

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy 180, Silver City, NM
June 26, 2012, 6:00 p.m.**

Present:

James R. Marshall, Mayor
Cynthia A. Bettison, District 1
Pauline N. Hassler-Cook, 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

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Mayor Marshall called the meeting to order at 6:00 p.m. and Councilor Cook read the Town’s Mission Statement.

2. CEREMONIES – None.

3. PROCLAMATIONS - None.

4. PUBLIC INPUT – Alan Mong commented on how the trash in his neighborhood off of Ursa Minor had gotten worse and was a tinder box. He said that he wanted to alert them about the fire potential. He also expressed his concerns about fireworks and requested that police and fire personnel would run extra patrol in that area on July 4th.

5. COUNCIL COMMENTS – Councilor Morones thanked Manager Brown, Police Chief Reynolds, staff, and Attorney Scavron for having effective and legal solutions to some public safety issues. Councilor Cook said the NAN Ranch Collection at the Western New Mexico University Museum was a gift to the town and the Museum, and she encouraged everyone to visit the Museum to see the beautiful, local pottery. Councilor Bettison thanked Mayor Marshall for assisting them at the WNMU Museum on June 14th with the unboxing of the NAN Ranch Collection and for not dropping a single vessel. She thanked everyone that attended and said it was everyone's pottery and it had come back to the town and University for everyone to enjoy.

6. CHANGES TO THE AGENDA – None.

7. APPROVAL OF THE MINUTES – Regular Meeting, June 12, 2012 – Councilor Ray moved to approve the minutes of the Regular Meeting of June 12, 2012. Councilor Bettison seconded. Mayor Marshall stated there was a motion and a second to approve the minutes of the Regular Meeting of June 12, 2012. He asked if there was any discussion, and there was none. He asked all those in favor to say aye, and all 4 Councilors voted aye. He asked if any were opposed, and there were none. Motion carried.

8. REPORTS –

A. Report on Silver City's First Clay Festival on August 3-5, 2012, by Lee Gruber, Director. Ms. Gruber said she was Co-owner of Syzygy Tile Works, Co-chair of the Arts and Cultural District, and Director of the Silver City Clay Festival. She discussed the importance of clay in the area's history and in New Mexico. She said that she believed the Clay Festival could be a driving force in strengthening the arts and culture and economy of the community, etc. She said she was a cultural entrepreneur and commented on how the vision of the festival was that clay, mud, and earth were the common ground of the New Mexico people and the embodiment of their history, etc. She said the idea was to launch it in Silver City and to show the rest of the state what wonderful things they could do, and she discussed a clay corridor vision. She said the festival idea was to bring people to Silver City and Grant County. She commented on how the festival would have artists; 14 workshops; a series of lectures; a series of films at the Silco Theater; social activities; and the Western New Mexico University Museum's Black-on-White Gala and unveiling of the Neo-Mimbreno collection. She provided further details of the event.

B. Presentation on Big Brothers Big Sisters of Grant County by Jayne Ash, Program Coordinator. Ms. Ash commented that she was the new Grant County Program Coordinator, and was managed by the Las Cruces office of Big Brothers Big Sisters. She said they were a professionally supported one on one mentoring program for children, from ages 6 to 17 years old, with the goal of changing their lives for the better forever. She provided details of the volunteer program, how it benefitted children, how they needed more volunteers, and upcoming events.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS - None.

11. NEW BUSINESS -

A. Approval / Disapproval of Public Celebration Permit Application for the Juried Neo-Mimbrenño 2012 Exhibition and Black-on-White Gala Opening Reception at the Western New Mexico University Museum, 1000 W. College Avenue, Silver City, NM. License Holder: St. Clair Winery, License #6130, 1325 De Baca Rd. SE, Deming, NM. Phillip Cave, Acting Assistant Director and Curator of Education and History at Western New Mexico University Museum, presented details of the event and requested approval of the Public Celebration Permit Application and a waiver to Section 60-6B-10 of the New Mexico Statutes Annotated for the prohibition of the dispensing of alcohol within 300 feet of a school or church for the purposes of the Juried Neo-Mimbrenño 2012 Exhibition and Black-on-White Gala Opening Reception. Mayor Marshall asked for comments. Councilor Bettison thanked Mr. Cave for doing an excellent job on his presentation, and stated he would soon be the Assistant Director and Curator of History and Education at the WNMU Museum beginning July 1. She congratulated him and also thanked him for all the hard work that he did on June 14th to arrange for the NAN Ranch Welcome Home Celebration. Mayor Marshall asked if there was any other discussion on the request, and there was none. He said he would entertain a motion. Councilor Ray made a motion to approve and he read the agenda item description and included the waiver. Councilor Cook seconded. Mayor Marshall said there was a motion and a second to approve, and he read the agenda item description, and included approval of a waiver pursuant to Section 60-6B-10 of the NM Statutes on the prohibition of alcohol within 300 feet of a school or church. He asked if there was any discussion, and there was none. He said there was a motion and a second, and no discussion, and he asked all those in favor to say aye. All 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

B. Approval / Disapproval of Bid 11/12-22: Library Renovation Rebid. Manager Brown said the Town went out for re-bid for the library renovations and received 3 bids from the following: Richard S. Bigelow Construction, C. D. General Contractors, and T. A. Cole & Sons, General Contractors. He said it was staff's recommendation to award the base bid plus all 4 Additive Alternates to the lowest bidder, Richard S. Bigelow Construction, Inc., for the amount of \$473,234.91. He said the funds would be paid out of the Lennie Merle Forward funds that were left to the library. Eileen Sullivan, Director of the Public Library, commented that they were addressing basic infrastructure or structural issues with the building, i.e. roof leaks and issues with the heating and cooling. She said they would also upgrade the electrical that would allow them to provide better services to the public, and they would be creating a more inviting space and better functionality with more space for laptop tables and plug-ins for those devices. She said the renovation needed to be done for the structural integrity of the building and that it would enhance services. Mayor Marshall asked if there were any comments from the audience, and there were none. There were comments and questions from the Council, and Manager Brown confirmed that the dedicated fund had enough funds to cover the renovation in its entirety. Mayor Marshall said he would entertain a motion. Councilor Ray moved to approve Bid #11/12-22 Library Renovation Rebid with staff's recommendation to award the bid to Richard S. Bigelow Construction with the full price of \$473,234.91 with gross receipts taxes. Councilor Morones seconded. Mayor Marshall said there was a motion and a second to award Bid #11/12-22 per staff recommendation, and he asked if there was any other discussion. There was none. He said there was a motion and a second to award Bid #11/12-22 Library Renovation Rebid per staff recommendation to Richard S. Bigelow Construction, Inc. for a total of \$473,234.91 which included gross receipts taxes. He asked all those in favor to say aye, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

C. Approval / Disapproval of an Agreement between the Town of Silver City and the American Federation of State, County and Municipal Employees (AFSCME), Council No. 18, Local No. 3370, from July 1, 2012 to June 30, 2014. Manager Brown said the AFSCME contract would end on June 30, 2012. He said their packets included a summary of the negotiated changes to the contract. He said any increases listed in the summary were budgeted in the Town's preliminary budget that had been approved by the State. He asked if there were any questions. Councilor Morones asked if the union ratified the contract, and Manager Brown said yes. Mayor Marshall asked for further discussion, and there was none. He said he would entertain a motion. Councilor Bettison moved to approve the Agreement and she read the agenda item description. Councilor Cook seconded. Mayor Marshall said there was a motion and a second, and asked for discussion. There was none. He said there was a motion and a second to approve and he read the agenda item description. He asked all those in favor to say aye, and all 4 Councilors said aye. He asked if there were any opposed, and there were none. Motion carried.

D. Appointments to the Library Board. Mayor Marshall said they had 2 openings and 2 applicants. He said both applicants were known to him, and were currently serving on the Library Board, and came with recommendations from the Board to continue. He asked for consensus from the Council to appoint Theodore J. Lynn, Jr. and Karlene Colgan. There were no objections to the appointments from the Councilors.

Councilor Bettison moved to go into Executive Session pursuant to N.M.S.A. 1978 Section 10-15-1(H) for the following reasons: (7) meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant, and (8) meetings for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body, and to also include a short break prior to going into Executive Session. Councilor Morones seconded. Mayor Marshall said there was a motion and a second that the Council go into **Executive Session pursuant to N.M.S.A. 1978, Section 10-15-1(H) for the following reasons: (7) meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant, and (8) meetings for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body.** He asked for a roll call vote, and Councilor Morones voted aye; Councilor Ray voted aye; Councilor Cook voted aye; and Councilor Bettison voted aye. Motion carried. The Council went into a recess at 6:46 p.m. prior to going into Executive Session. Mayor Marshall called the meeting back to order at 8:04 p.m. and stated the matters discussed in the closed meeting were limited only to those specified in the motion for closure, and he asked for a roll call vote. Councilor Bettison voted aye; Councilor Cook voted aye; Councilor Ray voted aye; and Councilor Morones voted aye. Mayor Marshall asked if any were opposed, and there were none. The motion carried.

12. ADJOURNMENT – Mayor Marshall asked for a motion to adjourn. Councilor Bettison moved to adjourn at 8:05 p.m. Councilor Ray seconded. Mayor Marshall stated there was a motion and a second to adjourn. He asked all those in favor to say aye. Councilor Bettison, Councilor Ray, and Councilor Morones said aye. He asked if there were any opposed, and Councilor Cook was opposed. Motion carried.

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk