

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY  
REGULAR COUNCIL MEETING  
Grant County Administration Center, 1400 Hwy 180, Silver City, NM  
March 11, 2014, 6:00 p.m.**

**Present:**

Michael S. Morones, Mayor  
Cynthia Ann Bettison, District 1  
Lynda D. Aiman-Smith, District 2  
Jose A. Ray, Jr., District 3  
Guadalupe Cano, 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 Morones called the meeting to order at 6:00 p.m. and Councilor Bettison read the Mission Statement.

**2. CEREMONIES** - None.

**3. PROCLAMATIONS** – None.

**4. PUBLIC INPUT** – None.

**5. COUNCIL COMMENTS** – Councilor Bettison welcomed the new Council members and Mayor Morones, and encouraged them to take the courses offered by the New Mexico Municipal League. She thanked Kathy Anderson and the Silver City Neighborhood Alliance for putting on an incredible Preparedness Symposium, and said there were wind and potential red flag conditions for fire so the community should be prepared and ready. Newly elected Councilor Aiman-Smith thanked the voters and said it was her full intention to serve ethically and thoughtfully for all of the residents of Silver City and for the good of the whole town. Councilor Ray congratulated and welcomed the newly elected Mayor and Councilors. He asked the public to be careful with vehicles, motorcycles, and bicycles with young kids since there were more on the roads with the warmer weather. Newly elected Councilor Cano thanked the voters that entrusted District 4 into her hands. She said that she hoped to serve to the best of her ability and that they would provide her with a lot of input. She also commented that it was the 60th anniversary of "Salt of the Earth" and that she had tickets to the events that would commemorate and celebrate the anniversary. Mayor Morones thanked the audience for the Council's first meeting and he welcomed the Council members. He said it would be a very good group and he looked forward to moving forward with them. He reiterated Councilor Bettison's statements about the fire dangers and to try to mitigate the dangers and be prepared, and Councilor Ray's comment about being careful around the children and adults that would be riding bicycles, as well as the Tour of the Gila bike race participants. Councilor Ray also commented that people could call Mario Quintana if they were interested in the Grant County Senior Olympics.

**6. CHANGES TO THE AGENDA** – None.

**7. APPROVAL OF THE MINUTES – Regular Meeting on February 20, 2014** - Councilor Bettison moved to approve the minutes of the Regular Meeting of February 20, 2014. Councilor Ray seconded. Mayor Morones stated there was a motion and a second to approve the minutes of the Regular Meeting of February 20, 2014. He told the new Council that if they felt their presence in the audience during the February 20th Council Meeting had given them sufficient knowledge of the meeting, and if the minutes reflected that meeting, then to please vote yes or vote no. 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 the Continental Divide Trail Coalition regarding Gateway Community designation of Silver City.** Shelby Hallmark said he was a member of the group that was pursuing the Continental Divide Gateway Community status, and that he was seeking their endorsement for Silver City's designation as the first Continental Divide Trail Gateway Community. He explained the background and said he hoped the next Council Meeting would include a Resolution for consideration in the matter. He described the efforts and work of the Grant County Trails Group to encourage people to get outside and enjoy the local trails and to build on the momentum of the Master Greenways and Big Ditch Plan that was approved last Spring. He said their application was approved for a Rivers, Trails, and Conservation Assistance Grant from the National Parks Service to help them achieve those goals, and specifically to build more effective linkages between the trails in Silver City and those in the surrounding Gila National Forest, especially the Continental Divide Trail. He said with the support of many institutions in the community they were able to win that National Parks Service Grant and they had their first meeting in December 2013. He said that at the meeting Teresa Martinez, Director of the Continental Divide Trail Coalition, made them aware of a rare opportunity for Silver City to become the first Continental Divide Trail Gateway Community, and how the Gateway Community notion was well established in the Appalachian Trail area with 35 towns and cities with that designation along the Appalachian Trail. He said a sub-committee of their group had completed an application that went to the Continental Divide Trail Coalition to be designated as a Gateway Community, and they were confident that Silver City's status as the very first Gateway Community on the Continental Divide Trail would be assured with a Town of Silver City Resolution matched by the Grant County Commission. He described an upcoming event on April 23rd at the Visitor's Center at 4:00 pm., named some of the participants in the activity, and described how it would help bring awareness and utilization of the trails, etc. He said the designation would involve an ongoing commitment to help maintain, improve, and publicize the Continental Divide Trail in the area and he pointed to a map that showed the trail, and had further comments. Mayor Morones asked if there were any questions from the Council. Councilor Bettison suggested they add 2 ex officio members to the committee; one from the Town Council and one from the Grant County Commission. She also recommended they put information about the Silver City Museum and the Western New Mexico University Museum in their application because they would both be a resource and an attractant to hikers as they came off the trail. Mayor Morones asked Mr. Hallmark if he was comfortable with what was already in place and if it would meet all of the requirements without additional expenditures of resources or personnel. Mr. Hallmark said the requirements were already being done in Silver City, but new additional services were popping up and he gave examples. Mayor Morones thanked Mr. Hallmark for his presentation and said it was a really good effort and that he looked forward to the final draft of the application. Mr. Hallmark said the final application would be available at the next Council Meeting on March 25th.

**B. Staff Reports.** Manager Brown said over the next few months the department heads would give the Council a short report on what their departments did and what their plans were for the next year. He said it would be good for the new Councilors and a refresher for the experienced Council members. He said that he planned to do it every year because it would lead into the budget process. He said the preliminary budget would be adopted during the last Council Meeting in May. Fire Chief Bencomo said they had a fire incident that was approximately one half acre in size and they suspected it was manmade. He asked people to be diligent of their surroundings and to contact the Police Department or Fire Department to report anything. He commented on the wind conditions and to exercise good judgment, and that they were no longer issuing burn permits.

## **9. ORGANIZATIONAL MEETING -**

Mayor Morones welcomed back the Town Manager, Alex Brown, the Town Clerk, Ann Mackie, and the Town Attorney, Robert Scavron, to the administration, and that he looked forward to working with them over the next year. He said that he was happy that the department heads and the Police Chief and Fire Chief that served his predecessor with great confidence and integrity would be continuing their employment with the Town.

### **A. Election of President Pro Tempore.**

Mayor Morones asked for nominations for the position of Mayor Pro Tem, and stated that in his absence the Mayor Pro Tem acted on his behalf and conducted the duties of the Mayor as the Presiding Officer of the Town Council. Councilor Ray nominated Councilor Bettison as Mayor Pro Tem for the next term. Councilor Aiman-Smith seconded the nomination. He asked if there was any discussion or any other nominations, and there was none. Councilor

Bettison accepted the nomination. Mayor Morones said there was a motion and a second to nominate Councilor Bettison to be the Mayor Pro Tem. 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. Appointments of Councilors to committee and board positions.** Mayor Morones appointed the following Council members and staff to the following Boards and Commissions: Councilor Guadalupe Cano to the Cemetery Board; Councilor Aiman-Smith to the Library Board; Mayor Morones and alternate Councilor Ray to the Grant County Regional Dispatch Authority; Councilor Aiman-Smith and alternate Mayor Morones to the Area Transportation Authority; Councilor Bettison to the Museum Board; Councilor Ray to the Parks and Recreation Board; Mayor Morones with alternate Councilor Ray and Manager Brown and alternate Peter Pena to the Southwest Solid Waste Authority; Mayor Morones and Manager Brown to the Grant County Water Commission; Mayor Morones and Manager Brown to the Silver City MainStreet Project as ex-officios; Manager Brown to the Grant County Community Health Council; and Manager Brown and alternate Councilor Bettison and alternate Peter Pena to the Southwest New Mexico Council of Governments. He asked if there were any objections from the Council, and there were none. He stated they were appointed.

**10. PUBLIC HEARINGS** - None.

**11. UNFINISHED BUSINESS** - None.

**12. NEW BUSINESS** –

**A. Approval / Disapproval of Special Dispenser Permit Application for the Rotary Benefit Auction on April 26, 2014 from 4:30 p.m. to 9:00 p.m. at the Grant County Veterans' Memorial Business and Conference Center, 3031 Hwy. 180 E., Silver City, NM. Liquor License Holder: Snappy Mart #204, Owner name: W&N Enterprises, Inc., 206 N. Hudson, Silver City, NM.** Linda "Sunny" Yates, President of the Rotary Club of Silver City, requested approval of the Special Dispenser Permit to be utilized in connection with Rotary's Biennial Benefit Auction and Gala. She said it was Rotary's signature event that would benefit Literacy-Link Leamos, the Imagination Library, and the Volunteer Center of Grant County's Greenhouse Project. She said they expected about 250 people to attend and she provided details of the event. She said W&N Enterprises would be managing the beer and wine bar if the application was approved and the Sheriff's Department had agreed to provide security. She said she would be happy to answer any questions from the Council. Mayor Morones gave Councilor Bettison the floor. Councilor Bettison asked her questions about where the alcohol would be served and if it would be served while the live auction was going on. Ms. Yates described where the alcohol would be served and that it would be served during the live auction. Councilor Bettison asked Attorney Scavron about it, and he said that he would have to get back to them on it. He said they could add a condition if the motion was to approve to state, "provided that the serving of alcohol is in compliance with state law," because they were bound to that. Attorney Scavron told Ms. Yates that she could call him the next day for the answer. There was further discussion about the map and whether minors would be in attendance. Mayor Morones said he would entertain a motion. Councilor Ray moved to approve the Special Dispenser Permit Application and he read the agenda item description with the findings of Attorney Scavron. Mr. Scavron added "conditioned upon compliance with state law regarding areas of alcohol service." Councilor Bettison seconded the motion as stated. Mayor Morones said there was a motion and a second to approve a Special Dispenser Permit Application for the Rotary Benefit Auction on April 26, 2014 from 4:30 p.m. to 9:00 p.m. at the Grant County Veterans' Memorial Business and Conference Center, 3031 Hwy. 180 E., Silver City, NM. Liquor License Holder: Snappy Mart #204, Owner name: W&N Enterprises, Inc., 206 N. Hudson, Silver City, NM conditioned upon compliance with state law where alcohol would be served. He gave Councilor Bettison the floor, and she asked for an amended map. Attorney Scavron said he would accomplish what was necessary to make it legal. Mayor Morones said there was a motion and a second and he repeated the motion. 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 Notice of Intent Ordinance No. 1227: an Ordinance permitting the donation and transfer of certain real property, commonly known as the "vacated portion of Chloride Street" to Western New Mexico University, all pursuant to Chapter 48, Section 48-24 of the Town of Silver City Municipal Code.** Manager Brown said Western New Mexico University (WNMU) requested the Town to transfer the property because

it was a government to government transaction and did not have to be sold at fair market value as it would with a private individual. He said they were giving notice that the Town may at a future date transfer the ownership of a certain piece of property which was part of Chloride Street, and that process would require a street vacation. He said they would bring the street vacation to the Council at their first meeting in April. He said if the street was vacated then the Council would have the opportunity to pass Ordinance No. 1227. He commented on the public notices that would go out for the plans to vacate the street. There was further discussion and Manager Brown answered questions from the Council. Mayor Morones said he would entertain a motion. Councilor Aiman-Smith moved to approve Notice of Intent Ordinance No. 1227 and she read the agenda item description. Councilor Bettison seconded. Mayor Morones said there was a motion and a second to approve Notice of Intent Ordinance No. 1227: an Ordinance permitting the donation and transfer of certain real property, commonly known as the "vacated portion of Chloride Street" to Western New Mexico University, all pursuant to Chapter 48, Section 48-24 of the Town of Silver City Municipal Code. He asked if there was any other discussion, and there was none. 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. Approval / Disapproval of Resolution No. 2014-12: Budget Adjustment for Fiscal Year 2013-2014.** Manager Brown said it was a request to do a budget adjustment, and that throughout the year the Council may amend the approved budget as needed. He said because of having newer Finance staff they wanted to do the small budget adjustment rather than waiting until the end of the year. He provided further details about budget adjustments that related to grants. There was further discussion. Mayor Morones said he would entertain a motion. Councilor Bettison moved to approve Resolution No. 2014-12: Budget Adjustment for Fiscal Year 2013-2014. Councilor Ray seconded. Mayor Morones said there was a motion and a second to approve Resolution No. 2014-12: Budget Adjustment for Fiscal Year 2013-2014. He asked if there was any other discussion, and there was none. He asked for a roll call vote. Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; and Councilor Cano voted aye. Motion carried.

**13. ADJOURNMENT** – Mayor Morones asked for a motion to adjourn. Councilor Bettison moved to adjourn at 6:56 p.m., and Councilor Cano seconded. Mayor Morones 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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Michael S. Morones, Mayor

Attest:

/s/

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Ann L. Mackie, Town Clerk