put flags on the lawn, and said it was very moving. She commented that she met with New Mexico MainStreet and she acknowledged that the Silver City MainStreet Project had developed great partnerships in the work that they had done. She said the town hosted the New Mexico Native Plant Society and the upcoming Gila River Festival; that they were important to the area, and she encouraged people to make use of it. She thanked all of the citizens that participated in her "Conversation with a Councilor" event about the Notice of Intent Ordinance that she was doing about the keeping of bees in Silver City, and the NOI would come back at the first Council meeting in October. Councilor Bettison said she was so happy that Councilor Ray returned to the Council. She wished Councilor Cano a happy belated birthday. She commented that Bethel Corporation would be putting up a billboard with a phone number for people to call for leasing information updates at the site of the Mountain View Apartments. She discussed various traffic issues with Manager Brown. She said it was an honor to be able to announce at the New Mexico Municipal League's Annual Conference that Mayor Ladner had received his Certified Municipal Official plaque, etc. during the conference. She said she was very honored to be elected unanimously as the President-Elect for the New Mexico Municipal League and she thanked the Council for their

support for doing that. Councilor Ray said the District 3 Charter Day was coming up on September 29, and he asked Gary Stailey to comment. Mr. Stailey said the civic volunteer day would be at Capilla Park that would include the area south and below the Senior Center, and he described the project and encouraged volunteers to participate. Mayor Ladner announced the Town's initiative, "Pick It Up and Toss No Mas", would be presented to the public on September 20 at the Grant County Conference Center from 11:30 a.m. to 1:00 p.m. He said the Town wants to partner with the community in trying to help alleviate some of the issues of litter and to address the uncovered load issue to the dump. He thanked many community members who were currently involved in picking up litter and beautification projects. He announced the Territorial Charter Celebration Day Committee would meet soon and to contact him if interested. He congratulated Councilor Bettison for her election as President-Elect for the New Mexico Municipal League.

6. Approval of Minutes for the Regular Town Council Meeting held on August 14, 2018. Councilor Aiman-Smith moved to approve the Minutes of the Regular Council Meeting of the Town of Silver City on August 14, 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 – Miriam Hughes and Polly Hughes commented on the abuse of the historic area with regard to improvements on College Street because Comcast cut historic trees and ran wire across their backyard. They questioned what it would do to the value of their property since the trees had been cut and stated the residents were left in the dark about the project. Chris Overlock commented that a F16 airplane flew over him about 500 feet up in a tremendous roar while he was at the Continental Divide Trail area. He urged the Council to backup not allowing the F16s to be flying over the Gila National Forest; that he supported the military and training, but it did not go with the setting.

Mayor Ladner made a statement in remembrance of Tuesday, September 11, 2001, when nearly 3,000 people lost their lives after the terrorist attacks by Al-Qaida, and more than 6,000 people were injured. He discussed the courage by the first responders on that day and days after and how they could never be thanked enough. He said each and every one of them deserved the title, "Hero". He shared several stories of the actions of heroes from that day. He said he was reminded of the many heroes in our community: police officers, firefighters, EMTs, and others who potentially put their lives on the line every day to serve and protect the citizens of our community. He thanked them for their service. He asked for a moment of silence for all of those who lost their lives in the 9/11 terrorist attacks.

8. REPORTS -

A. Event Coordinator Final Report by Sabrina Pack, Principal and Chief Operating Officer of Skywest Media. Ms. Pack presented highlights of a year's worth of research that was focused on studying events funded by lodgers tax, starting with Labor Day 2017 through the end of July 2018. She said the research study was funded by a Freeport McMoRan grant and there were three objectives: understand visitor profiling, visitor perceptions, and visitor economic direct impact. She discussed how those objectives led to other secondary research criteria for tourism trends in New Mexico and small markets; regional branding needs; tracking Airbnb and VRBO units, etc., and they evaluated the area's event planning processes. She reviewed the methodology and processes used to conduct surveys, and she showed various graphs that provided data on each of the events. She showed an event summary that provided attendance, percentages from out-of-town, rooms occupied, amounts spent on food/beverages, amounts spent on retail stores, age groups, and household income. She shared interesting comments from the surveys and said signage was an issue and that "Welcome to Silver City" signs would be great, and that signage on how to get downtown, etc. was important. She said they needed to do cross promotions of the events and share some marketing deliverables so people that attended events would know what else was happening in town. She also stated the Gila Cliff Dwellings and the outdoor attractions were a significant reason why people came here. She reviewed event portfolio management and said the outdoor recreation economy generated \$887 billion a year across the nation and how they had it all in this area. She said they also tracked keywords on the internet so they could market and brand the area better. She said she was very pleased to be involved in the project and to provide more information for decision-making. Mayor Ladner asked the Council if they had any comments. Councilor Aiman-Smith said she was impressed and thrilled to see all of the data; that good evidentiary decision-making was important to them, and that it gave them a bunch of ideas. She

thanked Ms. Pack and all of the students and folks that did all of the work, and that it was a really good result. Mayor Ladner thanked Ms. Pack.

B. Domestic Violence Awareness Month report by Christian Duran from El Refugio, Inc. Mr. Duran said El Refugio was the domestic violence agency and shelter that serves Grant and Hidalgo Counties. He said October was National Domestic Violence Awareness Month and El Refugio would be hosting four events in October. He provided the details of those upcoming events. He thanked them and expressed gratitude for the community and surrounding communities who helped take a stance against domestic violence, and helped El Refugio serve the community to the best of its ability.

C. Staff reports. Ken Dayer, Library Director, provided a report on the past few fiscal years. He said the Library's patrons lived in the town and county with an almost even-split, but they served slightly more county residents. He said attendance had dropped in the past few years due to the population drop, but in the past fiscal year attendance had increased so they would wait to see the trend. He said the circulation numbers had dropped in the last four years in traditional library materials, like books, periodicals, DVDs, audio cassettes, etc., but in the past year circulation increased, especially with e-books and downloadable audio books which can be checked out on the internet. He said their programming numbers had been exceptional; that they set attendance records for children's programming and young adult programming. He said they set records with internet and Wi-Fi usage because people were coming in to access the technology and computers at the Library, and that it was a critical component for the community because it was one of the few places that allowed people to come in with no charge to use those services. He said their website, Facebook and social media statistics were also increasing and they set record usage again during the past fiscal year. He said the trend he was seeing was that the Library was transitioning from a traditional library where books were important to where their other services were becoming just as important as books and said the programming, technology access, and meeting room space were becoming more important. There were no questions from the Council.

Mayor Ladner said he received a phone call from someone that lived in the area of Black Street, 8th Street, and College Avenue, and they were really upset because they were running cables all over the place. He said he asked Manager Brown to check on it. Manager Brown said he tried to contact the contractor, but could not reach them. He provided details about the College Avenue project and how the Town was awarded funding to replace the pavement and bad areas of sidewalk, but the agreements to move all of the utilities underground were between the university and the service providers. He said running lines across private property was not acceptable, and the Town had franchise agreements with them to use Town rights of way. He said they could not enter private property unless they had an easement granted by the property owner. He said he would continue to try to contact the contractor and the university to clear up the mess. The Mayor asked him to put an article in the paper when he found out additional information. There was further discussion.

Councilor Bettison moved for a short break at 7:22 p.m. Councilor Aiman-Smith seconded. Mayor Ladner 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 7:33 p.m.

9. PUBLIC HEARINGS - None.

10. UNFINISHED BUSINESS –

A. Approval / Disapproval of Ordinance No. 1271: an Ordinance to approve a lease agreement between the Town of Silver City and Washington Federal Savings and Loan pursuant to the provisions of Chapter 48, Article II, Sections 48-20 et seq. of the Town of Silver City Municipal Code. Manager Brown said Washington Federal requested to extend the current lease an additional two years and because the value of the lease is above \$100,000 they had to do it by ordinance. He said it was staff's recommendation to extend it an additional two years to allow the Town to look for alternate uses for the community for the bank building, drive-thru area, and the park, and to allow Washington Federal time to look for another site for their facility. Mayor Ladner asked for a motion. Councilor Cano moved to approve Ordinance No. 1271: an Ordinance to approve a lease agreement between the Town of Silver City and Washington Federal Savings and Loan pursuant to the provisions of Chapter 48, Article II, Sections 48-20 et

seq. of the Town of Silver City Municipal Code. Councilor Ray 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; Councilor Bettison voted aye; Motion carried.

