

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
November 27, 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
Freddie Portillo, Police Chief

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Mayor Ladner called the meeting to order at 6:00 p.m., and stated Councilor Aiman-Smith was present by phone.

2. CHANGES TO THE AGENDA – None.

3. CEREMONIES – None.

4. PROCLAMATIONS – None.

5. COUNCIL COMMENTS – Councilor Cano commented how in the past week people had been unkind and cruel to each other on social media, and that they should say those things face to face rather than sharing it with the whole community. She also asked that people stop bashing the Town employees because they work very hard, and may have circumstances that they are dealing with that the general public did not see. She ended her comments with holiday greetings. Councilor Ray thanked Manager Brown, Assistant Manager Marshall, and Chief Portillo for allowing a group of side by side vehicles in the Lighted Christmas Parade. He also commented and apologized for an incident in the parade by a side by side driver that chose to fly a confederate flag. He said he did not know anything about it until the day after the parade when he began receiving calls about it, but he took responsibility for it and asked the people to accept his apology. He also gave holiday greetings. Councilor Aiman-Smith echoed Councilor Cano and encouraged everyone in the holiday season to treat one another with kindness and generosity of spirit. She expressed her appreciation for all of the volunteers and folks that worked on the Lighted Christmas Parade, and all of the Town staff that worked on it, too. Councilor Bettison echoed the comments made by Councilor Cano and Councilor Aiman-Smith and said it was the time for forgiving each other, holiday spirit, and that it was really about love during this time of the year. She thanked Councilor Ray for the Viet Nam Veterans Color Guard's march during the parade, and how they also had flashlights attached to each flag pole so the flags could be seen. She said it was well done and she thanked him and the other veterans that participated. She also thanked everybody that worked on the parade and gave holiday greetings to everyone. She commented on how she and the rest of the Council would work with Chief Portillo to try to work cooperatively with the community to make sure they know they can talk to the Chief about their concerns, that they did not always have to go through Central Dispatch, and that they really wanted to get the community to work together to combat crime, domestic violence, drugs, etc. She said Chief Portillo had an open door policy, and had done a lot of wonderful things to integrate the community and to do community policing. She also announced that she would run for reelection for her Councilor position in the upcoming March election. Councilor Ray also stated he would be seeking reelection and hopefully he would get voted in again; that they had some things that needed to be fixed or to keep on doing, and they had a good Council and even better staff.

6. Approval of Minutes for the Regular Town Council Meeting held on November 13, 2018. Councilor Bettison moved to approve the Minutes of the Regular Council Meeting of the Town of Silver City of November 13, 2018. Councilor Cano 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 – Nick Prince stated the display of the confederate flag during the Lighted Christmas Parade was abhorrent; that those types of displays were not questions of freedom of speech or whether or not an individual had the right to be able to engage in society whatever way they choose. He said it was completely inappropriate and they needed to stand up against it. He said from its inception until now the confederate flag had always been a symbol of hatred, etc.; that they needed to understand it was a part of their society and they needed to stand up against it, and it was something that was never okay in their society.

Councilor Ray asked for the floor. He said with all due respect to Mr. Prince, that he was going to take the blame for the incident because he asked Chief Portillo and staff to allow the side by sides to be in the parade, and that he got permission for it. He said it was not their intention, and he did not know who the individual was, but it happened and he was sorry. He said it would not happen again, and he apologized.

8. REPORTS -

A. Staff reports – Chief Portillo reported that from January 2018 there had been 45 citations issued for texting while driving and in 2017 there were 42 citations issued. He said they issued eight citations for uncovered loads during the months of October and November 2018. Councilor Bettison commented that she saw many people texting or having the phone at their ear, and how difficult it was to enforce the ordinance regarding texting while driving because the police are in marked cars. Chief Portillo said the police administration was discussing the issue and that they would use the Safer New Mexico grant money to make an impact on enforcing no texting while driving. He also provided safety tips for the public during the holiday season, etc.

Manager Brown reported that at the beginning of December they would be making their presentation of their priorities to the Grant County Prospectors for the 2019 Legislative Session. He said the priorities he submitted for next year were as follows: 1) a \$400,000 request to complete the construction of the concession stand and bathrooms at the Scott Park Baseball Field, 2) \$400,000 for the right of way acquisition on Little Walnut Road because there were funding opportunities for the construction completion of Little Walnut from where Phase 2 ended at Chavez Lane to the city limits so they would need to have the right of way acquisition in place, and 3) \$150,000 for sidewalks. There was further discussion about the following: how the Town was the fiscal agent for the Silver City MainStreet Project for the completion and construction of the Downtown Plaza; how the Town was able to acquire a section of privately-owned land and would have full ownership of the area by the Downtown Plaza; and how the Town was supporting the school's Ben Altamarano request. He also reported on the issues with sanitation services, keeping up with garbage collection due to a shortage of drivers, and how a recycling truck caught on fire, etc. Mayor Ladner thanked Manager Brown for his leadership and for trying to stay on top of the matter.

9. PUBLIC HEARINGS - None.

10. UNFINISHED BUSINESS – None.

11. NEW BUSINESS -

A. Approval / Disapproval of one Special Dispenser Permit application, and a waiver of NMSA 1978 Section 60-6B-10 for alcohol sales near a church, for the Society of Mining Engineers' Christmas Party at the Murray Hotel, 200 W. Broadway, Silver City, NM on December 15, 2018 with alcohol service from 4:00 p.m. to 11:30 p.m. Liquor License Holder: Dahl Enterprises, LLC, Q's Southern Bistro, LLC, #28098, 101 W. College Ave., Silver City, NM. Anthony Quintana from Q's Southern Bistro said it was for the Society of Mining Engineers' party and they would have the same security as at the convention center; that they would have the same rules for the typical bar service that they usually did for events. There were no questions from the Council. Mayor Ladner asked for a motion. Councilor Ray moved to approve one Special Dispenser Permit application, and a waiver of NMSA 1978 Section 60-6B-10 for alcohol sales near a church, for the Society of Mining Engineers' Christmas Party at the Murray Hotel, 200 W. Broadway, Silver City, NM on December 15, 2018 with alcohol service from 4:00 p.m. to 11:30 p.m. Liquor License Holder: Dahl Enterprises, LLC, Q's Southern Bistro, LLC, #28098, 101 W. College Ave., Silver City, NM. Councilor Cano seconded the motion. 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.

B. Approval / Disapproval of Resolution No. 2018-27 for the Regular Municipal Election to be held on March 5, 2019. Clerk Mackie provided the details of the election resolutions as follows: how it was for the elective offices of one Councilor in District 1 for a two-year term and one Councilor in District 3 for a two-year term; how the polls would be open from 7:00 a.m. to 7:00 p.m. on election day at the Silver City Woman's Club Voting Convenience Center; how absentee voting would begin on February 5, 2019 and the last absentee ballot would be issued on March 1, 2019; how early voting at City Hall would begin on February 5, 2019 and end on March 2, 2019 at 6:00 p.m.; how persons desiring to vote should register with the county clerk by February 5, 2019; how candidates could file their declaration of candidacy on January 8, 2019; how write-in candidate could file their declaration of candidacy on January 15, 2019; and how the ballots would be counted by an electronic vote tabulator. There were no questions from the Council or the audience. Mayor Ladner asked for a motion. Councilor Cano moved to approve Resolution No. 2018-27 for the Regular Municipal Election to be held on March 5, 2019. Councilor Bettison seconded the motion. The Mayor 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.

C. Approval / Disapproval of Resolution No. 2018-28: Adopting Recount/Recheck Costs for the Regular Municipal Election to be held on March 5, 2019. Clerk Mackie requested the approval of the resolution to adopt the State Canvassing Board's estimated costs for a recount or recheck. There was no discussion. Mayor Ladner asked for a motion. Councilor Bettison moved to approve Resolution No. 2018-28: Adopting Recount/Recheck Costs for the Regular Municipal Election to be held on March 5, 2019. Councilor Cano seconded the motion. The Mayor 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. Discussion and vote on whether to cancel the regular Council meeting scheduled for December 25, 2018. Mayor Ladner asked for discussion or a motion. Councilor Ray moved to cancel the regular Council meeting scheduled for December 25, 2018. Councilor Bettison seconded the motion. Mayor Ladner asked all those in favor to say aye, and all four Councilors said aye. Motion carried.

12. ADJOURNMENT – Mayor Ladner concluded the meeting and asked for a motion. Councilor Ray moved to adjourn at 6:40 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