

**TOWN OF SILVER CITY
REGULAR COUNCIL MEETING MINUTES
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
June 27, 2023, 6:00 p.m.**

Members Present:

Ken Ladner, Mayor
Rudy Bencomo, Councilor District 1
Nicholas Prince, Councilor District 2
Jose A. Ray, Jr., Councilor District 3
Guadalupe Cano, Councilor District 4

Others present:

James Marshall, Assist. Town Manager
Jim Reynolds, Town Attorney
Alfred Sedillo, Town Clerk
Freddie Portillo, Chief of Police
Vickie Toney, Code Enforcement
Animal Control Officer
Thomas Hernandez, Code Enforcement
Ben Beltron, Executive Director, CATS
Jo Lutz, Silver City Daily Press

1. CALL TO ORDER - Mayor Ladner called meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE AND SALUTE TO NEW MEXICO STATE FLAG - Mayor Ladner invited the public to recite the Pledge of Allegiance and Salute to the New Mexico State Flag.

Mayor Ladner welcomed the City Administration, Law Enforcement and members of the Press and community.

2. CHANGES TO AGENDA – NONE

3. CEREMONIES – NONE

4. PROCLAMATIONS – NONE

5. COUNCIL COMMENTS – Councilor Cano thanked Councilors Ray and Bencomo for sponsoring the Oldies Music Venue with Cars Festival. It was a great event and hopes it will be an annual event.

Councilor Ray spoke to Randy Salars from the Gospel Mission. He asked Mr. Salars at the upcoming Carnitas Musica Y Mas festival, if he could recommend four (4) or six (6) people to help with the festival. Mr. Salars advised him he would. Councilor Ray would like to involve other people other than the Committee Members to help with the event. Councilor Ray stated he spoke to Mayor Ladner to create a Meeting with the Youth, like the Meeting with the Mayor to get the youth involved in the community. Councilor Ray gave his opinion on an article in the paper regarding transgender people. Councilor Ray made it clear that it was his opinion only. He would like to see an article on a business person, elderly person or a veteran. During the festival Councilor Ray and Bencomo witnessed a homeless person having an issue, he stated the Town

does not need to have those issues, the homeless need to be more humane. Councilor Ray thanked the Silver Power Sports for opening their business, he knew after passing the original Ordinance a UTV business would open and now there are three (3) very successful business in Grant County.

Councilor Prince thanked all of our community organizers and staff present for a heartening Independence Day. In his family the Vietnam War tore them to shreds, but, like every year, he was able to meet his fellow Americans, share in the hardship, and the victories, they lived, and come out together, better for it. Councilor Prince stated at the contractor meeting for the pool committee, of which he gives full kudos to the efforts of Councilor Cano for organizing the public meeting which spurred its creation, went wonderfully. The enthusiasm and hope in our community's parents from that meeting was palpable, and he is grateful, again, for Councilor Cano's rightful insistence for its budgeting in our Infrastructure Capital Improvement Plan, so that we may contribute relevant funding, and planning, for our community's needs.

On December 21st, 2021, Grant County Corona Virus Update.org, a joint project of Grant County government, the Town of Silver City, Healthy Kids Healthy Communities of Grant County, the Gila Resource Information Project, the National Center for Frontier Communities, the Grant County Community Health Council, the Grant County Community Foundation, United Way of Southwest New Mexico, and the Con Alma Health Foundation, posted an article entitled: "New Mexico Eviction Moratorium to End, Homelessness Spike Worrisome."

Since last year, this body has been tagging our city's resources and staff so that we may address issues as complex as the lack of housing in our community. We've all seen how homes that were once less than a hundred thousand dollars have doubled, if not tripled, in the last few years. On the Silver City Realtors Association, presided over by Mrs. Linda Rowse and Kim Clarke, they proudly promote that the average home sale price was ONLY \$254,000 in March of 2022, and went up to \$300,000 in March of 2023. From our city's own hired data scraping firm, a hundred units of short-term, "AirBnB," units have been identified, with only 17% compliance towards our lodger's tax. A look on rental units available in our paper, on social media, or via any of the real estate companies will be met most commonly with "No HUD, Section VIII not accepted."

On September 21st, 2021, the Daily Press printed the article entitled, "Hot Housing Market Puts Squeeze on Renters" documenting issues that are now 21 months old.

This council, and this government, has failed, despite numerous warnings and public outcry to answer the question of what we do with those unfortunate to have been shaken off by the economy, priced out of the housing market, priced out of the rental market, and had services cut non-stop since Reagan. And tonight, now, we must only face the question of whether we are going to do the bare minimum, literally a quarter of one percent of our annual revenue, to help bridge the financial gap for the ONLY organization picking up the slack for our collective failure.

Councilor Prince read Matthew 25:34-40 and hoped everyone at the meeting would better understand and learned from the teachings, and who identify more as the Romans in the parable.

Councilor Bencomo stated the 4th of July festivities were great and very well attended. He did not realize how much work went into putting on a festival and recognized Councilor Ray, his wife Olga and daughter Sonia for a job well done.

Councilor Ray thanked Chief of Policy Freddie Portillo for helping with security, Councilor Bencomo and his wife Frances, along with everyone else who helped.

Councilor Cano stated she knows that the Council can make their own comments and opinions, but she does not share Councilor Ray's feelings about the Transgender Community, as a person who has a Transgender person in their family, she is an ally and will always be an ally to the LGBT Community and asked to please not to think the entire Council feels the same as Councilor Ray.

6. APPROVAL OF MINUTES – June 27, 2023, Regular Meeting. Councilor Bencomo moved to approve the June 27, 2023, Minutes of the Regular Council Meeting of the Town of Silver City. Councilor Ray seconded the motion as stated. Motion carried unanimously.

7. PUBLIC INPUT – James Harris spoke in regards to a donation of one hundred twenty-thousand-dollar (120,000) given to SPIN and two (2) weeks later SPIN is asking for a thirty-thousand-dollar (30,000) from the Town. Mr. Harris wanted to know where the one hundred twenty-thousand-dollar (120,000) went and feels there is no transparency.

Delfina Jimenez spoke in regards to the funding SPIN is asking from the Town and feels the Town should not bail out businesses. If the Town has extra money, they should give it to the Silver City Police and Fire Departments who provide services to the community.

Henry Guerra stated he did not know much about finances, but was attending the meeting because he was tired of his neighborhood being on lockdown. He has been assaulted several times, has had dead squirrels thrown into his yard to harm his dog. Mr. Guerra stated he remembered when you could leave your windows and doors open, he has worked his whole life to live the American Dream and now his life has changed, he can't live in peace knowing that his house might be broken into or threatened or attacked by someone.

Kevin Beverly stated he lives at 915 N. Grant Street, near a meth house located at 1005 N. Grant Street. Mr. Beverly was there representing other neighbors as well. Their concern the home has not water, sewage or electricity, people are building fires outside where the smoke is going into his windows. Mr. Beverly has COPD and the fine particles from the fire are going into his home, people are urinating in his vehicle. There are people hiding in the bushes waiting for their meth to get to them. Mr. Beverly hopes the Ordinance will pass to help them deal with the issue.

Simon Sotelo stated has lived at 912 Grant Street for twenty-three (23) years, Kevin Beverly lives across the street but does not experience the issues Mr. Beverly does, but does support of the Ordinance and has some concerns that the Ordinance may go too far. Mr. Sotelo stated the homeless are people and are a part of the community and need mental health support, job advocacy and sustainable living.

Laura Shane stated she had opened her new business on July 4th when a gentleman entered her store, he was very pleasant and stated he was a veteran, she thanked him for his service. The gentleman stated he would like some military collars for his pet, when an individual shirtless and waiving his shirt stating “you want to mess with me” using explicit language, she asked the veteran to stay because she is not sure what is going to happen. After a bit they both leave and when she arrives home that night her phone rings at 10:00 pm and it was a guy who had called twice during the day, she did not have her phone with her during the day and was not sure how the guy got her number, possibly on Facebook. The guy left a message that she did not want to play so it wouldn’t offend anyone, stating he called her a bitch and he was going to f**** kill you, your dog and everyone. Ms. Shane stated that raises the issue of Mental Health, which she knows the Police Department does not have the money they need to do the job. Ms. Shane reported the incident to the police and also went to the VA (Veterans Affairs) to see if they would be able to help because he is a veteran. She also stated she did meet some officers who were walking down town. The same day of the Council Meeting Ms. Shane witness a man walking across the street pointing his finger gun as two (2) young kids walked by him. Ms. Shane stated the police can only do so much, they are not mental health experts.

Mark Richard spoke regarding the Ordinance on the agenda stating there are people living in homes without sanitation. Mr. Richard fully supports the Ordinance and would like to know how is it going to be enforced and how the homeowner will be contacted. Mr. Richard stated the Ordinance is a step in the right direction.

Van Clothier spoke about the nuisance property on Grant Street as well outlining issues of two (2) mobile homes that are not fit for human habitation. Mr. Clothier stated the Council has an Ordinance before them, to please get it passed and after it takes effect to fix the problem.

John Eder spoke about the SPIN shelter stating the location might not be ideal and has sympathy for the neighbors. Mr. Eder stated that Silver City is fortunate to have the organization and the people behind it that are willing to do the unglamorous and unthankful work. Mr. Eder stated he was once mentally ill, but was lucky to have a supportive family access to good doctors and mental health professionals. Mr. Eder thinks it would be a good deal for the City and in their best interest financially to support SPIN.

Marsha Lopez thanked Mayor Ladner for going to her area where she lives and showed him a house full of trash, after his visit the house was cleaned up. Ms. Lopez stated she was fifth generation and her grandsons are the 7th generation living in the area. Ms. Lopez was not notified when the shelter was going to be placed in her neighborhood and is having to deal with people that defecate on her property, she has called the police and they do an excellent job, but are limited in what they can do. Ms. Lopez feels the issue should be brought to the County Commission because the hospital no longer has mental health services. Ms. Lopez asked if anyone would like to join her in a class action suit on the property owner of the SPIN building to remove it and make it a beautiful and blissful place to live.

Ashley Castillo stated she was born and raised in Silver City, she moved away for seven (7) years to attend Dona Ana Community College to pursue an education and career in Radiologic Technology. Her husband is also a native of Silver City and they have a three (3) year old

daughter. They have been back in Silver City for the last five (5) years and is eager to bring back something to the community. Ms. Castillo spoke of several activities, stores, entertainment and dining places that were available when she was growing up in Silver City. Ms. Castillo stated she is aware that the businesses have closed due to various circumstances beyond their control, but feels that nothing has been done to replace those businesses. Ms. Castillo attended a Aquatic meeting and is very excited that something is happening in the community and she is hoping that with the Aquatic facility is the start of other things to come for families in Silver City.

8. REPORTS:

A. Town Clerk – Green Recycle Bins Update: Town Clerk Alfred Sedillo stated from July 24th through the 28th, the Green Recycle bins will be picked up from the residents.

B. Manager’s Report: NO REPORT

9. PUBLIC HEARINGS: NONE

10. WORK SESSION AGENDA: Approval / Disapproval of Work Session Topics

- A. The relationship between the Town and the business community (businesses other than those in the historic district, specifically).
- B. What needs have we heard from our committees?
- C. Other issues which may be introduced by the Council.

Councilor Cano stated she would like to see on the next Work Session Agenda, a review from Mr. Brown on the ICIP and the ICIP process, there was some misinformation put into the newspaper recently and I think it did some damage so she would like to see us go over that again so that all the counselors are on the same page.

Councilor Prince stated it's very helpful for them to be able to go through the items on the agenda where they get enough time, I feel like during our meetings but especially when we have had a bit of overturning going on inside of our Council, we could just add reviewing the meeting’s agenda just in case there's any questions or concerns and we can handle those during the public hearing time or our work session time versus the public meeting.

Mayor Ladner asked for a motion.

Councilor Cano to approve the following items for the next Work Session Agenda, item D. a ICIP review from Mr. Brown and E. Agenda review. Councilor Bencomo seconded the motion as stated. Motion carried unanimously.

11. UNFINISHED BUSINESS: NONE

12. NEW BUSINESS:

A. Approval / Disapproval of Financial Support for SPIN Christine Wolford-Castillo Joann Saucedo did a wonderful job presenting a letter for financial support from the Town of Silver City at the previous Town Council Meeting. Ms. Wolford-Castillo stated that everybody's read the letter and then probably the newspaper article today and she was open for questions.

Councilor Cano stated the letter that was given to the Council was not specific, there was no itemized budget, they did not get what the money the Council would be giving to SPIN would go for so, she personally would like to see something like that before a decision could be made. Councilor Cano stated that this is how the Council does things when Mr. Brown wants us to do any kind of a budgetary item. Mr. Brown always gives us a full budget and we know where everything is going, I think that is really important. Councilor Cano asked Town Attorney Jim Reynolds if a non-profit organization that is asking for money from the Town and if we give this non-profit organization money does that mean that all 60 non-profit organizations in Town can then come and ask the Council for the same money, have we set a precedent and now we have to give them money as well.

Mr. Reynolds stated no, the Council would have to approve it on a case-by-case basis and there would have to be some kind of Professional Service Agreement made to avoid the anti-donation clause of the New Mexico Constitution so it would specify what the money would be used for. Councilor Cano stated she wants to see exactly where the money is going before the Council gives SPIN money and that needs to be done before she would be willing to vote for anything.

Councilor Prince asked Ms. Wolford-Castillo how many people are utilizing the beds that SPIN offer, last report he saw were sixty-six (66) beds with the capacity of one hundred and eleven (111) people in the shelter. Ms. Wolford-Castillo stated the Fire Marshall advised them they could not have more than sixty-six (66) people in the building. They are currently housing thirty-two (32). Councilor Prince stated the funding request is for about three (3) months of bridge funding and the additional ten thousand (10,000) dollars to be able to afford the audit.

Councilor Bencomo asked Alex Brown if the Town has provided financial help to SPIN in the past. Mr. Brown stated no, but the Town did help the schools with fifty thousand (50,000) dollars for an extra security guard last year for 6th Street elementary school, because of the specifically occurring issues of the families in the schools. The funding did include benefits. Councilor Bencomo asked Fire Chief Lambert if the department has done a fire inspection of all three buildings. Fire Chief Lambert stated they are currently in the works of getting SPIN up to complete Code Compliance. There was a power surge that did major damage to their fire alarm system and now they are on a fire watch. The facility by Sixth Street was reviewed but we have no jurisdiction over an R3 residential occupancy, we did go by and offer advice on safety measures and occupancy on the Sixth Street facility so yes, they have additional inspections and are currently working to make it code compliant. Councilor Bencomo asked what was the occupancy for the SPIN building on Gold Street. Chief Lambert stated the engineers plan to classify the occupancy as an R3 dormitory which is a gross square footage there's three thousand square feet total in the building it requires a gross square footage of so many square feet dependent upon that occupancy rating, he believes that the spin building listed as a dormitory if

it was accepted by building code CID out of Santa Fe can actually hold a maximum of forty (40) individuals in the building. Fire Chief Lambert stated he received outside help from the state and that was the best they could do with the square footage. Councilor Bencomo asked Christine Wolford-Castillo if she had sixty (60) people at the Gold Street location. Ms. Wolford-Castillo stated the current fire certificate states sixty-six people, they will need a new certificate since it has been changed to forty (40) people. Councilor Bencomo asked Ms. Wolford-Castillo how have you been operating for the past couple of years financially where you've been getting their money to operate. Ms. Wolford-Castillo stated a lot through Medicaid fee for service billing so that the things that they are doing are reimbursable at different rates. They also do a number of fundraisings, grant writing and have tons of Community financial support. Councilor Bencomo asked if the community is so supportive why she is asking for more funding. Ms. Wolford-Castillo stated when they got credentialed by the state as a behavioral health agency, they had to enter into new contract negotiations with each additional MCO meaning Presbyterian Blue Cross and Western Skies the Medicaid providers, during that process they have put a hold on their billing until the new contracts are set which could take up to 90 days.

Councilor Ray stated he did not know if it was feasible to ask how many times the police department in the fire department and other entities gone there to look at some of the situations like drug overdoses or fights or maybe rape cases. Ms. Wolford-Castillo stated you're right it wouldn't be feasible to ask her. Councilor Ray asked if it has happened. Ms. Wolford-Castillo stated certainly.

Councilor Prince wanted to check with City Management and Chief Portillo on the new security officer that the Council, in his opinion was strong-armed into providing for the schools for fears that he has not heard any news on and wanted to know if there have been any security incidents with any of the operations across from the school or due to that facility. Chief Portillo stated no.

Councilor Bencomo asked Chief Portillo if he could give him a general idea how many times the police department respond to SPIN for whatever reasons on a weekly basis. Chief Portillo stated they respond there daily as well as the general area around SPIN. Same question was asked to Fire Chief Lambert. With their current fire alarm situation, they have been going about every four days for Emergency Medical Services once or twice a week. Councilor Bencomo asked what type of medical calls are they generally for. Chief Lambert stated it runs a whole gamut of medical deficiencies.

Mayor Ladner asked if there were any other questions or comments. Seeing non, Mayor Ladner asked for a motion.

Councilor Princes moved to approve financial support for SPIN. Mayor Ladner asked for a second twice. Mayor Ladner stated the motion failed for lack of a second.

B. Approval / Disapproval of ORDINANCE NO. 1319: AN ORDINANCE AMENDING CHAPTER 50, TRAFFIC AND VEHICLES, SECTION 50-53, AMENDMENTS TO THE UNIFORM TRAFFIC ORDINANCE, SPECIFICALLY SECTION 12-7-9, RECREATIONAL OFF-ROAD VEHICLES (ROV'S) DEFINITIONS, OF THE NEW MEXICO UNIFORM TRAFFIC CODE ADOPTED AS THE SILVER CITY TRAFFIC ORDINANCE IN SECTION 50-1 OF CHAPTER 50, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO. Councilor

Ray stated he was asking the Council to change the language on one of the definitions Recreational Off-Highway motor vehicle ("ROV") is amended by replacing Four or more U.S. D.O.T. highway rated tires with Four or more non highway tires now read as follows. **12-7-9**

RECREATIONAL OFF-ROAD VEHICLES (ROV'S) Definitions:

Recreational Off-Highway motor vehicle ("ROV"), for the purposes of this ordinance, means a motor vehicle designed by the manufacturer for operation primarily off the highway, streets and roads, which is characterized by the following:

- (1) Four or more non highway tires;
- (2) A steering wheel for steering control;
- (3) Non-straddle seating;
- (4) Maximum speed capability greater than 35 miles per hour;
- (5) Gross vehicle weight rating no greater than 1,750 pounds;
- (6) Less than 80 inches in overall width, exclusive of accessories;
- (7) Engine displacement of less than 1,000 cubic centimeters;
- (8) Muffler;
- (9) Identification by means of a 17-character vehicle identification number;
- (10) Driver and passenger side rear viewing mirrors;
- (11) Brakes;
- (12) Seat belts for driver and all passengers;
- (13) Signal horn and directional signals;
- (14) At least one headlight of sufficient candlepower to illuminate objects at 150 feet;
and
- (15) At least one tail light and one brake light to exhibit red or amber light at a distance of two hundred feet under normal atmospheric conditions.

Councilor Prince stated without USD regulations on the tires presumably the manufacturers are going to be the only ones regulating what quality tires and what the standards are. Councilor Ray did not understand the question and asked Councilor Prince to repeat the question. Councilor Prince stated the Federal Department of Transportation standards that have manufacturing requirements for tires that will be removed underneath this change. Councilor Prince had a concern with regards to who is setting the safety standards for the tires. Councilor Ray stated he did not know because he was not a seller of the tires.

Mayor Ladner asked if there were any more questions for Councilor Ray. Seeing none Mayor Ladner asked for a motion. Councilor Ray moved to approve **ORDINANCE NO. 1319: AN ORDINANCE AMENDING CHAPTER 50, TRAFFIC AND VEHICLES, SECTION 50-53, AMENDMENTS TO THE UNIFORM TRAFFIC ORDINANCE, SPECIFICALLY SECTION 12-7-9, RECREATIONAL OFF-ROAD VEHICLES (ROV'S) DEFINITIONS, OF THE NEW MEXICO UNIFORM TRAFFIC CODE ADOPTED AS THE SILVER CITY TRAFFIC ORDINANCE IN SECTION 50-1 OF CHAPTER 50, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO.** Councilor Bencomo seconded the motion as stated. Mayor Ladner asked for a roll call vote. Clerk Alfred Sedillo did a roll call vote. Councilor Cano voted aye; Councilor Prince voted nay; Councilor Ray voted aye; and Councilor Bencomo voted aye. Motion carried with a vote of three (3) to one (1) with Councilor Prince Voting nay.

C. Approval / Disapproval of ORDINANCE NO. 1320 AN ORDINANCE AMENDING PARAGRAPH (a) (4) OF SECTION 32-2, ILLUSTRATIVE ENUMERATION OF NUISANCES, ARTICLE 1, IN GENERAL, CHAPTER 32, NUISANCES, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO. Town Attorney Jim Reynolds stated this ordinance changes the definition of a nuisance structure to include a structure that lacks adequate water or sewer that's the major change and this has been requested by code enforcement, this change is to address a situation that they are encountering and that is, you have these properties where the original owner dies they're either in Probate or they go to out-of-state owners and they just don't care about the property they're just sitting there either by negligence or agreement they allow people to come in and stay there and live there and there's no adequate water or sewer things get pretty bad pretty quick. this strengthens the definition of a nuisance structure to include the lack of adequate water or sewer.

Mayor Ladner asked if there were any questions for Mr. Reynolds?

Councilor Cano stated to all the residents in the Grant Street area, if the Council passes the Ordinance tonight, she just wanted the public to be aware that the process for deciding something is a nuisance and dealing with that situation is extremely long, so even if the Ordinance is passed, it does not go into effect the next day. There is nothing that can be done the next day, she is aware it is really frustrating, but if you ask the people on Mountain View Road who have been dealing with the same property for what three (3) years now, it takes a while because there is a legal process that has to be followed and there are steps that the codes enforcement department will have to go through. She just wanted the public to be aware of that and not to expect that they are going to be able to solve their problem the next day if the Ordinance is passed.

Mayor Ladner asked if there were any other questions or comments?

Councilor Prince stated without having to legislate that we are going to be installing sewer lines about every home or every structure that have-to-have sewer lines and if we have public facilities but they utilize things such as pit toilets like what are typically found out on the U.S forest Service land, this isn't going to bind us in any way for sanitation structures that are also then commonly understood as being sanitary.

Mr. Reynolds stated the structures that exist today in the town of Silver City they're required to have sewer and water if they are within 300 feet of a sewer or water line, they are required to have it and these structures that we are talking about are required to have it.

Councilor Prince stated there are certain structures that have pit toilets that are commonly used like U.S forest Service with those that need to be then upgraded?

Mr. Reynolds stated these are dwelling.

Councilor Price states it is just be for residential habitation?

Mr. Reynolds stated yes.

Councilor Prince stated, he just wanted to make sure there was good Clarity.

Mayor Ladner asked if there were any other questions or comments? Seeing none Mayor Ladner asked for a motion?

Councilor Cano Moved to approve of **ORDINANCE NO. 1320 AN ORDINANCE AMENDING PARAGRAPH (a) (4) OF SECTION 32-2, ILLUSTRATIVE ENUMERATION OF NUISANCES, ARTICLE 1, IN GENERAL, CHAPTER 32, NUISANCES, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO.** Councilor Prince seconded the motion as stated. Mayor Ladner asked for a roll call vote. Clerk Alfred Sedillo did a roll call vote. Councilor Cano voted aye; Councilor Prince voted aye; Councilor Ray voted aye; and Councilor Bencomo voted aye. Motion carried unanimously.

D. Approval / Disapproval of ORDINANCE NO. 1321 AN ORDINANCE AMENDING PARAGRAPH (1) OF SECTION 6-190, ADEQUATE CARE REQUIREMENTS AND SPECIFICATIONS, ARTICLE V, MISCELLANEOUS PROHIBITIONS, CHAPTER 6, ANIMALS, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO. Town Attorney Jim Reynolds stated this is another change in an ordinance requested by code enforcement, it deals with a situation where they find an animal is kept in an area and has adequate food and water it even may have adequate shelter, but that shelter heats up during especially summer days 95 degrees 100-degree temperature and the animal is suffering so they want to be able to make sure that the animal has adequate shade in addition to adequate shelter that is the change.

Mayor Ladner asked if there were any questions or comments?

Councilor Ray thanked Vickie and Thomas for bringing this up because he thinks it needs to be done, especially for the animals they are part of the family.

Mayor Ladner asked Councilor Ray if would make a motion.

Councilor Ray moved to approve of **ORDINANCE NO. 1321 AN ORDINANCE AMENDING PARAGRAPH (1) OF SECTION 6-190, ADEQUATE CARE REQUIREMENTS AND SPECIFICATIONS, ARTICLE V, MISCELLANEOUS PROHIBITIONS, CHAPTER 6, ANIMALS, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO.** Councilor Cano seconded the motion as stated. Mayor Ladner asked for a roll call vote. Clerk Alfred Sedillo did a roll call vote. Councilor Cano voted aye; Councilor Prince voted aye; Councilor Ray voted aye; and Councilor Bencomo voted aye. Motion carried unanimously.

Mayor Ladner thanked Code Enforcement for constantly looking at ways that will help us to take care of the nuisances that we have in our community.

13. ADJOURNMENT - Mayor Ladner stated this concluded the items on the agenda. Mayor Ladner asked for a motion to adjourn. Councilor Bencomo moved to adjourn. Councilor Prince seconded the motion. Motion carried unanimously. Meeting adjourned at 7:25 p.m.

Ken Ladner, Mayor

Attest:

Alfred Sedillo, Town Clerk