

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy 180, Silver City, NM
July 10, 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
Peter Pena, Public Works Director
Ed Reynolds, Chief of Police

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

2. CEREMONIES – None.

3. PROCLAMATIONS - None.

4. PUBLIC INPUT – Starr Belsky, Co-chair of the Arts and Cultural District, commented that the Arts and Cultural District's presence at the Albuquerque Summerfest was an opportunity to promote Silver City and Grant County; how most Albuquerque area residents that attended the Summerfest had never heard of Silver City so they invited them to visit; how a new steel sign frame was up at Swan Street to advertise events; and how she appreciated the support from the Town.

5. COUNCIL COMMENTS – The Council commented on the following: thanks to everybody for being careful with their fireworks; how the 4th of July parade and events were nice, but the parade was disrespectful to veterans because a dog led the parade with 2 U.S. flags in its mouth; an upcoming event by the Town and Western New Mexico University; an update on the re-opening of Penny Park; retired Fire Marshal, Craig Pfeifer, was thanked for the wonderful fireworks display; and an update on the road and traffic light project at Pope Street and 12th Street.

6. CHANGES TO THE AGENDA – None.

7. APPROVAL OF THE MINUTES – Regular Meeting, June 26, 2012 – Councilor Bettison moved to approve the minutes of the Regular Meeting of June 26, 2012 as presented. Councilor Ray seconded. Mayor Marshall stated there was a motion and a second to approve the minutes of the Regular Meeting of June 26, 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. Year-end report on the Visitor Center by Cissy McAndrew, Executive Director of the Southwest New Mexico Green Chamber of Commerce. Ms. McAndrew reported on the number of visitors over the past year and having trending data for the future; customer service to visitors and on the phone; how they were proud of their volunteers and were getting more of them; how they were open 7 days a week; how more visitors were in town on Mondays than on Fridays; how 1862 pamphlets were mailed out; how their website was doing a good job fulfilling needs; how 937 Visitor guides were sent out; how they working with the Deming Chamber of Commerce and the Anthony Visitor Center; how they were using positive public relations and working close with the Forest Service every day; and upcoming events during months that typically have smaller numbers of visitors. There was further discussion and Ms. McAndrew answered questions from the Council.

Manager Brown reported on the budget and how the gross receipts tax revenues received in Fiscal Year 2011/2012 were \$8.97 million and were the highest amounts ever received compared to a previous high of \$8.7 million; how the next budget was very conservative with projected revenues of \$8.9 million; issues with the water and sewer fund; how lodgers tax revenues were higher; and how they invested in a lot of capital improvements last year. He thanked every department for doing a good job, especially the Finance Department for keeping up with everything.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS - None.

11. NEW BUSINESS -

A. Approval / Disapproval of Resolution No. 2012-16 for participation in the Local Government Road Fund Program administered by the NM Department of Transportation. Peter Pena, Public Works Director, said Resolution No. 2012-16 would give the Town an opportunity to enter into a cooperative agreement with the NM Department of Transportation for street and drainage improvements on Santa Rita Street in the section between 13th Street and the Skatepark. He said that section was currently in poor condition so they would be paving, adding curb and gutter, and installing sidewalks on the east side of the park. Mayor Marshall asked if there was any discussion from the audience, and there was none. There was further discussion between the Council and Mr. Pena. Mayor Marshall said he would entertain a motion. Councilor Morones moved to approve Resolution No. 2012-16 and he read the agenda item description. Councilor Bettison seconded. Mayor Marshall said there was a motion and a second to approve Resolution No. 2012-16 and asked if there was any discussion. There was no further discussion. He said there was a motion and a second and no discussion to approve Resolution No. 2012-16 for participation in the Local Government Road Fund Program administered by the NM Department of Transportation. He asked for a roll call vote. Councilor Morones voted aye; Councilor Ray voted aye; Councilor Cook voted aye; and Councilor Bettison voted aye. Motion carried.

B. Approval / Disapproval of Notice of Intent Ordinance No. 1207: an Ordinance amending Section 12-6-12.18 (Prohibited Activities While Driving) of the New Mexico Uniform Traffic Code adopted as the Silver City Traffic Ordinance in Chapter 50, Section 50-1, of the Municipal Code of the Town of Silver City, New Mexico. Councilor Ray said he was asked by residents to see if they could do an NOI on cell phones. He described some of the research that he did with the City of Albuquerque, the City of Las Cruces, and the Town of Silver City regarding the use of cell phones and traffic citations. He said it would be voted on by the Council in a month and he made further comments about how people, including law enforcement, needed to be smart, careful, and safe if they had to use their cell phone. Mayor Marshall asked if there was discussion from the audience, and there was none. There was further discussion between the Council and Police Chief Reynolds on the use of cell phones while driving, etc. Mayor Marshall said he would entertain a motion. Councilor Ray moved to approve Notice of Intent Ordinance No. 1207 and he read the agenda item description. Councilor Cook seconded. Mayor Marshall said there was a motion and a second and he asked if there was any discussion. There was none. He said there was a motion and a second and no discussion to adopt Notice of Intent: an Ordinance amending Section 12-6-12.18 (Prohibited Activities While Driving) of the NM Uniform Traffic Code adopted as the Silver City Traffic Ordinance in Chapter 50, Section 50-1, of the Municipal Code of the Town of Silver City, NM. 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 changing the regular Council meeting scheduled for August 28, 2012 to another date. Mayor Marshall said the reason for changing the date was because he and others amongst the body would be attending the NM Municipal League annual meetings in Las Cruces during their regularly scheduled meeting on August 28th. He proposed that they move the meeting to August 23rd at 6:00 p.m. in the same room. Councilor Bettison moved to approve changing the regular Council meeting scheduled for August 28th, 2012 to Thursday, August 23rd at 6:00 p.m. in the same room. Councilor Morones seconded. Mayor Marshall said there was a motion and a second to move the regular meeting that was previously scheduled for August 28, 2012 to Thursday, August 23, 2012 at 6:00 p.m. in the same room. He asked if there was any discussion, and there was none. He said there was a motion and a second and no discussion. 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.

12. ADJOURNMENT – Mayor Marshall asked for a motion to adjourn. Councilor Bettison moved to adjourn at 7:06 p.m. Councilor Morones seconded. Mayor Marshall stated there was a motion and a second for adjournment. 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.

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk