

MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy 180, Silver City, NM
May 10, 2011, 6:00 p.m.

Present:

James R. Marshall, Mayor
Cynthia Ann Bettison, District 1
Jamie K. Thomson, District 2
Jose A. Ray, Jr., District 3
Michael S. Morones, District 4

Also Present:

Alex C. Brown, Town Manager - Finance Director
Robert L. Scavron, Town Attorney
Ann L. Mackie, Town Clerk
Rudy Bencomo, Fire Chief
Ed Reynolds, Police Chief

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE – Mayor Marshall called the meeting to order at 6:00 p.m. and Councilor Ray read the Mission Statement.

2. PROCLAMATIONS – Mayor Marshall proclaimed May 16-20, 2011 as "Bicycle to Work Week", and May 20, 2011 as "Bicycle to Work Day", and he read the proclamation to a group of bicycling enthusiasts.

3. CEREMONIES – None.

4. PUBLIC INPUT – Mr. Luis Terrazas, Terrazas Funeral Chapels, commended the Silver City Police Department for regularly assisting them with funerals, but especially for their assistance with 2 funerals that required that they work with the officials of the Tour of the Gila bike race. He said that he wanted to personally thank them for their extra effort in helping them and not disturbing the race.

5. COUNCIL COMMENTS – The Council commented on the following: a request for the Fire Department to talk to elderly people; a request for the Police Department to do foot patrol downtown and to interact with businesses; thanks were given for recent road repairs; a possible fun day downtown; a water proposal by County Commissioner Ramos that was considered by the Grant County Water Commission; a possible game and competition day between the Town's and other municipalities' Police and Fire Departments; and how it was good to hear Mr. Terrazas' comments about the good things that Town employees did because there were high quality individuals working with the Town.

Mayor Marshall commented that he listened on the radio to the Police and Fire response to the recent fire and most of the other fires. He said their growth had been very remarkable and that you could rapidly see how they moved from a typical scene response to a more structured command system. He said that it was not easy to do especially when a fire was racing across a neighborhood, etc. He said they were getting very good at it, but he hoped they did not get any more practice in live situations. He said the guys were working hard, how they could not plan for where a fire would develop, and had to plan on the fly. He said they were doing an exceptional job of it and he commended both departments.

6. CHANGES TO THE AGENDA – None.

7. APPROVAL OF THE MINUTES – Regular Meeting, April 26, 2011 – Councilor Bettison made a motion to approve the minutes. Councilor Morones seconded the motion as stated. There was no further discussion. All were in favor, motion passed.

8. REPORTS – Fire Chief Bencomo reported on the fire restrictions the he had put into place in March after the Quail Ridge fire. He said that with all of the local fires in Silver City and Grant County that there was a need to exercise more stringent restrictions. He said that he met with Deputy Chief Milo Lambert to discuss stricter restrictions. He stated the biggest difference was that he was eliminating the use of charcoal barbecues. He said the conditions were the worst that the State of New Mexico had ever seen so he was implementing the restrictions. He said that he also spoke with Mayor Marshall and Manager Brown to look at the possibility of banning fireworks because he was getting a lot of phone calls from people that were upset and frightened. There was further discussion

about how a resolution would need to be adopted by the Council regarding the banning of fireworks at least 30 days prior to when fireworks were allowed to begin. Manager Brown said the resolution would be presented at the next Council meeting. Fire Chief Bencomo also commented that he met with Councilor Ray to discuss the possibility of the Fire Department checking on the elderly. He said that they would certainly look into doing that type of service.

Police Chief Reynolds thanked the Council for their compliments of the Police Department. He also thanked the area fire departments, volunteer fire departments, and the other law enforcement agencies that were involved during the recent fire. He said they had a lot of help during the Tour of the Gila Downtown Criterium bike race from the Grant County Sheriff's Office and the State Police. He commented further on the fires and the cooperation between the fire departments, volunteer fire departments, and Forest Service, that allowed them to knock down the fires quickly. He also reported that they kept having individuals driving to the scene to see the fires. He said they needed to stay out of the area because it was a safety issue for the individual and was a hazard that law enforcement had to pay attention to. He said the road blocks were up for a reason. He also commented that people must evacuate immediately when told to do so. He stated that the Police Department would move to zero tolerance regarding the new fire restrictions in order to back up Fire Chief Bencomo, and he would put together a unit to target fire issues to augment or supplement the Fire Department's efforts.

Manager Brown reported on monthly water pumping and said that as of the end of April they were 25% above the average for the previous year and 10% above the average for the last 10 years. He said they were pumping a lot of water due to the fires and drought situation. He reported that twice per year they had a company check for water leaks in the system and 6 leaks were found, and he described the worst leak. He also reported that the NM Department of Transportation should have the Highway 180 road construction completed by the end of the month, and how the Town was contracting with the same company to do a project on Pope Street that should be done before the Blues Festival. Mayor Marshall stated that he would be contacting Mr. Love at the NM Department of Transportation's District Office in Deming regarding the Highway 180 project and how they needed to produce a safer street, etc.

9. PUBLIC HEARINGS - None.

10. UNFINISHED BUSINESS - None.

11. NEW BUSINESS -

A. Approval / Disapproval of Bid #10/11-11: Vistas de Plata Subdivision, Phase I. Manager Brown provided the details of Bid #10/11-11 and described the base bid and alternates #1 and #2. He said that after his discussions with HUD (Department of Housing and Urban Development), that it was staff's recommendation to award the base bid only and to use the remainder of funds to build houses on the lots that were made available with the infrastructure. He said they received 2 bids: one from Southwest Concrete and Paving Inc. and another bid from Morrow Enterprises. He said it was staff's recommendation to award the base bid to Southwest Concrete and Paving Inc. for \$636,538.50 plus gross receipts tax. There was no discussion. Councilor Morones made a motion to approve staff's recommendation to award the bid to Southwest Concrete and Paving with base bid of \$636,538.50 plus gross receipts tax. Councilor Bettison seconded the motion as stated. There was no further discussion. All were in favor, motion passed.

B. Budget presentation by Alex C. Brown, Town Manager-Finance Director, and request for Council's direction. Manager Brown presented the details of the preliminary budget and reported the following: how the sources of revenue for the General Fund were from gross receipts taxes, franchise fees, property taxes, fines and forfeitures, and miscellaneous; how the largest source of revenue was gross receipts taxes and for the General Fund they were estimated to be \$7,200,000 for the next year; how the gross receipts taxes were the life blood of operations for the Town; how the budget revenue estimates were increased by 1.23% from fiscal year 2011 and the total gross receipts taxes were projected to be close to \$8.6 million; how the gross receipts taxes were distributed to the General Fund, Water/Sewer Fund, Public Safety Tax, and Sanitation Fund; how his estimates were very conservative; how the projected expenditures from the General Fund in fiscal year 2012 was \$8,466,000 or a 6% increase from fiscal year 2011; how the total revenue projections for the General Fund for fiscal year 2012 was \$8,400,000 or a 7% increase from fiscal year 2011; highlights of the department budgets, personnel, equipment, etc.; the transfer of funds for grants, etc.; the possibility of hiring a position to do marketing and advertising and to include lodgers tax; how the projected estimates for revenues for fiscal year 2012 for the Water/Sewer Fund were \$5,157,000 or an increase of 3%

from fiscal year 2011; how the total projected expenses for the Water/Sewer Fund were \$4,020,000 or a 3% increase from fiscal year 2011; how he was proposing an increase of the sewer rate from \$.97 per 1,000 gallons to \$1.02 per 1,000 gallons; how he was proposing an increase of the Wastewater Treatment Plant rate from \$1.80 per 1,000 gallons to \$1.86 per 1,000 gallons and how the rate increases were based on the winter quarterly average and would affect the average household by \$.74 per month; how almost 600 adjustments were made due to water breaks; how he was conservative with the savings for the solar field because the PNM rate was unknown; how there were 6,700 accounts tied to the system plus water associations or 20,000 residents that the Town supplied water to; how the projected revenues for the Sanitation Fund for fiscal year 2012 was \$2,100,000 or a total increase of 7% from fiscal year 2011; how the total projected expenses for the Sanitation Fund for fiscal year 2012 was \$1,790,000 or an increase of 2% from fiscal year 2011; how the Sanitation Fund had been strong and stable; how there had been methane hits at the monitoring wells because a monitoring well was put in the middle of the trash at the old landfill instead of a downstream monitoring well; how \$100,000 would need to be spent for venting, drainage improvements at old landfill, and to replace equipment; how they would start providing a service to pick up large items once or twice a week and would use equipment instead of personnel to do the pickups; how the additional side loader allowed them to have extra capacity to hold trash even if the landfill was closed; and how the estimated award for lodgers tax was \$225,000. There was further discussion between Manager Brown and the Council on the hiring of a position to market the Town; the residential property tax rate and the non-residential rate; how the Town did not receive much revenue from property taxes; and how county budgets and municipality budgets differ.

C. Appointment of 2 members to the Mayor's Climate Protection Agreement Citizens Advisory Committee. Mayor Marshall said there were 3 applicants and that he generally kept appointments in line with his ideals, but one of the applicants made him think. He said he spoke with the Chair of the Committee, and she supported his recommendations because they had both participated in the Committee in a productive manner and she felt that having diversity in the group was positive. Mayor Marshall recommended the appointment of Denise Smith and Peter Burrows and received no objection from the Council.

12. ADJOURNMENT – Councilor Bettison made a motion to adjourn at 7:10 p.m. Councilor Ray seconded the motion. All were in favor. Motion passed.

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk