

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
April 12, 2016, 6:00 p.m.**

Present:

Ken Ladner, 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
James Marshall, Assistant Town Manager
Ann L. Mackie, Town Clerk
Robert L. Scavron, Town Attorney

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

2. CEREMONIES – None.

3. PROCLAMATIONS – "Fair Housing Month" - April 2016. Mayor Ladner read the proclamation and presented it to Jaime Embick, Community Development Director. Ms. Embick said she was accepting it on behalf of their department and Mike Eley, who did a lot of work in the housing area, and that they hoped to continue his work.

4. PUBLIC INPUT – Raul Turrieta, Christy Curd, and Teresa Martinez presented information about the upcoming Continental Divide Trail Coalition's 2016 CDT Trail Days to be held April 15-17, 2016. They thanked the Town of Silver City for being easy to work with, etc.

5. COUNCIL COMMENTS - The Council commented on the following: upcoming events, how Councilor Ray and the MainStreet personnel would like to see more activities downtown; how a request was made that the Silco Theater play Spanish movies and also play motorcycle movies during the Blues Festival; an idea of having a big fiesta downtown; a short video on social media concerning the bike run and Blues Festival; concerns about downtown traffic and how things were being done; and thanks to those involved in the day of service in honor of Caesar Chavez. Mayor Ladner commented that he was pleased to see recently that Expedia listed Silver City as 20th in the top 30 most beautiful towns in America, and in other recent publications Silver City had received other national recognitions, such as being listed 4th in the 50 best small downtowns in America, and 30th in the 50 best small town MainStreets in America. He expressed his appreciation to all of those who volunteered their time and resources to participate in projects that contributed to the beauty and sustainability of the community, and also to the Town staff whose dedication and pride in their work also contributed significantly to the community.

6. CHANGES TO AGENDA – Mayor Ladner gave the floor to Councilor Bettison and she made a motion to move Unfinished Business 10A to right after the Approval of the Minutes so it would become Item 8 because their bond counsel needed to return to Albuquerque that evening. Councilor Aiman-Smith seconded. The Mayor asked for a vote of all those in favor, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

7. APPROVAL OF MINUTES - Regular Meeting on March 22, 2016 - Councilor Aiman-Smith moved to approve the minutes of the Regular Council Meeting of the Town of Silver City on March 22, 2016. Councilor Bettison seconded. Mayor Ladner said there was a motion and a second. He asked if there was any other discussion, and there was none. He asked for a vote of all those in favor, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

Unfinished Business, Item A was moved ahead on the agenda. See Item 6 Changes to the Agenda above.

8. UNFINISHED BUSINESS -

A. Approval / Disapproval of Ordinance No. 1245: authorizing the issuance of the Town of Silver City, New Mexico Municipal Gross Receipts Tax Improvement Revenue Bonds, Series 2016 in an aggregate principal

amount not to exceed \$800,000 for the purpose to (1) finance acquisition of equipment for the Town's solid waste system for the benefit of the Town and its residents, and (2) pay costs of issuance of the Series 2016 Bonds; providing that the Series 2016 Bonds will be payable and collectible from and secured by a pledge of 1/4th percent Municipal Gross Receipts Tax distributed to the Town pursuant to Section 7-19D-9 NMSA 1978. Manager Brown introduced Chris Muirhead, Attorney with Modrall Spering, as the Town's bond Counsel. Mr. Muirhead said the ordinance was the authorizing document that approved the issuance of bonds for \$800,000 for the solid waste equipment that the Town was purchasing. He said the approximate annual debt service would be approximately \$125,000 for 7 years with interest at 2.17 percent, and they would not have to fund a reserve account. He said if it was approved they would close around mid-May. Manager Brown said it was for the purchase of recycling equipment since the Town would be taking over the curb-side recycling for the Solid Waste Authority. He said they were securing the debt with the sixth increment of gross receipts taxes, but they would actually pay the debt from the net system revenues from the solid waste fund. He said they were not planning to raise the solid waste rates, but would reduce the recycling contract that the Town already paid to the Solid Waste Authority by an amount sufficient to pay the debt service since they would be taking over that portion of the recycling service. He provided further details and answered questions from the Council. Mayor Ladner asked for a motion. Councilor Bettison moved to approve Ordinance No. 1245: authorizing the issuance of the Town of Silver City, New Mexico Municipal Gross Receipts Tax Improvement Revenue Bonds, Series 2016 in an aggregate principal amount not to exceed \$800,000 for the purpose to (1) finance acquisition of equipment for the Town's solid waste system for the benefit of the Town and its residents, and (2) pay costs of issuance of the Series 2016 Bonds; providing that the Series 2016 Bonds will be payable and collectible from and secured by a pledge of 1/4th percent Municipal Gross Receipts Tax distributed to the Town pursuant to Section 7-19D-9 NMSA 1978, as amended, and Town Ordinance No. 1232; providing for the disposition of the receipts derived from said tax proceeds; providing that certain terms of the bonds will be provided in a subsequent Resolution; prescribing other details concerning the bonds and tax proceeds, including but not limited to covenants and agreements in connection therewith and the form, terms, conditions and manner of execution of the bonds; ratifying all action previously taken in connection therewith; and repealing ordinances in conflict herewith. Councilor Aiman-Smith seconded. Mayor Ladner said there was a motion and a second to adopt Ordinance No. 1245 as fully read into the record. 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.

