

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
January 22, 2014, 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
Anita Norero, Deputy Finance Director
Ed Reynolds, Police Chief
Rudy Bencomo, Fire Chief
Leann Misquez, Purchasing Agent

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 on how Western New Mexico University was important to Grant County and he encouraged people to attend the university and area high schools' sporting events. Mayor Marshall announced that there would be a symposium by the Silver City Neighborhood Alliance on Preparedness from March 7-8, 2014. He said it would be a good opportunity for the community to become more aware of the importance of preparedness and defensible space, and issues that they needed to know as a community. He said there would be a lineup of good speakers from the local area and from around the state, and that it would be quite informative.
6. **CHANGES TO THE AGENDA** – None.
7. **APPROVAL OF THE MINUTES – Regular Meeting on January 14, 2014** - Councilor Bettison moved to approve the minutes of the Regular Meeting of January 14, 2014. Councilor Ray seconded. Mayor Marshall stated there was a motion and a second to approve the minutes of the Regular Meeting of January 14, 2014. 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. **Report on the Municipal Infrastructure Gross Receipts Tax in the amount of one-eighth of one percent (.125%) for Public Safety purposes. Note: a question to the voters will be on the ballot of the upcoming Regular Election to be held on March 4, 2014.** Anita Norero, Deputy Finance Director, said there would be a question on the ballot of the upcoming election on whether or not to continue the public safety tax that was approved at the 2004 regular election solely for public safety purposes. She said it was going to the voters because the current tax had a 10 year sunset that would expire in 2014. She showed a breakdown of how the gross receipts tax was dedicated and what the Town received in gross receipts taxes. She said as of December 31, 2013 for the fiscal year 2014 the Town had received \$202,000 for public safety, but in the past 10 years the Town had received \$3.4 million for public safety. She said that with those funds the Town paid for the salaries and benefits for 4 police officers, purchased 17 patrol units, paid the salary and benefits for 1 firefighter, and purchased a ladder truck. She said if the continuation of the public safety tax was approved by the voters then the Town would continue to provide 3 additional police officers (decreased from 4 police officers due to the increased costs in salaries and benefits), additional police equipment, 1 firefighter, and additional fire equipment. She said if the tax was not approved by the voters the Town would not be able to approve current staffing levels for police and fire, and other services would have to be cut. She said if not approved the

tax rate would decrease by .125 or by 12.5 cents per \$100 spent. Police Chief Reynolds discussed how the public safety tax was used to fund 4 police officers and purchase police vehicles, but with increases in salaries, benefits and longevity the tax would currently only be able to fund 3 police officers and to purchase vehicles and equipment associated with those vehicles. He commented that the longevity for police officers was 3 years, but had increased to 8 years based on incentives and pay increases. He discussed how they needed personnel and needed to replace old vehicles with high mileage and he gave examples of the age and mileage of many vehicles in the fleet. He said they needed to replace 16 vehicles and the cost was approximately \$30,000 each with equipment, and the general budget could not handle the purchase of those vehicles. He commented on how the take-home program extended the use of the vehicles greatly; that they needed to replace the computers in the police units; how loans were made to purchase vehicles if the tax was passed; how if the tax was not passed by the voters it would affect their ability to maintain their current performance of standard; and how the tax funded many programs that impacted their traffic issues and crime. He asked the citizens of Silver City to back the tax in order to allow the Silver City Police Department to continue at the pace they were currently at. Fire Chief Bencomo stated it was not a new tax, but a continuation of a tax that was implemented 10 years ago. He said it allowed the Fire Department to add 1 firefighter and to purchase a ladder truck; how if the tax did not pass it would impact the operations of the Fire Department because they would lose the additional firefighter that they received and their ability to respond to emergencies, fires, grass fires, etc.; that the only way to maintain their current staffing without the continuation of the tax would obviously affect the other departments of the Town; that the Fire and Police Chiefs strived to find other sources of funding to get equipment with grants, but they were not guaranteed so the public safety tax was needed; issues with equipment and ambulances that needed to be replaced; and the increase of fires and statistics on the calls they made over the past few years for fire and medical, etc. He said the tax would provide funds for equipment for police and fire and it was a public safety issue for police and fire personnel. He asked the public to vote for the public safety tax to enable the Town to plan for the future and to provide equipment for personnel. There was further discussion from Councilor Morones, Councilor Bettison and Mayor Marshall on the importance of continuing the public safety tax and how if it was not approved by the voters it would affect the budget and cause cuts in other departments and services; that the Council was charged with the safety, health and welfare of the citizens; that if it did not pass the savings would only be 12.5 cents for every \$100 spent; how the tax really wasn't much money on an individual receipt of purchase, but the total impact would be huge; that it was really critical to continue; how natural hazards and dangers were increasing and they needed to respond to them; how they had to maintain certain levels of public safety and it would typically affect employees first; and how they truly hoped citizens would find value in it and come out and support it.

B. Staff reports. Clerk Mackie provided information on the upcoming election. Police Chief Reynolds said he would have police statistics by the following week and would post them on the website. He said the statistics looked good and he would report them at the next Council meeting if desired.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS – None.

11. NEW BUSINESS -

A. Approval / Disapproval of Bid #13/14-3: Blackhawk Rd. Gravity Sewer Improvements, Phase II. Leann Misquez, Purchasing Agent, said 6 bids were received for Bid #13/14-3 and staff's recommendation was to award the bid to Diamond Construction, Inc. for a base bid amount of \$292,514.00 with Additive Alternate #1 for \$21,778.00, Additive Alternate #2 for \$12,978.00, Additive Alternate #3 for \$13,103.00 for a total bid of \$340,373.00 without gross receipts tax and contingent upon ONRT's (Office of Natural Resources Trustee) approval of additional funds for the construction project. Councilor Cook moved to approve Bid #13/14-3 Blackhawk Gravity Sewer Improvements Phase II to Diamond Construction, Inc. for a base bid amount of \$292,514.00 with Additive Alternate #1 for \$21,778.00, Additive Alternate #2 for \$12,978.00, Additive Alternate #3 for \$13,103.00 for a total bid of \$340,373.00 and contingent upon ONRT. Councilor Bettison seconded. Mayor Marshall said there was a motion and a second to award Bid #13/14-3 per staff recommendation. He asked if there was any other discussion, and there was none. He said there was a motion and a second to approve Bid #13/14-3 Blackhawk Gravity Sewer Improvements Phase II per staff recommendation to Diamond Construction, Inc. for a total bid of \$340,373.00 without gross receipts

taxes and contingent upon ONRT's approval of additional funding. 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 March 4, 2014 Election Workers. Clerk Mackie presented the list of election workers and asked for approval. Councilor Bettison moved to approve the list of March 4, 2014 Election Workers as presented. Councilor Ray seconded. Mayor Marshall said there was a motion and a second to approve. He commented that they owed the volunteers a big thank you and without their service the elections could not go on; that they ensured that everybody had a fair shot to vote and that all of the rules were followed at the polling places; and that it was a huge part of the process that they lived in. He asked Clerk Mackie to share his comments on behalf of the Town Council with the election workers. He said there was a motion and a second to approve the Election Workers for the March 4, 2014 Election as presented. 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 6:45 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 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