

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
April 23, 2019, 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
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 AGENDA** – None.
- 3. CEREMONIES** – None.
- 4. PROCLAMATIONS** – None.
- 5. COUNCIL COMMENTS** – Councilor Bettison thanked Town staff for the excellent presentation at the last meeting about annexation and how it clarified the process for a lot of people about how the Town uses its resources. Councilor Cano asked when the tourism people would do another presentation and Manager Brown said they would give a report at the next meeting. Councilor Cano commented on downtown traffic issues and suggested that no U-turn signs could be put up or a traffic study could be done. She also thanked Peter Pena, Public Works Director, for his immediate attention to her report of a speeding garbage truck driver. She said Town staff should be leaders in the community and not terrible drivers, and she would like to see “How is my driving?” bumper stickers on all Town vehicles, including police vehicles, with a phone number to call someone in authority. Councilor Ray commented on vandalism and graffiti at La Capilla Park and requested cement barriers to be placed so people could not drive up there, but to include sidewalks for people in wheelchairs. He also expressed his opinions about an upcoming mailed ballot election for schools and how people were getting tired of paying taxes, etc. He also repeated his opinions in Spanish. Councilor Aiman-Smith said it was fun being part of the volunteers for Earth Day and how she appreciated all the active volunteers in the community that made it a more robust, lively and sustainable community. She also commented that Gary Stailey and Town staffers were working toward the upcoming Territorial Charter Day in District 2 in July. Mayor Ladner thanked all the volunteers that had a role in Earth Day and commented that he had seen Councilor Aiman-Smith at just about every Earth Day event. He thanked her for all she did with environmental issues as well.
- 6. APPROVAL OF MINUTES - Regular Meeting – April 9, 2019 - Councilor Aiman-Smith moved to approve the Minutes of the Regular Council Meeting of the Town of Silver City of April 9, 2019.** 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** – Cissy McAndrew commented about an upcoming bid for redoing some sidewalks downtown and expressed her concern to keep the historic quality and aesthetics of downtown. She remarked that they could put dye in the concrete in order to keep the character of the community and not see the new sidewalks coming into the old sidewalks. She said she would volunteer to help research it because she wanted to keep Silver City’s historic value continued into the future.

8. REPORTS –

A. Update on the Holloman Air Force Base F-16 Training and Airspace Expansion Proposal by Retired Colonel Susan Beck, U.S. Air Force. Retired Colonel Susan Beck gave the background of her 24 years of service in the U.S. Air Force that gave her direct information and experience with the F-16 aircraft. She said she was not an advocate for the Air Force, but was also not an activist. She said she wanted to try to inform people and the elected leaders in Silver City and the Grant County areas about what was going on so they would be up to speed and answer any of their questions. She said she met with the Federal delegation staffers of Senators Heidrich and Udall in Las Cruces the previous week. She presented information on the following: current military airspace as it already exists in Southern New Mexico; Airspace Optimization for Holloman F-16 training; a National Environmental Policy Act (NEPA) process update and how the draft Environmental Impact Statement (EIS) may be released in May or June; how everyone would have 45 days to review the draft EIS and make comments; Arizona Air National Guard, specifically the Tucson Air National Guard Base which has 80 F-16s, including other nations' aircraft, and what they are already doing over the Gila; how the Tucson Air National Guard's mission is education and flight training, including international F-16 aircrews; how their training includes sorties involving the use of chaff and flares, but they do not drop flares during times of high fire danger; how the Air Force was looking at moving the Taiwan Air Force with their F-16s from the Luke Air Force Base in Phoenix to Tucson since the Iraqi Air Force was leaving Tucson and there may be no significant impact; recent C-130 flights over the Gila Region that came from Rosecrans Air National Guard Base in St. Joseph, Missouri; how reports of low-flying aircraft need to include the exact locations and possibly identify the two tail letters; how the Gila Region terrain is similar to the terrain in Afghanistan; and the military training routes in Southern New Mexico. She reviewed maps of the following: current airspaces that exist; training airspace near Tucson International Airspace; Alternatives #1 and #2 being considered for Holloman Air Force Base; and the military airspace usage over the Gila National Forest, Gila Wilderness Area, and the Aldo Leopold Wilderness Area. She summarized her report as follows: much of Southern New Mexico is already used for military training, including over the wilderness areas; Tucson Air National Guard Base is the main source of F-16 fighter training currently over the Gila Region, not Holloman Air Force Base; the Headquarters Air Force airspace optimization project for Holloman Air Force Base could increase F-16 training in this region; C-130s are flying training missions here about twice a month; aircraft on military training routes (VR-176 and VR 263) contribute to the number of low-level flights in the region; and any aircraft, military or civilian may transit on Visual Flight Rules (VFR) flight plans as long as they file a flight plan with the Federal Aviation Administration (FAA). There were no further questions or comments from the Council.

B. Staff Reports. – None.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS – None.

11. NEW BUSINESS -

A. Approval / Disapproval of Resolution No. 2019-12: A Resolution amending the approved and adopted budget for the fiscal year commencing July 1, 2018 through June 30, 2019 and for municipal purpose in the Town of Silver City, NM, transferring and appropriating funds thereof. Manager Brown said it was the first budget adjustment that would remain in effect from now on and the second Resolution would be a temporary transfer. He said Resolution No. 2019-12 was to transfer funds to the 32nd Street Overlay Fund and that the overlay was completed earlier in the year. He said the funds were budgeted and it all came out of Town funds. He said the project cost more than what was available so they would increase the budget by \$140, but they had to do it because of the NM Department of Finance and Administration and the State Auditor. He said the next transfer was for the 2018 CDBG project that was completed earlier in the year and ran over budget by \$25,000. He said they were transferring money from the Water and Sewer Fund and the General Fund for that. There were no questions from the Council. Mayor Ladner asked for a motion. Councilor Bettison moved to approve Resolution No. 2019-12: A Resolution amending the approved and adopted budget for the fiscal year commencing July 1, 2018 through June 30, 2019 and for municipal purpose in the Town of Silver City, NM, transferring and appropriating funds thereof. Councilor Ray seconded. 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.

B. Approval / Disapproval of Resolution No. 2019-13: A Resolution amending the approved and adopted budget for the fiscal year commencing July 1, 2018 through June 30, 2019 and for municipal purpose in the Town of Silver City, NM, transferring and appropriating funds thereof. Manager Brown said Resolution No. 2019-13 was for the temporary transfers and the money was being transferred out of the General Fund, and they had to do the adjustment for the Quarterly Report due at the end of April. There were no questions from the Council. Mayor Ladner asked for a motion. Councilor Cano moved to approve Resolution No. 2019-13: A Resolution amending the approved and adopted budget for the fiscal year commencing July 1, 2018 through June 30, 2019 and for municipal purpose in the Town of Silver City, NM, transferring and appropriating funds thereof. Councilor Aiman-Smith seconded. 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. Budget discussion and Council direction for Fiscal Year 2019-2020. Manager Brown said he put together all the revenue projects and there were no increases in expenditures as far as staffing levels or operating. He said last year they budgeted \$9,473,000 as the projected revenue from gross receipts taxes, but for Fiscal Year 2020-2021 they would probably be close to \$10,000,000 because they had around \$600,000 extra. He said he spent a little bit of that extra revenue on equipment replacement and for some grant matches for the next year. He said next year's projected revenue was based on the average of the last three years and would be \$9,470,000. He said the big change in the General Fund was the number of retired employees being replaced with lower paid entry level employees. He said health insurance had a five percent increase, but that expense was taken care of by the retirement of higher paid employees. He said property tax was \$600,000 which was up from \$560,000 from the previous year. He said franchise fees were \$360,000 compared to \$380,000 the previous year. He said the revenues were very close to what was budgeted in Fiscal Year 2018-2019, and they were saved by the offset of personnel costs which were 82 percent of the General Fund. He asked the Council to let him know about any special projects or if they need help in certain departments. He said the next largest fund was the Water/Sewer Fund and consumption was down nine percent from the previous year. He said last year they budgeted \$3,700,000, but they would probably see it come in at \$3,300,000. He said they would cut back on expenditures in that fund for Fiscal Year 2019-2020. He said they did not have a rate increase in the Water/Sewer Fund for the last three years, but he would recommend a 30 cent per 1,000 gallon increase to help offset the decline in consumption because they still had fixed costs they had to pay. He said those fixed costs were mainly debt service and electrical. He said the Sanitation Fund was budgeted at \$2,700,000 and he was not recommending any changes in the rates and staffing levels would remain the same. There was further discussion. Manager Brown said for street maintenance they used the Gas Tax revenue, plus some property tax and gross receipts tax. He said they brought in about \$230,000 in Gas Tax and they were looking at \$400,000 for street maintenance which was down \$20,000 from the last fiscal year. He said last year they budgeted \$280,000 in Lodgers Tax revenues, but they would probably hit around \$310,000. He said he would still project \$275,000 for the next fiscal year. There was further discussion about the unknown added revenue or costs of bringing the local Airbnb's into compliance for paying Lodgers Tax. Manager Brown discussed the following capital projects: the Downtown Plaza project; the Downtown sidewalk project with tinted cement; the concession stand project at Scott Park; the Little Walnut project; the Ridge Road project; the headworks at the Wastewater Treatment Plant; the waterline replacement on the far end of the Chihuahua Hill area; the 12th Street realignment, chip seal, fog seal and restripe project; the Visitor Center project for sidewalk and lighting improvements; the chip seal project in the area south of 32nd Street and east of Swan Street, etc.; and the replacement of two police vehicles. There was further discussion about the new legislation regarding internet sales tax and how the Tax and Revenue Department would implement it in two years, etc. Manager Brown said the budget did not include any Hold Harmless Tax increases.

D. Appointment to the Planning and Zoning Commission. Mayor Ladner said there was one application received and the Chair of the Planning and Zoning Commission and the Community Development Director both recommended the appointment of Laszlo Sandor. He said if there were no objections, he would like to appoint Mr. Sandor. There were no objections from the Council. Mayor Ladner also encouraged the public to apply for the one other vacancy position on the Planning and Zoning Commission.

E. Appointments to the Trails and Open Space Advisory Committee. Mayor Ladner said the Chair of the Trails and Open Space Advisory Committee and the Community Development Director recommended the

reappointment of Robert Schiowitz and Kenneth Sexton and the appointment of Martyn Pearson. He said if there were no objections, he would like to appoint them. There were no objections.

12. Adjournment – Mayor Ladner concluded the meeting and asked for a motion. Councilor Aiman-Smith moved to adjourn at 7:10 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