

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy 180, Silver City, NM
February 11, 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

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE** – Mayor Marshall called the meeting to order at 6:02 p.m.
- 2. CEREMONIES** – None.
- 3. PROCLAMATIONS – "Salt of the Earth Day" - March 14, 2014.** Mayor Marshall read and presented the proclamation to Mike Burns. Mr. Burns thanked the Council on behalf of Local 2516 Grant County Employees, AFSCME Council 18 New Mexico, and workers throughout the country and the world. He invited everybody to the festivities and the public viewing of the film on March 15, 2014.
- 4. PUBLIC INPUT** – Art Martinez said he was a retired university professor in political science and an activist in the community for more than 40 years, and that he was pleased with the preceding proclamation. He commented on how he previously made a case for increasing the minimum wage in New Mexico from \$7.50 per hour to at least \$14.00 per hour; pointed out that Americans must no longer continue to ignore the very sad and immoral gap in the accumulated wealth that existed in this country; how the wealthy persons were getting wealthier and the poor were sinking deeper into poverty; and he proposed that they plan and work for developing an economy that was seriously dedicated to the well being for the many and not one that was very heavily tilted toward the few, etc.
- 5. COUNCIL COMMENTS** – Councilor Ray expressed gratitude and appreciation to Mayor Marshall and that he had learned a lot from him. He commented that it was not easy being on the Council and that when people did not want to participate it was hard to think for 10,000 people; that an upcoming benefit breakfast would be held for the Silco Theater by the Leatherheads Motorcycle Group; and he encouraged people to vote in favor of continuing the public safety tax that was a question on the ballot. Councilor Cook thanked everybody for supporting her in the last 2 years and that she hoped she had represented most of the people the way they wanted to be represented. She thanked all of the staff that she had worked with while she was on the Council. Councilor Bettison commented on single point tethering for dogs; how the Town's ordinances set a standard and the animal ordinance set a standard; how citizens should be willing to be a witness in court in order for the police to carry out enforcement regarding animal cruelty, etc.; how they could not legislate behavior, but could only set standards; asked people to take care of their animals and to be kind to their neighbors; and welcomed people to talk to her or have a public forum to discuss it further. Councilor Bettison said she enjoyed being on the Council with Mayor Marshall and that his leadership as Mayor had provided more information to her than all of the leadership classes that she attended with the New Mexico Municipal League. She said he had truly been a mentor and a teacher, and that it had also been a joy to sit next to Councilor Cook. She said she enjoyed working with Mayor Marshall and Councilor Cook and all of the other Councilor members. Councilor Morones commented on the upcoming election and how some races were uncontested which could potentially turn to a lower voter turnout, but how District 2 and the Municipal Judge elections were contested so it was a good reason for all voters to go and vote. He said there was also the decision to continue the public safety tax which was very important for all districts. He encouraged people to attend the candidate forums and to vote.
- 6. CHANGES TO THE AGENDA** – Councilor Bettison made a motion to move up Item A under 12. New Business to after the 7. Approval of the Minutes and before 8. Reports. Councilor Morones seconded. Mayor Marshall said there

was a motion and a second and no 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.

7. APPROVAL OF THE MINUTES – Regular Meeting on January 22, 2014 - Councilor Bettison moved to approve the minutes of the Regular Meeting of January 22, 2014. Councilor Ray seconded. Mayor Marshall stated there was a motion and a second to approve the minutes of the Regular Meeting of January 22, 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.

