

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy 180, Silver City, NM
May 28, 2013, 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
Yolanda C. Holguin, Acting Town Clerk
Edward Reynolds, Police Chief
Jim Coates, Planning/Zoning Administrator

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Mayor Marshall called the meeting to order at 6:01 p.m.

2. CEREMONIES – None.

3. PROCLAMATIONS –

"National Trails Day", June 1, 2013 – Mayor Marshall presented the proclamation to Andrew Lindlof. Mr. Lindlof talked about the grants that made the event possible; upcoming activities and events; on-going raffle and prizes; speakers that would be presenting; and the presenting of the Trails in Grant County film.

"Wild Wild West Pro Rodeo Week ", June 2-8, 2013 – Mayor Marshall presented the proclamation to Pat Bearup of the Wild Wild West Pro Rodeo. Mr. Bearup thanked the community, sponsors, and volunteers for their support and invited everyone to go out and enjoy the rodeo.

Mayor Marshall stated that Councilor Ray was present through poly-com.

4. PUBLIC INPUT – Faye McCalmont, Mimbres Region Arts Council (MRAC) Director, gave a recap of the Blues Festival. She commented on how successful the event was; on the support MRAC received from Alex Brown, Town Manager, the Silver City Police Department and Animal Control; and on the incredible and terrific job done by Peter Pena, Public Works Director, Demecio Torrez, Streets Supervisor, and Jesus Alvillar, Parks Supervisor. She stated that all the hotels were full; that restaurants and businesses were very busy; and thanked all the volunteers, staff and the board of directors of MRAC.

5. COUNCIL COMMENTS – Councilor Ray apologized to the bicyclists for the comment he made at the last meeting. He stated that he should have said “that not all bicyclists were rude, that there were a lot that adhere to the rules.” He congratulated Faye McCalmont on a successful Blues Festival.

6. CHANGES TO THE AGENDA – None.

7. APPROVAL OF THE MINUTES – Regular Meeting on March 26, 2013 – Councilor Bettison moved to approve the minutes of the Regular Meeting of May 14, 2013. Councilor Cook seconded. Mayor Marshall stated there was a motion and a second to approve the minutes of the Regular Meeting of May 14, 2013. 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. Mary Ann Finn, who had been a volunteer for four years working on the Parks and Recreation Guide, introduced the new Guide to the Council and public. She thanked Alex Brown, Town Manager and Peter Pena, Public Works Director for their support and Ken Dayer, Adult Services Librarian, for the use of staff computers to prepare the Guide. Ms. Finn stated that 2400 copies had been printed and distributed and that there were activities and events for

all ages. Manager Brown thanked Ms. Finn for her hard work and was appreciative of all that she had done. Mayor Marshall commented that there would be a lot of activities for the kids during the summer.

B. Jim Coates, Planning/Zoning Administrator with the Community Development Department, commented on how much trails were volunteer generated and driven; how private land owners, organizations and the Town partnered together to work on the trails; and how their time and efforts were appreciated.

C. Manager Brown commented that the Silver City Municipal Pool had opened to the public; the scheduled hours of use; organizations using the Pool; and encouraged the public to utilize the Pool.

D. Police Chief Reynolds commented on how the Blues Festival was well organized and on the few minor issues with dogs. He stated that the Police Department responded to a death investigation that occurred, to 126 calls for service and to 246 self-initiated calls by police officers. He commented on the department running with 16 officers; thanked the officers for working long hours and assisting in the security at the park; that 107 citations were issued; that 22 people were arrested; that two were DWI and one was a juvenile; and that it was a very busy weekend. The Mayor and the Council thanked the Police Department for their hard work and how it was a good indicator for the Town.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS – Approval / Disapproval of Ordinance 1219: Pledging the distributions of Environmental Services Gross Receipts Tax Revenues received by the Town of Silver City, New Mexico from the New Mexico Department of Taxation and Revenue pursuant to Section 7-19D-10 NMSA 1978 to repayment of the Southwest Solid Waste Authority Solid Waste System Improvement and Refunding Revenue Bonds, Series 2013; ratifying actions heretofore taken; repealing all action inconsistent with this Ordinance; and authorizing the taking of other actions in connection with the Pledge of the Pledged Revenues to the Series 2013 Bonds. Manager Brown stated that at the first reading of the Ordinance he had mentioned that the Town would be pledging to pay the tipping fees to the Authority; that the Town's 1/16 percent of GRT tax brought in \$204,000; that the Town's tipping fees had been in the range of \$500,000 and that this year it had been lower, in the \$400,000; that the Town would continue to pay their garbage bill; and that the Authority would be using the pledge to refinance debt they currently had. Councilor Morones moved to approve Ordinance 1219 and he read the agenda item description. Councilor Ray seconded the motion as stated. Mayor Marshall stated there was a motion and second to approve Ordinance 1219. He asked if there was any discussion, and there was none. 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.

11. NEW BUSINESS -

A. Approval / Disapproval of Resolution No. 2013-18: a Resolution amending Resolution No. 2013-14 wherein the Town Council authorized the purchase of a certain parcel of improved property commonly known as the Silco Theater, 311 North Bullard Street, Silver City, NM. Councilor Morones stated that the Resolution would amend the previous resolution and would be consistent with the resolution of support for the original \$175,000 that was received; that it was much more related to the purchase of the Silco; that the Town could take ownership and execute the grant that was received; that Silver City MainStreet Project could move forward with building and look forward to receiving future grants to facilitate their plans; and that it was similar to what was originally agreed. Patrick Hoskins, MainStreet Project Vice-President, asked for the Town's support of the Resolution to purchase the building to move forward with grant application, and construction of the interior of the building to be in the position of having a functional theater in the heart of the community. Councilor Ray and Councilor Bettison thanked Councilor Morones for his hard work on the resolution. Discussion continued on how it would be for the betterment of Silver City and Grant County; that the amended agreement of the purchase agreement simply lays out the responsibilities of each; and hoped that MainStreet was successful. Mayor Marshall stated that for the record he was asked to read some comments that he received just before the meeting and that his phone could not open them and that the comments could not be read. Discussion continued on how long the process would be before there would be a theater downtown and if contractors would be local to generate economic development. Manager Brown commented that the two cost estimates received were from local contractors; that the Town was contracting with local architects to verify information on the preliminary conceptual drawings; on a realistic timeframe for the actual remodeling of the Silco to become a movie theater; that the Silco was being used and was generating revenue required to meet the debt service for the fair market value lease payment; that a short-term lease would be executed while developing a long-term lease

with MainStreet for the property that requires an ordinance. Councilor Morones was thankful for all the work that Manager Brown and the MainStreet Board had put into the resolution. Councilor Morones moved to approve Resolution No. 2013-18 and he read the agenda item description. Councilor Bettison second the motion as stated. Mayor Marshall stated there was a motion and second to approve Resolution No. 2013-18. He asked if there was any discussion, and there was none. 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 Resolution No. 2013-20: a Resolution supporting Silver City MainStreet Project in applying for New Mexico MainStreet Program Grant Funds. Councilor Morones commented that the resolution would support a grant that the Silver City MainStreet Project was currently working on through the State MainStreet Capital Outlay and if awarded it would probably cover 20 percent of the projected cost and would bring them one step closer to qualify to apply; and that he supported their efforts. Mr. Hoskins stated that MainStreet would be applying to the State for \$100,000 and asked the Council for their approval of the resolution. Councilor Morones moved to approve Resolution No. 2013-20 and he read the agenda item description. Councilor Bettison seconded the motion as stated. Mayor Marshall stated there was a motion and second to approve Resolution No. 2013-20. He asked if there was any discussion, and there was none. 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.

C. Approval / Disapproval of Resolution No. 2013-19: a Resolution amending Resolution No. 2013-01 regarding Open Meetings for the Town of Silver City. Mayor Marshall stated that the resolution was based off House Bill 21 that was passed and signed by the Governor early in the year. He commented on the change requiring the agenda notice being available 72 hours prior to the meeting effective June 14th. Councilor Bettison moved to approve Resolution No. 2013-19 and she read the agenda item description. Councilor Morones seconded the motion. Mayor Marshall stated there was a motion and second to approve Resolution No. 2013-19. He asked if there was any discussion, and there was none. He asked for a roll call vote: Councilor Bettison voted aye; Councilor Cook voted aye; Councilor Ray voted aye; and Councilor Morones voted aye. Motion carried.

D. Appointments to the Library Board. Mayor Marshall said there were 2 openings and 2 applicants, Gail Dunigan and Nickolas Seibel, and that they were both duly qualified. There were no objections from the Council and they were duly appointed.

E. Appointments to the Museum Board. Mayor Marshall said there were 2 openings and 1 applicant, current Chair Robert Schweitzer, and that he was duly qualified. He said he would like to re-appoint Robert Schweitzer. There were no objections from the Council and he was duly appointed.

12. ADJOURNMENT – Mayor Marshall asked for a motion to adjourn. Councilor Morones moved to adjourn at 6:40 p.m. Councilor Cook 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