

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy 180, Silver City, NM
October 23, 2012, 6:00 p.m.**

Present:

James R. Marshall, Mayor
Cynthia A. Bettison, District 1
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

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Mayor Marshall called the meeting to order at 6:07 p.m. Councilor Cook, District 2, was not present.

2. CEREMONIES – None.

3. PROCLAMATIONS - None.

4. PUBLIC INPUT – None.

5. COUNCIL COMMENTS – None.

6. CHANGES TO THE AGENDA – None.

7. APPROVAL OF THE MINUTES – Regular Meeting on October 9, 2012 – Councilor Bettison moved to approve the minutes of the Regular Meeting of October 9, 2012. Councilor Ray seconded. Mayor Marshall stated there was a motion and a second to approve the minutes of the Regular Meeting of October 9, 2012. He asked if there was any discussion, and there was none. He asked all those in favor to say aye, and all 3 Councilors that were present voted aye. He asked if any were opposed, and there were none. Motion carried.

8. REPORTS –

A. Quarterly Reports from Silver City Arts and Cultural District and the SWNM Green Chamber Visitor Center. Julie Minicucci, Silver City Arts and Cultural District Tourism Director, reported on their ads to promote tourism in Silver City; how the State's Tourism Department liked their ads because they had local photographers and interesting and quirky pictures that made people think twice; how many of their ads were more about action; how the State's campaign required them to use the State's logo; how they were trying to appeal to the younger generation and to travelers; and data on social media, etc. Cissy McAndrew, Executive Director of the SWNM Green Chamber, reported on the visitation data for the SWNM Green Chamber Visitor Center and how they were flat to last year; how 3 percent of visitors were coming in from Europe, and that a lot of people were from Tucson, Phoenix, and El Paso so the ads were working; how Mondays were the second largest day for visitation; how they had dining and lodging guide handouts for visitors; volunteers working at the Visitor Center and how they directed people to the Silver City Museum and guided people to restaurants, etc.; feedback from social media; how \$460 per month was received back from power generated from the solar parking structure; Silver City's vision to be a sustainable community and how it was attracting visitors and people that may want to relocate in Silver City; water harvesting at the Visitor Center, how they supported events, etc. She commended the Council for decisions they had made over the years because it had given a positive spin for Silver City. She said that they felt that they were giving the city a good package that was very well rounded. She said the marketing was in place and they were there to host people and give them a friendly Silver City welcome. There were no questions from the Council.

B. Staff Reports. Manager Brown said the Town received \$300,000 for a Colonias Reversion Fund Grant for the Vistas de Plata Subdivision so they could complete the second part of Phase I to create another 8 lots. He stated there

was substantial completion on the sports complex, but they would not start using it until they finished building a retaining wall in order to comply with ADA standards because the fields were on separate levels. He said they were well underway on the sidewalk project on Cactus Street, and that it was on schedule.

9. PUBLIC HEARINGS –

A. Approval / Disapproval of Liquor License Application for a Small Brewers Liquor License. Application #827631, Applicant: Q's Southern Bistro, LLC, D/B/A Branding Iron Brewery, 101 E. College Ave., Silver City, NM 88062. Mayor Marshall stated the Town Council would serve as the hearing board and he would serve as the presiding officer. He asked if any member of the hearing board had ex-parte discussions with any person regarding the subject, or had any communication from any party to the case, and none had. Mayor Marshall said they were all qualified. He asked all parties and witnesses, including staff members, to come forward to be sworn in to testify by the Town Clerk. The Town Clerk swore in 2 witnesses for the hearing. Mayor Marshall read the procedures of how the hearing would be conducted. He asked the applicants to present their case. Ronald C. Quintana stated he was part-owner of the restaurant and that he was there to request their approval. He said they wanted to expand the business by starting a brewery. Mayor Marshall asked what the difference was between the existing liquor license and the small brewers liquor license. Ronald Anthony Quintana said it would have a broader range of markets because they would be making their own product, and could better pair it with the food. He also said that they currently had a beer and wine license which had restrictions and they were buying it from a wholesaler. He said the small brewers liquor license would allow them to stay open until 2:00 a.m., but they did not plan on doing that. There was further discussion and Mayor Marshall asked if there was anything else that they would like to be reflected in the record. Ronald Anthony Quintana said there used to be a brewery and that people missed the product. He said they would be bringing in the old brewer to make it for them, and a new menu would be coming soon with 18 new menu items that could be paired with the beers. He said they were marketing Silver City and trying to appeal to younger and older people and tourists; that it was good for the downtown area as long as they put out a good product; and that the previous brewery had a big following and a good clientele. Mayor Marshall asked if there were any questions from the hearing board. Councilor Ray asked if the license application allowed them to have a picnic license. Ronald Anthony Quintana said yes, and that it was similar to the picnic license that the Tour of the Gila got from High Desert in Las Cruces, and that they would be able to do events. Mayor Marshall asked the applicants if they had anything else to reflect in the record. Ronald C. Quintana said Ronald Anthony Quintana was his son and his partner. There were no other questions from the hearing board. Mayor asked the hearing board if they were prepared to consider the application and render a decision, and they said yes. He said he would entertain a motion. Councilor Morones moved to approve the liquor license application and he read the agenda item description. Councilor Bettison seconded. Mayor Marshall said there was a motion and a second to approve the application, and he asked if there was any discussion. There was no further discussion. He said there was a motion and a second to approve the Liquor License Application for a Small Brewers Liquor License. Application #827631, Applicant: Q's Southern Bistro, LLC, doing business as Branding Iron Brewery, 101 E. College Ave., Silver City, NM 88062. He asked all those in favor to say aye, and all 3 Councilors that were present said aye. He asked if any were opposed, and there were none. Motion carried.

10. UNFINISHED BUSINESS – None.

11. NEW BUSINESS -

A. Approval / Disapproval of Resolution No. 2012-26: supporting an application for an EPA Brownfields Cleanup Grant for the Historic Silver City Waterworks Building. Mayor Marshall asked Nancy Gordon to present the details. Ms. Gordon said the Resolution would support an application for an EPA Brownfields Cleanup Grant for the abatement of lead, asbestos, and bio-hazards inside the Waterworks Building. She said it was a good time to address it so they could begin working on the inside of the building. She said they would start the reconstruction of the front porch using volunteer labor fairly soon. She commented on a previous EPA Brownfields Assessment Grant that was awarded in the year 2000, and that Phase 1 and 2 assessments were done on the Waterworks Building in 2002. She said that was when lead and asbestos were found inside the building, and contamination from bats and rodents. She said a Resolution in 2003 called for the Town to maintain ownership of the building and to clean it up. She commented that the NM Environment Department had recently hired a contract consultant to do additional testing and to develop a remediation plan on how abatement would get done, etc. She described the grant process, that they would be applying for the maximum amount of \$200,000 and a 20 percent cost-share, but they would also apply for a hardship waiver.

She said if they had to do the cost share that it would be met with a cash match of \$12,000 from the Town and in-kind labor from Town staff, volunteers, and the NM Environment Department. She commented further about the grant process, and how the project could take up to 3 years to complete. Mayor Marshall invited comments, and comments of support were received by Cissy McAndrew in the audience, and Councilor Bettison. Councilor Bettison moved to approve Resolution No. 2012-26 and she read the agenda item description. Councilor Ray seconded. Mayor Marshall said there was a motion and a second to approve Resolution No. 2012-26, and there was further discussion. He said there was a motion and a second to approve Resolution No. 2012-26: supporting an application for an EPA Brownfields Cleanup Grant for the Historic Silver City Waterworks Building, and he asked for a roll call vote. Councilor Bettison voted aye; Councilor Ray voted aye; and Councilor Morones voted aye. Motion carried.

B. Approval / Disapproval of authorization for Mayor to negotiate and execute a contract of employment between the Town and Alex C. Brown for the position of Town Manager/Finance Director. Mayor Marshall said he would like to entertain a motion to postpone action on the item. Councilor Morones moved to postpone action on the item to a later Council meeting. Councilor Bettison seconded. Mayor Marshall said there was a motion and a second to postpone action on the item until a later Council meeting. There was no further discussion. Mayor Marshall said there was a motion and a second, and no discussion, to postpone action on the item of authorizing Mayor to negotiate and execute a contract of employment with the Town Manager. He asked all those in favor to say aye, and all 3 Councilors that were present said aye. He asked if any were opposed, and there were none. Motion carried.

C. Appointments to the Museum Board. Mayor Marshall said there were 2 applicants that had been reviewed by the Chair of the Museum Board and that John Warner and Elizabeth Owen were recommended as qualified candidates. He asked if there was any objection from the Council, and there was none. He said with no objection the 2 applicants were appointed.

12. ADJOURNMENT – Mayor Marshall asked for a motion to adjourn. Councilor Ray moved to adjourn at 7:02 p.m., and 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 3 Councilors that were present 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