

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

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE** – Mayor Marshall called the meeting to order at 6:02 p.m.
- 2. CEREMONIES** – None.
- 3. PROCLAMATIONS** – None.
- 4. PUBLIC INPUT** – None.
- 5. COUNCIL COMMENTS** – Councilor Ray commented about attendance at meetings; how the Council did things that they thought would be good for the people; and how they should support everything that other entities did in order to get gross receipts tax revenues. Councilor Bettison said she attended the Wastewater Treatment Plant christening and she thanked everyone that had a part in the solar project, and she specifically thanked Attorney Scavron and Manager Brown for making sure the Power Purchase Agreement was successful and that it had served as a model agreement for the state.
- 6. CHANGES TO THE AGENDA** – None.
- 7. APPROVAL OF THE MINUTES – Regular Meeting on June 11, 2013** – Councilor Bettison moved to approve the minutes of the Regular Meeting of June 11, 2013 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 11, 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. Presentation by Heidi Sexton about the mission and policies of the High Desert Humane Society.** Heidi Sexton, President, said the Society's mission was to promote and provide humane and ethical treatment of companion animals through shelter care, adoption, and community education programs which addressed overpopulation. She discussed the services that they provided to the community; their revenue sources; the differences between the functions of the Society and the Animal Shelter; how the Shelter was run in accordance with city and county ordinances and within their agreements and contracts; how the ownership of the animals may change from the original owner to the Shelter to the Society; licensing, adoptions, etc.; and their 40th birthday planned for October 5th.
  - B. Southwest New Mexico Green Chamber Quarterly Report by Cissy McAndrew, Executive Director.** Ms. McAndrew reported on the number of visitors; how they worked closely with the Gila National Forest regarding fires and public notices; mailings; the real estate market; how visitation was up for the Silver City Museum and the University Museum; how businesses and restaurants were doing well; upcoming events; how they were working with other entities to increase tourism; how they were looking for volunteers; and how they would use the lodgers tax funds to update the map pads. She thanked the Mayor, Council, and Town staff for the lodgers tax appropriation for the

upcoming year and said they would use it for fulfillment and to provide the operational needs of the Visitor Center. Mayor Marshall said they appreciated their work.

**C. Staff reports.** None.

## **9. PUBLIC HEARINGS –**

**A. Approval / Disapproval of Ordinance No. 1221: a request for a Map Amendment/Zone Change, ZC 13-02, from a Residential A zone to a Residential C zone for a tract of land which is currently known as Shady Groves Mobile Home and RV Park and addressed as 1605 Canal Street, Silver City, New Mexico. The property encompasses Blocks 1, 2, 3 and 4, less and except Lots 1 and 3 of Block 2, of the Wards Resubdivision of the Plata Vista Addition to the Town of Silver City.** Mayor Marshall stated the Town Council would serve as the hearing board and he would be the presiding officer. He asked if any members of the hearing board had ex parte discussions with any person regarding the subject matter of the hearing or had any communication from any party in the case, and the members said no. He said all members were qualified. He asked all parties and witnesses to be sworn in by the Town Clerk, and 5 witnesses were sworn in. The Mayor read the procedures for the hearing, and he gave Jaime Embick, Town Planner, the floor. She stated the legal description in the legal notice left out a part of the property description; she read it and said it would need to be added when they made their motion. She said the zone change request had already been to the Planning and Zoning Commission and stated the residential district that the mobile home park was in did not allow mobile home parks, and the new owners of the property wanted to restore it to a mobile home and RV park. She reviewed photos of the large park that encompassed several blocks. She offered to read the findings of the Planning and Zoning Commission into the record. The Mayor said he was quite familiar with them. She said they were listed in the Staff Report and the Planning and Zoning Commission made the recommendation under findings #1, #2, #4, and #7 that the zone change be approved by the Council. The Mayor asked if there were any questions for the Staff Report, and there were none. He asked the applicant to provide his case. Mr. Tom Peterson, Operations Manager for the Shady Groves Mobile Home and RV Park, said they purchased the property a year ago and were working diligently to make a character change in the park by moving out some of the bad folks and doing remodels and upgrades to the property. Mayor Marshall asked him to tell them why he wanted the zone change. Mr. Peterson said they needed it to stay in compliance with the law and they planned on upgrading the bottom block closest to the canal and make it the RV section of the park that would include new outbuildings, new structures, and re-grading the ground, and in order to do that they had to be in compliance with the city. The Mayor asked if the hearing board had any questions for the applicant, and there were no questions. There were no witnesses in support of the case and no witnesses in opposition of the case. The Mayor asked Mr. Peterson if that concluded his case or if there was anything else he wanted reflected in the record. Mr. Peterson said they would continue to upgrade the park, do landscaping, and pick better people. He said the zone change would help them make the other changes to make it better in the future. Mayor Marshall asked if any members of the hearing board had questions, and there were no questions. He asked if they were prepared to consider the application and render their decision. He said he would entertain a motion. Councilor Morones made a motion to approve Ordinance No. 1221 and he read the agenda item description and included the wording, "less and except Lots 1 and 3 of Block 2" with the finding #1 the proposed amendment was in substantial compliance with the Town's Comprehensive Plan. Councilor Bettison seconded. Mayor Marshall said there was a motion and a second to approve Ordinance No. 1221 and asked if there was any discussion. There was no further discussion. He said there was a motion and a second to approve Ordinance No. 1221 as per the hearing, and 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.