11. NEW BUSINESS -

A. Approval / Disapproval of Public Celebration Permit application and waiver of NMSA 1978 60-6B-10 for alcohol sales near a church for the Gila River Festival's Gala for the Gila on September 21, 2018 with alcohol service from 6:00 pm to 10:00 pm at the Murray Hotel, 200 W. Broadway, Silver City, NM. Liquor License Holder: La Esperanza Vineyard, LLC, License #6148, 100 De La O, San Lorenzo, NM 88041. Donna Stevens, Coordinator of the Gila River Festival, requested approval of the permit for the event to be held at the Murray Hotel. There were no questions from the Council. Mayor Ladner asked for a motion. Councilor Ray moved to approve the Public Celebration Permit application and waiver of NMSA 1978 60-6B-10 for alcohol sales near a church for the Gila River Festival's Gala for the Gila on September 21, 2018 with alcohol service from 6:00 pm to 10:00 pm at the Murray Hotel, 200 W. Broadway, Silver City, NM. Liquor License Holder: La Esperanza Vineyard, LLC, License #6148, 100 De La O, San Lorenzo, NM 88041. Councilor Cano seconded. 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. 2018-23: a Resolution to support efforts of Corre Caminos transportation services for Fiscal Year 2019. Councilor Aiman-Smith said the Town of Silver City, Grant County, the City of Deming, and the County of Luna had a Joint Powers Agreement that supported public transportation in the area by Corre Caminos. She said Corre Caminos was funded primarily through funds that flow through the State of New Mexico Department of Transportation from federal funding, and it was a fairly new requirement to have a resolution to show they were partners in support of the important services. She said Corre Caminos took Councilor Cano's concerns from the previous year very seriously and decided to keep the on-call routes until they must change it. She said the amount of money that the Town would put into the pool was still consistent. She encouraged people to use the service and said there were people that really needed the service. Councilor Aiman-Smith moved to approve Resolution No. 2018-23: a Resolution to support efforts of Corre Caminos transportation services for Fiscal Year 2019. Councilor Bettison 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.

C. Approval / Disapproval of Resolution No. 2018-24: Participation in Capital Outlay Program administered by the NM Department of Transportation (to construct sidewalk and ADA improvements). Manager Brown said the resolution was required to accept the capital outlay funds that were awarded to the Town. He requested they make a small amendment to the resolution to remove the wording about the streets. He said having the control number in the resolution was the most important part for the Department of Transportation to accept it. There was further discussion. Councilor Bettison moved to approve Resolution No. 2018-24: Participation in Capital Outlay Program administered by the NM Department of Transportation. Councilor Aiman-Smith 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.

D. Appointment of two members to the Municipal Library Community Advisory Group. Mayor Ladner said current members, Ted Lynn and Michael Dowd, reapplied to continue their service on the Library Community Advisory Group, and that the Library Director had recommended both of their reappointments. He said if there was no objection by the Council, he would reappoint them. There were no objections.

E. Approval / Disapproval of canceling the next Town Council meeting scheduled for September 25, 2018. Mayor Ladner said there was no business to be done for that meeting. Councilor Bettison moved to cancel the next Town Council meeting scheduled for September 25, 2018. Councilor Aiman-Smith seconded. 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.

F. Approval / Disapproval of Executive Session pursuant to NMSA 1978 Section 10-15-1(H) (8) for the discussion of the purchase, acquisition or disposal of real property or water rights. Councilor Aiman-Smith

moved to go into Executive Session pursuant to NMSA 1978 Section 10-15-1(H) (8) for the discussion of the purchase, acquisition or disposal of real property or water rights. Councilor Bettison 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. At 8:03 p.m. the Council returned. The Mayor said the Council was back in open session and no matters other than those matters included in the motion for an Executive Session were discussed, and no decisions were made. He asked for their affirmation with a roll call vote. Councilor Cano voted aye; Councilor Ray voted aye; Councilor Aiman-Smith voted aye; and Councilor Bettison voted aye. Motion carried.

12. ADJOURNMENT – Mayor Ladner concluded the meeting and asked for a motion. Councilor Aiman-Smith moved to adjourn at 8:05 p.m. 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