

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY**  
**REGULAR COUNCIL MEETING**  
**REMOTE MEETING IN COMPLIANCE WITH THE NM OPEN MEETINGS ACT**  
**May 26, 2020, 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  
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. He welcomed everybody that was attending the remote meeting. He asked all of those in attendance to join him in the Pledge of Allegiance. The Councilors and staff acknowledged their presence.

**2. CHANGES TO AGENDA** – Councilor Ray moved to remove New Business Item B. Discussion of the format of future meetings. Councilor Bettison seconded. There was no 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.

**3. CEREMONIES** – None.

**4. PROCLAMATIONS** – None.

**5. COUNCIL COMMENTS** – Councilor Cano expressed concern for how things were going in town and how people were being cruel to each other in the past week. She said it set a bad tone and it had a lot to do with a local restaurant owner that decided to display a sign with a racial tone that offended at least half of the community and set a bad example that may cause some people to never come back to Silver City. She said Silver City was a great place and she did not want people to feel unwelcome; that hopefully other business owners would not follow suit because it was embarrassing. Councilor Ray commented that La Capilla Hill had a lot of personal garbage, broken beer bottles, human waste, dog waste, etc., and it was too nice of a park to be a dumping area. He asked Manager Brown if they could make it a nice park with some sort of restrictions, and if he could start a Go Fund Me account for La Capilla and how the Town could be the fiscal agent so they could improve some of the areas on the south side of the hill. He also talked about local people running for office and how they were teaching the younger generation how to cut-throat everybody else with no respect whatsoever, and how it was very rude throughout the country. He said they should have patience with COVID-19 and trust in God about it. He also commented on the following: how he did not wear a face mask because he was claustrophobic; how he would not vote for a person that supported planned parenthood and abortion; how the Governor's special session should also provide money to law enforcement, the fire departments and first responders; and how people were camping at La Capilla and he asked if the Town could put up a gate. Manager Brown said they could look into putting up a gate and maybe install cameras at La Capilla. Councilor Aiman-Smith agreed with Councilors Cano and Ray about being patient and kind towards each other and how the Council was always respectful and kind towards each other even with their wide variety of opinions, etc. She encouraged people to think of the common good rather than one individual freedom. She also mentioned that people were excited that the Silver City Public Library began curbside availability of books. Councilor Bettison echoed Councilor Aiman-Smith's comments about being respectful and kind to each other, and stated civility was a good thing and would ensure they would move forward for the common good. She congratulated the Western New Mexico University (WNMU) graduates and commented that the WNMU Museum was trying to do things online and a virtual exhibit was available on the [www.wnmu.edu](http://www.wnmu.edu) website. Councilor Ray said he would like to see public input to see if they could make a park at La Capilla and make it a District 3 project every year. He also commented that a lot of people were enjoying the outdoors. Manager Brown stated they got funding from Freeport McMoRan to do a Recreation Master Plan and the La

Capilla Park would be an excellent idea as part of that plan, and they would get a lot of public input. Mayor Ladner commented on how important it was to set the right example and how the Town Council had done that when multiple people were running for one seat. He said people were civil to each other, there was good discourse, and a respectful exchange of opinions. He said he would also like to see La Capilla as a park and that Councilor Ray could count on him to help during his District 3 workday. He asked Manager Brown to do an article about the 4<sup>th</sup> of July parade and about the library. He said the Governor issued a revision to the health orders and restaurants could offer outdoor service at 50 percent occupancy of what the area was evaluated at. He asked Manager Brown to look into possibly helping restaurants with no outdoor dining, especially on Bullard Street, to see if they can create something on Bullard Street for a couple of hours a day so restaurants could offer outdoor dining. Manager Brown said he would look into it.

**6. APPROVAL OF MINUTES - Regular Meeting on May 12, 2020 -** Councilor Aiman-Smith moved to approve the Minutes of the Regular Council Meeting of the Town of Silver City of May 12, 2020. Councilor Bettison seconded. The Mayor asked if there was any discussion, and there was none. He 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.

**7. PUBLIC INPUT** – Mayor Ladner asked Clerk Mackie if any emails for public input were received, and she said no.

## **8. REPORTS –**

**A. Staff Reports – (1) Update on the budget by Manager Brown.** Manager Brown said they were in a holding pattern while waiting to see what would happen with the gross receipts taxes over the next couple of months. He said the March sales showed a decrease of 8.65 percent and the worst-case scenario would be a 22 percent decrease. He said they were looking at furloughs mostly and a couple of layoffs that would take affect at the beginning of July. He said he felt they had enough of a cash balance so they could hold off the furloughs and layoffs for a month or two. He said they still had to scale back the hours at the library and museum by 20 percent and two positions would be laid off, and those notifications would be sent out at the end of the week. He said at the beginning of July they would have 12 positions frozen, the museum and library operations would be cut by 20 percent, and all negotiated raises would be canceled and a 3.9 percent cut across the board for all employees to cover the extra payday in the next fiscal year. He said it would not be a salary cut, but each month would be decreased by 3.9 percent. He said he agreed to maintain the employees' hourly rate for purposes of overtime for the next fiscal year. There were no questions.

Manager Brown said they were awarded a few grants and received \$1.6 million for Phase II of Ridge Road which would get them down to the road to the golf course. He said they were also awarded a little over \$900,000 for a water tank renovation. He said they received \$443,000 for the Police Department for overtime funds and to help out with PPE (personal protective equipment). He discussed each of the grants and their matching fund requirements and how they may borrow the funds for the match side of the two Colonias grants to spread it out with a payment of \$25,000 per year for the next 20 years.

Mayor Ladner asked for a report on how the policy was working with the water bills. Manager Brown said he was monitoring it and the budget for the water and sewer fund was looking at a five percent decrease in revenues. He discussed the uncollectable accounts, how there was a community action agency that could help people, and how they would not shut off water or utility accounts at this time until things started to clear up and get back on track.

**9. PUBLIC HEARINGS** – None.

**10. UNFINISHED BUSINESS** – None.

## **11. NEW BUSINESS -**

**A. Approval / Disapproval of Resolution No. 2020-12: Adjustments to Personnel Costs for Fiscal Year 2021.** Manager Brown said it was the resolution to help shore up the finances for the next fiscal year. He said there were two parts: 1) they were canceling all negotiated raises for the next fiscal year, and 2) a straight across the board 3.9 percent decrease in salary for all employees except for the purposes of overtime for non-exempt employees. He said no one's salary would be decreased below the state minimum wage. He asked that the resolution be amended to say "state

minimum wage” because the state minimum wage was higher than the federal minimum wage. Mayor Ladner asked for a motion. Councilor Bettison moved to approve Resolution No. 2020-12: Adjustments to Personnel Costs for Fiscal Year 2021 with an amendment to Item 4 to read “No employee will earn a wage below the State of New Mexico minimum wage.” Councilor Ray 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.

**B. Discussion of the format of future meetings.** This item was removed. See Changes to the Agenda above.

**12. ADJOURNMENT** – Mayor Ladner stated the soft opening of restaurants for the southwest region of New Mexico did not include Doña Ana County because their cases had really gone up. He said it was a good example of the way the virus was spread by the contact of people from other areas and how there was a lot of interchange between Las Cruces and El Paso still going on. He concluded the meeting and asked for a motion to adjourn. Councilor Aiman-Smith moved to adjourn at 6:34 p.m., and Councilor Ray seconded. Mayor Ladner stated there was a motion and a second to adjourn. He 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.

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Ken Ladner, Mayor

Attest:

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Ann L. Mackie, Town Clerk