**10. UNFINISHED BUSINESS –** None.

## **11. NEW BUSINESS -**

**A. Approval / Disapproval of Resolution No. 2013-24: a Resolution to support the Southwest New Mexico Energy and Green Jobs Task Force's Regional Strategic Plan for Energy Efficiency and Renewable Energy (EERE) and Associated Job Creation.** Mary Stoecker said the plan and resolution was being looked at by all 4 of the southwest counties, and all of the towns, villages, and cities. She said it had been worked on for the past 3 years by the Southwest Energy and Green Jobs Task Force that was facilitated through Senator Bingaman's office and that the Town of Silver City had participated in that work. She said it tied in beautifully with the other plans of the Town of

Silver City, the current Climate Action Plan, and some of the work of the Office of Sustainability. Mayor Marshall said he was really impressed with the S.W.O.T. analysis and the honesty that was in the analysis; that it was very comprehensive and did not make things look better than the reality, as well as telling the strengths that they did offer. He said it truly gave them a plan that they could take and grow from, and make productive. He asked if there were questions from the audience, and there were none. He asked if there were questions from the Council. Councilor Bettison said it was wonderful to see it come to fruition and that the honesty in the S.W.O.T. analysis was refreshing. She said the Wastewater Treatment Plant solar array fit right into the plan's overall vision and that the Mayor and the folks in the Town of Silver City had foresight. The Mayor said he would entertain a motion. Councilor Bettison moved to approve Resolution No. 2013-24 and she read the agenda item description. Councilor Morones seconded. Mayor Marshall said there was a motion and a second to approve Resolution No. 2013-24 and he asked if there was any other discussion. There was none. He said there was a motion and a second to approve Resolution No. 2013-24: a Resolution to support the Southwest New Mexico Energy and Green Jobs Task Force's Regional Strategic Plan for Energy Efficiency and Renewable Energy (EERE) and Associated Job Creation. 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.

**B. Approval / Disapproval of Resolution No. 2013-25: a Resolution supporting a Public Private Economic Development MainStreet Project.** Lucy Whitmarsh, President of the Board for the Silver City MainStreet Project, said it was a continuation of the current agreement and would replace the old one. She said it outlined their responsibilities to participate in economic development functions for the historic district and the MainStreet district, the partnership they had with New Mexico MainStreet, etc. There was further discussion. Mayor Marshall said he would entertain a motion. Councilor Morones moved to approve Resolution No. 2013-25 and he read the agenda item description. Councilor Bettison seconded. Mayor Marshall said there was a motion and a second to approve Resolution No. 2013-25, and he asked if there was any discussion. There was none. He said there was a motion and a second to approve Resolution No. 2013-25: a Resolution supporting a Public Private Economic Development MainStreet Project. 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. 2013-23: an amendment to the Town of Silver City Employees Personnel Manual.** Mayor Marshall said most of the union contracts covered all of the pay that was afforded within the contracts including longevity pay, however, the personnel manual did not include longevity pay for those that were not covered under union contracts. He said it would bring the personnel manual as it pertained to longevity pay closer in comparison to the contracts that they had previously awarded. The Mayor asked if there was discussion from the audience, and there was none. There was further discussion from the Council. Mayor Marshall said he would entertain a motion. Councilor Bettison moved to approve Resolution No. 2013-23 and she read the agenda item description. Councilor Morones seconded. Mayor Marshall said there was a motion and a second, and there was further discussion from the Council. The Mayor said there was a motion and a second to approve Resolution No. 2013-23: an amendment to the Town of Silver City Employees Personnel Manual. 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.

**12. ADJOURNMENT** – Mayor Marshall asked for a motion to adjourn. Councilor Morones moved to adjourn at 6:53 p.m., and 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/

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James R. Marshall, Mayor

Attest:

/s/

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Ann L. Mackie, Town Clerk