

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy 180, Silver City, NM
September 25, 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
Ann L. Mackie, Town Clerk
Robert L. Scavron, Town Attorney

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE** – Mayor Marshall called the meeting to order at 6:00 p.m. Councilor Bettison read the Mission Statement.
2. **CEREMONIES** – None.
3. **PROCLAMATIONS** - None.
4. **PUBLIC INPUT** – None.
5. **COUNCIL COMMENTS** – The Mayor and Council had no comments.
6. **CHANGES TO THE AGENDA** – None.
7. **APPROVAL OF THE MINUTES – Regular Meeting on September 11, 2012** – Councilor Bettison moved to approve the minutes of the Regular Meeting of September 11, 2012 as amended and presented. Councilor Morones seconded. Mayor Marshall stated there was a motion and a second to approve the minutes of the Regular Meeting of September 11, 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. May 2012 Adaptation Conference and Beyond, presented by the Silver City Adaptation Conference Team.

Nick Sussillo, Director of the Office of Sustainability, said the report would be a follow-up to the Climate Change Adaptation Addendum that they presented to the Council in March 2012. He said part of the Adaptation Addendum was to create an Adaptation Plan as part of a sustainability planning effort for the Town, and to attend the University of Arizona's 2nd International Conference on Climate Change Adaptation. He said they would no longer be working full-time on federal grants for energy efficiency and renewable energy, but would be moving to a broader task for the Town. He said the team that attended the conference had good representation and good expertise. He said their Team was the largest contingent at the conference, and that they met a broad spectrum of scientists and academicians. He reviewed the conference highlights and said that things were happening weather-wise and climate-wise faster than predicted. Linda Thompson, Chair of the Mayor's Climate Protection Agreement Citizen's Advisory Committee, commented on the Western Adaptation Alliance and 7 policies that came out of the City of Flagstaff's Resiliency and Preparedness Study. She said that the Team wanted to increase the resiliency in Silver City once they determined what the vulnerabilities were, to strive for additional education and communications within city operations, and to effectively use municipal resources to respond to the identified risks and vulnerabilities. She said they were hoping to conduct their own Town of Silver City Vulnerability and Preparedness Study as their next logical step in responding to the changing future in Silver City. Cissy McAndrew, Executive Director of the Green Chamber Southwest Chapter, said that probably over the course of the next 20 to 25 years they would see people migrating from Arizona to the Silver City area where it was cooler; so from a planning and programming stand point they wanted to be ready for that. She described the key regional vulnerabilities and risks for Silver City such as increasing drought and heat that would

impact fires that were risks to lives, property and eco-tourism; temperature grid failure and loss of key services due to energy demand; higher food prices that would require a sustainable food system; and dust and wind that would create pulmonary risks to the young and elderly and how building codes may need to be revised for higher wind loads. She said what they took away from the conference was to work on adaptation on a city and community level; that an extended hot drought was a potential major threat to the Southwest; that they should begin a Silver City vulnerability/risk assessment soon; that they needed to look at how the heat affects the public health and safety of the general public; how they should do anticipatory planning; and to continue cooperative partnerships with local stakeholders, Western New Mexico University, and the Town of Silver City. Mr. Sussillo said they would embark on Adaptation and Sustainability Planning immediately, that he would create a task force to engage a 9 month process of planning, and come back to the Council with recommendations and a resolution similar to the City of Flagstaff resolution. He commented further on upcoming events and the future update of the Town's Comprehensive Plan that would include a Sustainability Plan. Mayor Marshall asked if there were any comments from the Council, and there were none.

B. Staff reports. None.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS - None.

11. NEW BUSINESS -

A. Approval / Disapproval of Water and Wastewater Service Agreement between the Town of Silver City and the Tyrone Property Owners Association. Manager Brown said staff had been in negotiation with Tyrone for approximately 1 year and for the last 7 years the Town of Silver City had received an administrative fee from Tyrone to do the meter reading and the billing. He said the Tyrone Property Owners Association had gone out to find funding to develop a transmission line for their waste in order to get away from their lagoons. He said the transmission line from the Tyrone Town site would go to where the new jail was built and gravity flow would take it to the Town's Wastewater Treatment Plant where they would process the waste. He said that Tyrone would be completely responsible for the development, maintenance, and payment of the transmission line. He stated the Town's responsibility would be for repairs between the jail and the Wastewater Treatment Plant, but it was a brand new transmission line with gravity flow and no boosters. He said Tyrone would have to comply with all discharge requirements. He said the Tyrone users would pay the same rate as in town users, and the administrative fee would not increase. Manager Brown answered questions from the Council, and stated that everything was tied to the water contract with the Tyrone Property Owners Association. Mayor Marshall said he would entertain a motion. Councilor Morones moved to approve the agreement. Councilor Bettison seconded. Mayor Marshall said there was a motion and a second to approve the agreement and there was no further discussion. Mayor Marshall said there was a motion and a second to approve the Water and Wastewater Service Agreement between the Town of Silver City and the Tyrone Property Owners Association, and no further 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.

B. Approval / Disapproval of Public Celebration Permit Application and a waiver of NMSA 1978, Section 60-6B-10, for a Western New Mexico University Alumni Homecoming at 1000 W. College Ave., Silver City, NM on Oct. 5, 2012 from 4:30 pm to 9:30 pm. Sponsor is WNMU Alumni Affairs. Liquor License Holder is the Buffalo Bar, Liquor License #0361, 211 N. Bullard, Silver City, NM. Danielle Moffett, Director for Alumni Affairs, requested approval of the permit application and granting of a waiver pursuant to NMSA 1978, Section 60-6B-10 regarding the serving of alcohol in proximity to a school campus. Mayor Marshall asked if there were comments from the Councilor or the audience, and there were none. He said he would entertain a motion. Councilor Morones moved to approve the permit application and granting of a waiver of NMSA 1978, Section 60-6B-10. Councilor Ray seconded. Mayor Marshall said there was a motion and a second to approve and there was no further discussion. He said there was a motion and a second to approve a Public Celebration Permit Application and a waiver of NMSA 1978, Section 60-6B-10, for a Western New Mexico University Alumni Homecoming at 1000 W. College Ave., Silver City, NM on Oct. 5, 2012 from 4:30 pm to 9:30 pm. Sponsor is WNMU Alumni Affairs. Liquor License Holder is the Buffalo Bar,

Liquor License # 0361, 211 N. Bullard, 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 authorization of the Mayor to express to the Federal Department of Transportation the Town's position regarding essential air service. Mayor Marshall said he needed the Council's permission to express their opinion to the Federal Department of Transportation as they are the correct administrators of the essential air service program. He said that he did not present a letter because it was not ready, but it was very important that the Town and the County prepare identical letters so they would speak with a unanimous voice. He described the process and the differences between the 2 proposals from Great Lakes Aviation, Ltd. and SeaPort Airlines, Inc. There was further discussion on the proposals, and Mayor Marshall stated that the contract would be with the federal government and that the Town and County would be submitting their preference. Mayor Marshall asked for discussion from the audience, and comments were received from Cissy McAndrew. Mayor Marshall said he would entertain a motion. Councilor Bettison moved to approve authorization of the Mayor to express to the Federal Department of Transportation the Town's position regarding essential air service. Councilor Morones seconded. Mayor Marshall said there was a motion and a second to approve authorization of the Mayor to express to the Federal Department of Transportation the Town's position regarding essential air service, and no further 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.

D. Approval / Disapproval of Bid 12/13-4: Silver City Water Works Building boiler and pump room roof and roof structure replacement. Manager Brown said the Town received 4 bids for the project for the old waterworks building, and it was staff's recommendation to award it to the lowest bidder, C.D. General Contractors, Inc., for \$44,000.00 plus gross receipts taxes for a total amount of \$47,245.00. He said there was a private donation of \$25,000 offered for the project so on top of the \$47,245.00 the Town would be paying an additional \$1,800.00 for construction oversight to Casperson Engineering. He said it would be somewhere in the range of \$50,000, and the Town would put in \$25,000 and using the donated \$25,000. There was further discussion and Mayor Marshall recognized Nancy Gordon in the audience and asked if she would like to comment. Ms. Gordon commented on the project, how the engineer and the contractor were comfortable with the job and the bid, and that she supported the low bid. Councilor Bettison thanked the anonymous donor and said it was very generous. Mayor Marshall said that Ms. Gordon had put in well over \$25,000 in her time and energy on the project, and that it was appreciated. He said he would entertain a motion. Councilor Cook made a motion to approve Bid 12/13-4 per staff recommendation to C.D. General Contractors, Inc. for a base bid of \$44,000 with gross receipts tax for \$3,245.00 for a total with gross receipts tax of \$47,245.00. Councilor Bettison seconded. Mayor Marshall said there was a motion and a second to approve staff recommendation on Bid 12/13-4: Silver City Water Works Building boiler and pump room roof and roof structure replacement to C.D. General Contractors, Inc. for a total with gross receipts tax of \$47,245.00. 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 Morones moved to adjourn at 6:58 p.m. Councilor Bettison seconded. Mayor Marshall stated there was a motion and a second to adjourn. 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