8. REPORTS -

A. Staff Reports. Manager Brown said one of the Mayor's priorities was to start giving status on some of the Town's adopted plans so the public would know what had been done since their adoption. He said Assistant Manager Marshall would start with the Affordable Housing Plan that was adopted in 2010. Assistant Manager Marshall began by giving a report on the recent work done by the Community Youth Building Program led by Gary Stailey, and he stated they had put in hundreds of hours of contribution to make the town a better place. He thanked Mr. Stailey who was in the audience. He continued by saying the Silver City Analysis and Strategic Plan was adopted on September 14, 2010 and was prepared by a consultant. He said the original intent was to finish the subdivision named Vistas de Plata which was the Town's Workforce and Affordable Housing Development, a 56 unit development that began in 2011, and he commented on the various partnerships. He said the Resolution that adopted it required that they comply with the Affordable Housing Act and Affordable Housing Rules, and to provide an Affordable Housing Analysis and Strategic Plan. He said the Plan included 3 goals set with policies and steps. He said on Housing Goal No. 1 there were 10 action steps and they had completed 6 of those steps. He reviewed some of the goals and action steps, and stated some of the steps were not appropriate today. He said the Town's 2004 Comprehensive Plan drove the other plans, and staff would be making updates to it. He said there were critical changes in the plan such as the hold harmless changes and the population. He commented on their accomplishments: how Phase I of the Vistas de Plata was complete and they acquired \$3,200,000 for the project and the infrastructure for all phases was almost complete; how 6 homes were completed in the subdivision; and how they did 3 to 4 housing rehabilitations every year with a total of over 30 accomplished. He said it was important to know that some of the plans were done for very specific projects and were required by certain funding sources, and he explained further. There was further discussion.

Councilor Aiman-Smith moved for a short break at 6:50 p.m. Councilor Bettison seconded. Mayor Ladner asked for a vote of all those in favor, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried. The Mayor called the meeting back to order at 6:58 p.m.

9. PUBLIC HEARINGS -

A. Approval / Disapproval of a Restaurant Beer and Wine License with On Premise Consumption Only and Patio, License No./Application No. 988554, Applicant Name: Q's Southern Bistro LLC, DBA: Fry House Wings & Fries, Proposed Location: 601 N. Bullard St, Suite C & D, Silver City, NM 88061. Mayor Ladner stated the Town Council would serve as the hearing board and he would serve as the presiding officer. He read the procedures for the public hearing. He asked if any member of the hearing board had ex-parte discussions with any person regarding the subject matter, or had any communication from any party to the case, and all 4 Councilors said no. He qualified all of them to be on the hearing board. He asked all parties and witnesses, including staff members, to come forward to be sworn in to testify by the Town Clerk. Mayor Ladner stated that anyone not sworn in would not be able to testify or participate in the hearing. The Town Clerk swore in 4 witnesses. Mayor Ladner asked who would represent the applicant and Ronald A. Quintana and Ronald C. Quintana came forward. Mr. Ronald A. Quintana said their expansion doubled the footprint of the original license so the State required them to file for a brand new license. He discussed how they would have a banquet facility room; how the expansion would take in Suite D; where the patio would be; and how the nearby church was okay with the expansion. He answered questions from the hearing board. Mayor Ladner asked Mr. Quintana if he had witnesses in support of his application, and he said none that he asked. The Mayor asked him if that concluded his presentation, and he said yes. Mayor Ladner asked the applicant to remain available should there be further questions. He asked if there was anybody there to testify in opposition to the application, and there were none. He asked Mr. Quintana if there was anything else he would like to be reflected in the record. Mr. Quintana thanked the Town and the community for supporting their businesses, etc. The Mayor asked the hearing board if they were prepared to consider the application and render its decision. They said yes. He asked for a motion. Councilor Ray moved to approve a Restaurant Beer and Wine License with On Premise Consumption Only and Patio, License No./Application No. 988554, Applicant Name: Q's Southern Bistro LLC, DBA: Fry House Wings & Fries, Proposed Location: 601 N. Bullard St, Suite C & D, Silver City, NM 88061. Councilor Cano seconded. Mayor Ladner said there was a motion and a second, and he asked if there was any more discussion. There was none. He said there was a motion and a second to approve a Restaurant Beer and Wine License with On Premise Consumption Only and Patio, License No./Application No. 988554, Applicant Name: Q's Southern Bistro LLC, DBA: Fry House Wings & Fries, Proposed Location: 601 N. Bullard St, Suite C & D, Silver City, NM 88061. Mayor Ladner asked for a vote of all those in favor, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

B. Approval / Disapproval of a Transfer of Ownership of Liquor License No. 0360 with Package Sales and a waiver of NMSA 1978 Section 60-6B-10 for Alcohol Sales near a Church or School. License No. 0360 / Application No. 988205, Applicant Name: W&N Enterprise, Inc., DBA: Snappy Mart, Proposed Location: 1810 N. Swan St., Silver City, NM 88061. Mayor Ladner stated the Town Council would serve as the hearing board and he would serve as the presiding officer. He read the procedures for the public hearing. He asked if any member of the hearing board had ex-parte discussions with any person regarding the subject matter, or had any communication from any party to the case, and all 4 Councilors said no. He qualified all of them to be on the hearing board. He asked all parties and witnesses, including staff members, to come forward to be sworn in to testify by the Town Clerk. Mayor Ladner stated that anyone not sworn in would not be able to testify or participate in the hearing. The Town Clerk swore in a large group of witnesses. Mayor Ladner asked who would represent the applicant and Mr. and Mrs. Nennich came forward. Mr. Nennich said he was the Owner and President of W&N Enterprises and stated the State's Alcohol and Gaming Division had already granted preliminary approval of the license transfer. He described the proposed location and its proximity to Watts Hall of Western New Mexico University, the Shiloh Ministry Church, and the First Presbyterian Church. He requested that W&N Enterprises be granted a waiver of the 300 foot requirement to the nearest church and school. He said it would be a typical Snappy Mart asking to transfer a license with packaged alcohol; that the license used to be used for selling liquor by the drink at the Watering Hole and the Red Barn, and they were asking to transfer it across the street to be used for packaged only. He reviewed the packet of information that he provided to the Council prior to the public hearing. He stated they were locally owned and locally operated the stores in the community and that set them apart from their competition. He described their challenges and how they were feeling the squeeze of some of the big businesses that were coming to town because they were eating at their bottom line, their profit, and their sales. He described how his Snappy Mart store had seen a decline of 10 percent in their sales since the CVS store with a liquor license opened across the street in 2014. He said they purchased License #0360 from

the Red Barn and were requesting a waiver of NMSA 1978 Section 60-6B-10 for alcohol sales near a church and school. He said License #0360 was a dispenser license that would be used as package only in their stores, and was one of Silver City's oldest and original licenses. He reviewed the Google Earth map and the Snappy Mart store's proximity to the nearby school and churches. He said W&N Enterprises felt they should be approved since the Town Council approved the waiver and transfer of License #0361 to CVS on January 14, 2014. He said they believed it would be unfair, arbitrary, and capricious for the Town to grant a waiver to the CVS across the street and not to W&N. He repeated that the approval to CVS had damaged his existing business at 1810 N. Swan for Snappy Mart with a decline in sales by 10 percent and he explained further. He referred to letters of support from the Gila Economic Development Alliance, the Silver City Grant County Chamber of Commerce, and the President of Western New Mexico University. He discussed the letters and conversations they had with the First Presbyterian Church and Shiloh Ministries Church. He said they currently responsibly operated 8 locations with liquor by sales and never had a liquor license suspended or revoked and were very responsible in all of their liquor establishments. He said they were asking for their support in granting a waiver and transfer of License #0360 to 1810 N. Swan Street. Mrs. Nennich added that they were awarded the Governor's Award for one of the Top Privately Owned Businesses in the State of New Mexico in 2012 and were primarily voted for the honor because of their charitable contributions back to the community. She commented on how they put their money back into their businesses and supported the community, but to be able to continue to do so they needed to be on the same level playing field and have to be able to compete with the big box stores. She said since CVS was granted a waiver in 2014 that it would only be fair that the local guys that lived here, provided jobs and supported the community should be afforded the same advantage. Mr. Nennich said they were in the same type of business as CVS and there should be no reason at all why they should be denied the waiver and transfer of license. Mayor Ladner asked if there were any questions from the hearing board and there were none. He asked Mr. Nennich if they had any witnesses, and Mr. Nennich asked all of the witnesses that supported them to stand up, and a large portion of the audience stood up. Mayor Ladner asked Mr. Nennich if he had any witnesses that would testify, and he said yes. Testimony in support of the application was received by Bill Shattuck, Denise Yielding, Dr. Joe Shepard, Scott Terry, Luis Terrazas, Jr., James Koons, Mike Morones, and Jeremiah Garcia. Mr. Nennich concluded by talking about the 300 foot rule to a church or school and how it was up to the governing body to make that decision, about the quota of liquor licenses in Silver City and other cities, and how it was a sign of a strong economy.

Mayor Ladner gave Attorney Scavron the floor. Attorney Scavron asked Mr. Nennich if there was anything that would stop him from selling by the drink because the license permitted it. Mr. Nennich stated they would have to pay for it and they only applied for by the package . He said there was nothing that would want him to turn that into an establishment to sell alcohol by the drink and he would not open up a bar. Attorney Scavron asked him what his plans would be for the second part of his license that did permit the sale of alcohol by the drink. Mr. Nennich said every one of his licenses had that second portion of the license and they never exercised that and his intent was not to exercise it with this license. Attorney Scavron confirmed that Mr. Nennich's representation to the Council was that the license would not be converted to be used for selling drinks, and Mr. Nennich guaranteed that he would never do that. Mr. Nennich said it was package only and was to compete against their competition and by no means would they convert it or use that second part of the license. Attorney Scavron said that would be important for the consideration of the Council and that Mr. Nennich's representation would be considered a material representation. Mayor Ladner asked Mr. Nennich if that concluded his case in chief. Mr. Nennich said yes.

Mayor Ladner asked if there were any persons who wished to testify in opposition to the application. Sherrie Lavelle came forward and stated she was a member of the First Presbyterian Church. She said she was one of the six elders of the Session of the Presbyterian Church and she gave details about the church and how they supported the community. She said even under pressure from the largest local employer of the Town (W&N Enterprises) and a letter from their attorney, it was under the opinion of the majority of the members of the governing board that the Nennich's kindness to the community was not a compelling reason to request that the law be waived in order for them to be able to sell liquor at the Swan Street Snappy Mart, particularly when liquor was currently available at CVS and Food Basket, both of which were not far away. She said it was their opinion that they served the community and the groups that utilized their church, including Al-Anon, and it would be better not to support the waiver to the existing law for the purpose of selling alcohol. Anne Sherrell, a member of the Session of the First Presbyterian Church, said she supported the comments made by Ms. Lavelle. She commented that Silver City had 10 liquor licenses, but 5 were according to the quota established by New Mexico law based on population, and that 5 had waivers since they were over the quota. She

said there were twice as many liquor establishments as the law allowed which indicated a disregard for existing law and how the Council had an opportunity to consider whether it was proper to issue another waiver for the express purpose of selling packaged liquor. She urged the community and those that had the ability and desire to consider a change in New Mexico liquor licensing law. Mayor Ladner asked if there were any other witnesses to speak in opposition, and there were none.

The Mayor asked Mr. and Mrs. Nennich if they would like to make any additional comments. Mrs. Nennich commented on their charitable contributions to the community and how they considered it a moral obligation to take care of the community and those around them. She said the intent was to be on the same playing ground and to be able to compete with the big box stores so they could continue the degree of support they were able to contribute to the community, and that they took the sale of alcohol very responsibly by starting universal carding. Mr. Nennich thanked the witnesses and the First Presbyterian Church for attending because he pushed them to attend. He said their opinion, interests, and morals were very important. He said a waiver was not to make an exception of the law, but the governing body could disapprove for only 3 reasons and he cited those reasons. He said none of those conditions had been met.

Mayor Ladner asked the hearing board if they were prepared to consider the application and render its decision. Councilor Bettison asked Attorney Scavron about NMSA 1978 and the previous testimony by Mr. Nennich that the Director of the sales of alcoholic beverages of the licensing had already given preliminary approval of it at the state level of Alcohol and Gaming. He said yes, but the State was on a different criteria than the Council was. Councilor Bettison said under NMSA 1978 the Director could actually make a decision of not giving preliminary approval. Attorney Scavron said of course, but it did not have any bearing on the Council's obligation. There was further discussion about the map in the packet and the 300 foot radius. There were no further questions by the hearing board. Mayor Ladner asked for a motion. Councilor Cano moved to approve a Transfer of Ownership of Liquor License No. 0360 with Package Sales and a waiver of NMSA 1978 Section 60-6B-10 for Alcohol Sales near a Church or School. License No. 0360 / Application No. 988205, Applicant Name: W&N Enterprise, Inc., DBA: Snappy Mart, Proposed Location: 1810 N. Swan St., Silver City, NM 88061. Councilor Ray seconded. Mayor Ladner said there was a motion and a second, and he asked if there was any more discussion. There was none. He asked for a vote of all those in favor, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

11. NEW BUSINESS -

A. Approval / Disapproval of a Special Dispenser Permit Application for the Silver City Blues Festival to be held from May 27-29, 2016 on Pope Street between 11th and 12th Streets. Alcohol will be served on May 27th from 3:00 p.m. to 12:00 a.m., on May 28th from noon to 9:00 p.m., and on May 29th from noon to 8:00 p.m. Sponsor is Mimbres Region Arts Council. Liquor License Holder is W&N Enterprises, Inc., DBA Snappy Mart #204, Liquor License #0151, P.O. Box 559, Silver City, NM. Mayor Ladner asked who would be representing the application. Kevin Lenkner, Executive Director of the Mimbres Region Arts Council, came forward. He stated the Blues Festival happened every year and it would be their 21st year, and they were applying for the special dispenser permit application to make it a great event. There was further discussion about the map. Mayor Ladner said he would hear a motion. Councilor Cano moved to approve a Special Dispenser Permit Application for the Silver City Blues Festival to be held from May 27-29, 2016 on Pope Street between 11th and 12th Streets. Alcohol will be served on May 27th from 3:00 p.m. to 12:00 a.m., on May 28th from noon to 9:00 p.m., and on May 29th from noon to 8:00 p.m. Sponsor is Mimbres Region Arts Council. Liquor License Holder is W&N Enterprises, Inc., DBA Snappy Mart #204, Liquor License #0151, P.O. Box 559, Silver City, NM and contingent on all other authorizations required by the Town. Councilor Ray seconded. Mayor Ladner said there was a motion and a second. He asked if there was any other discussion, and there was none. He asked for a vote of all those in favor, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

B. Approval / Disapproval of a Public Celebration Permit Application for a Blues Festival / Bike Run and Dance event to be held on May 27-28, 2016 with alcohol service from 5:00 p.m. to 11:00 p.m. on May 27th and from noon to 11:00 p.m. on May 28th at 101 W. College Avenue, Silver City, NM. Sponsor and License Holder: Branding Iron Brewery Co., License #67025, 101 W. College Avenue, Silver City, NM. Mayor Ladner asked who would represent the application. Ronald A. Quintana came forward and began by saying he needed to make a correction to the times on the permit; that it should say May 27th from 5:00 p.m. to 11:00 p.m. and on May 28th from

noon to 11:00 p.m. Mayor Ladner read the corrected description of the agenda item. Mr. Quintana said it would be the usual thing they had done in the past 6 years. He said they would turn in their insurance the following Friday for the right-of-way permit to close Pope Street, etc. Attorney Scavron asked for clarification on the insurance for the bike run. Mr. Quintana said the host of the bike run would obtain that insurance. He said his insurance would only cover the people attending his function within the fenced area on Pope Street. Mayor Ladner asked for a motion. Councilor Cano moved to approve a Public Celebration Permit Application for a Blues Festival / Bike Run and Dance event to be held on May 27-28, 2016 with alcohol service from 5:00 p.m. to 11:00 p.m. on May 27th and from noon to 11:00 p.m. on May 28th at 101 W. College Avenue, Silver City, NM. Sponsor and License Holder: Branding Iron Brewery Co., License #67025, 101 W. College Avenue, Silver City, NM and contingent on all other authorizations required by the Town. Councilor Ray seconded. Mayor Ladner asked if there was any further discussion. There was none. He said there was a motion and a second as presented and asked for a vote of all those in favor. All 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

C. Approval / Disapproval of a Public Celebration Permit Application for the Tour of the Gila Beer Garden event to be held on May 7, 2016 with alcohol service from 12:00 p.m. to 8:00 p.m. at 2 Brothers BBQ, 820 N. Bullard St., Silver City, NM. Sponsor and License Holder: Branding Iron Brewery Co., License #67025, 101 W. College Avenue, Silver City, NM. Mayor Ladner asked Ronald A. Quintana to make his presentation. Mr. Quintana said Jack Brennan with the Tour of the Gila asked him to participate in the Tour of the Gila event so he worked with James Koons of 2 Brothers BBQ to set up a beer garden at that location since Q's Southern Bistro already had a patio. He said it would be in the small area at 2 Brothers BBQ and the organizers of the Tour of the Gila said it was a good idea. Mr. James Koons, owner of 2 Brothers BBQ, asked for the Council's approval and said they were trying to provide another venue with a great visibility point of the bike race. There was further discussion about how the sidewalks would be open and available; how the neighboring businesses were all in agreement for the approval of the permit; and issues with the Google map. Councilor Cano moved to approve a Public Celebration Permit Application for the Tour of the Gila Beer Garden event to be held on May 7, 2016 with alcohol service from 12:00 p.m. to 8:00 p.m. at 2 Brothers BBQ, 820 N. Bullard St., Silver City, NM. Sponsor and License Holder: Branding Iron Brewery Co., License #67025, 101 W. College Avenue, Silver City, NM and contingent on all other authorizations required by the Town. Councilor Ray seconded. Mayor Ladner asked if there was any further discussion, and there was none. He asked for a vote of all those in favor, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

D. Approval / Disapproval of Bid #15/16-9: Sale of property. Manager Brown said it was the piece of property that was referred to as the old Chinese Palace property. He said the Town purchased the mortgage and foreclosed on the property so they owned the property and had about \$26,000 in the property. He said they did not receive any bids on the property because there was a reserve of \$130,000 which was the appraised value of the property. He said there was nothing to approve or deny, but they would like to be authorized to go out and rebid it without a reserve of the appraised property value. He said they would like to get the property put to a beneficial use which was always the intent of purchasing the property and to earn some tax dollars for the community.

E. Appointment to Cemetery Board. Mayor Ladner said the Chair of the Cemetery Board, Jeff Fell, recommended the appointment of Linda Nuñez to the Cemetery Board. He said Linda was a recent retiree of the Town and worked on the Cemetery Board for many years as the Finance Department representative. He said he would like to appoint Linda Nuñez if there were no objections from the Council. There were no objections, and she was appointed.

12. ADJOURNMENT – Mayor Ladner asked for a motion to adjourn. Councilor Aiman-Smith moved to adjourn at 8:27 p.m., and Councilor Bettison seconded. Mayor Ladner stated there was a motion and a second to adjourn. He asked for a vote of all those in favor, and all 4 Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

Attest:

/s/

Ann L. Mackie, Town Clerk

/s/

Ken Ladner, Mayor