12. NEW BUSINESS –

A. Approval / Disapproval of Town of Silver City Audit Report for Fiscal Year ended June 30, 2013. Mike Stone, CPA with Stone, McGee and Company, reported that the Town's audit report had an unmodified opinion on the financial statement which was as high as they could get, an unmodified opinion on compliance with the Federal Compliance Laws, and one comment regarding a missed budget adjustment that was required by the State Auditor. He said it was a beautiful and clean audit. He pointed out to the Council that it was important that the numbers they were getting from staff were good numbers so the decisions they were making were on real dollars and real numbers, and that there had been no corrections to the numbers for 10 to 12 years in a row for as long as he had been their auditor. He said it should give the Council and the Mayor comfort in knowing that the numbers the staff were giving to them to manage the city were good numbers. He said the Council and the management of the Town had a huge responsibility in managing over \$72 million worth of assets, as well as \$20 million in revenues each year. Mr. Stone congratulated the Council and commended the Town staff for being ready for them when they got there and for being very cooperative. He said it was an action item so they would have to approve or disapprove the audit report. Mayor Marshall thanked Mr. Stone for his years of service that he put in to help the Town, and for making sure the audits got in on time and were approved by the State Auditor. He congratulated Alex Brown, Town Manager-Finance Director, for having clean audits for so many years and said it was quite remarkable and that it was really abnormal throughout the state. He said Manager Brown was to be commended. He asked Manager Brown to introduce the Finance Department staff that did the work day in and day out, made sure the books were kept accurate and clean, and that all of the requirements were followed. Manager Brown said the Finance staff were really to be commended because they were put in a tough situation because the previous Deputy Finance Director left at the very beginning of the fiscal year. He said everyone in the department really stepped up and he described how some of them were new employees. He named Anita Norero, the new Deputy Finance Director, Leann Misquez, Purchasing Agent, Amanda Teran, Accounting Technician, Priscilla Arredondo, Accounting Technician, and Steven Lopez, Accounting Technician. Mayor Marshall asked those that were present to stand up and be recognized. There was applause from the Council and audience. There was further discussion. Councilor Bettison moved to approve the Town of Silver City Audit Report for Fiscal Year ended June 30, 2013. Councilor Morones seconded. There was further discussion. Mayor Marshall said there was a motion and a second and no further discussion to approve the Town of Silver City Audit Report for Fiscal Year ended June 30, 2013. 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.

8. REPORTS –

A. High Desert Humane Society's Animal Intake Report for 2013 by Heidi Ogas. Ms. Ogas, President of the High Desert Humane Society, said they had an agreement with the Town to take in and shelter animals from the city. She said the report in their packet included the intake for 2013 with impounded animals, stray animals, and owner turn ins. She said they also took in \$2,770 in impound fees for city animals and that the license collection was \$5,704 which included \$450 due to the increase in changing the licensing fee by ordinance from \$10 to \$20. She said another graph had a comparison from 2007-2013 on animal intakes for dogs and cats, and that the intake number for cats had come down quite a bit since 2007, but there was not much of a decrease for dogs. She said 2013 was the Society's 40th birthday and they raised \$44,823 which was available for spay and neuter assistance. She said in 2013 they issued out \$26,600 in spay and neuter assistance and they would like to issue out all \$44,000 in 2014. She said that she and a board member met with Police Chief Reynolds to discuss how the money was available and that they wanted to push the spay and neuter, and how they wanted to help the Animal Control Officer carry out and enforce the existing ordinance that all dogs and cats in the city limits would be spayed or neutered. She described a March special on the spay and neuter coupons that they would offer. There was further discussion.

B. Presentation about the upcoming 5th Natural History of the Gila Symposium by Theodore Presler. Mr. Presler thanked Mayor Marshall and Councilor Cook for their great service to the city. He described some of his volunteer jobs, and said he was in his second year on the steering committee of the Natural History of the Gila Symposium. He said 60-70 researchers would be presenting papers on the beautiful Gila region. He showed a PowerPoint presentation, stated the Symposium's mission, and named the members of the steering committee. He said the Gila River had canals and that some of them were currently being used in the City of Phoenix. His presentation included many photos of the Gila region and said it was one of the few undammed rivers in the southwest. He described the topics of the symposium, the speakers, the Lifetime Achievement Awards, and that it would be free to the public on February 27th, 28th, and March 1, 2014 at the Global Resource Center.

C. Staff reports. Clerk Mackie provided information on the upcoming election and announced openings on the Town boards and committees.

Councilor Bettison moved for short break at 7:00 p.m. Councilor Morones seconded. Mayor Marshall said there was a motion and a second for a short break. 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. Mayor Marshall called the meeting back to order at 7:10 p.m.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS – None.

11. APPROVAL OF CONSENT AGENDA -

A. Approval / Disapproval of Resolution No. 2014-03: Adopting a Fair Housing Policy.

B. Approval / Disapproval of Resolution No. 2014-04: Citizen Participation Plan CDBG Program.

C. Approval / Disapproval of Resolution No. 2014-05: Residential Anti-Displacement and Relocation Plan and Certification.

D. Approval / Disapproval of Resolution No. 2014-06: Section 3 Plan.

E. Approval / Disapproval of Resolution No. 2014-07: CDBG Procurement Policy.

Mayor Marshall said all matters listed under Item 11, Approval of Consent Agenda, were considered to be routine by the Town Council and would be enacted by one motion, and that there would be no separate discussion of the items. He said if discussion was desired, that item would be removed from the Consent Agenda and would be considered separately. He read the list of Resolutions on the Consent Agenda and asked if anybody wished to discuss the items. There was no discussion and the Mayor said he would entertain a motion. Councilor Bettison moved to approve the Consent Agenda. Councilor Morones seconded. Mayor Marshall said there was a motion and a second to approve the items on the Consent Agenda as presented on the agenda and read out loud. 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. NEW BUSINESS -

B. Approval / Disapproval of Bid #13/14-5: Homeowners Rehabilitation Project. Manager Brown said the Town received 3 bids for Bid #13/14-5 Homeowners Rehabilitation Project. He said bids were received from Top Mark Enterprises in the amount of \$27,358.73 which included gross receipts taxes, Silverwood Ranch Construction in the amount of \$32,078.28, and Nick A. Chavez Construction, LLC in the amount of \$41,697.00. He said all of the contractors were from Grant County so they did not have to look up the local preference, and it was staff's recommendation to award the bid to Top Mark Enterprises for \$27,358.73. He said it was the homeowner rehab funding so it was all grant funding and did not come out of local funds. Mayor Marshall asked if it was a rehab and not a replace, and Manager Brown said yes. Manager Brown said all 3 of the contractors were responsive and were considered. Mayor Marshall said he would entertain a motion. Councilor Morones moved to approve Bid #13/14-5 Homeowners Rehabilitation Project as per staff's recommendation to Top Mark Enterprises for \$27,358.73 which included gross receipts taxes. Councilor Ray seconded. Mayor Marshall said there was a motion and a second to approve Bid #13/14-5: Homeowners Rehabilitation Project per staff recommendation to Top Mark Enterprises for

\$27,358.73 which included gross receipts taxes. 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. Discussion and vote on whether to cancel or change the regular Council meeting scheduled for February 25, 2014. Mayor Marshall said he requested it because he would be out of town on February 25th and that it would be in really bad taste not to attend his last Council Meeting. He said the Clerk checked and found that February 20th at 6:00 p.m. would work for all of them and the room was available at that time and date. There was no discussion and he asked for a motion. Councilor Bettison moved to change the regular Council meeting scheduled for February 25, 2014 to February 20, 2014 at 6:00 p.m. in the same chambers. Councilor Morones seconded. Mayor Marshall said there was a motion and a second to change the date and time of the meeting, and he asked if there was any other discussion. Councilor Bettison said there would be a reception during the February 20th meeting to offer their thanks and well wishes to Mayor Marshall and Councilor Cook for their years of service, and she hoped the public would join them. Mayor Marshall stated there was a motion and a second to change the date and time of the regular Council meeting that was scheduled for February 25, 2014 to February 20th at 6:00 pm in the same chamber. 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.

13. ADJOURNMENT – Mayor Marshall asked for a motion to adjourn. Councilor Morones moved to adjourn at 7:17 p.m., and Councilor Ray 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