

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
February 14, 2017, 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 E. Cano, District 4

Also Present:

Alex C. Brown, Town Manager-Finance Director
Robert L. Scavron, Town Attorney
Ann L. Mackie, Town Clerk
Ben Villegas, Detective Sergeant

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Mayor Ladner called the meeting to order at 6:00 p.m. and stated Councilor Aiman-Smith was present by telephone.

2. CEREMONIES – None.

3. PROCLAMATIONS – "Senate Memorial 30" - Mayor Ladner stated Raul Turrieta, Grant County Assessor and Coordinator of the Territorial Charter Day Celebration Task Force, would present the first proclamation, "Senate Memorial 30", to the Town Council, Manager Brown, and Attorney Scavron. Mr. Turrieta read the two-page Memorial and presented it to Mayor Ladner. Mayor Ladner thanked Mr. Turrieta for initiating it with Senator Morales and the State Senate. He said it was a pleasure for him to turn it over to the Town of Silver City, and he recognized that it was the same set of Town Councilors that initiated the Ordinance that allowed them to celebrate the special day in Silver City on the Saturday closest to February 15 and that it would be on Saturday, February 18, 2017. He asked Mr. Brown to display it proudly in City Hall, and he thanked the Councilors for taking the initiative last year.

"Territorial Charter Day" on February 18, 2017 - Mayor Ladner also declared February 18, 2017 as "Territorial Charter Day" by proclamation. He read the proclamation and said it was an honor to present it to the Town of Silver City.

4. PUBLIC INPUT – Punky Garretson, owner of Blackwell's Antiques, commented on the parking problem downtown and how they should put their heads together and do something about it. She said she thought that lines to indicate parking spots would provide an additional 20 parking spaces. Julia Robinson commented that she had spoken before the Council in September 2016 to ask them to adopt a tree ordinance and she described a situation with her neighbor's trees that affected her property in the historic district. She said if the Town did not have ordinances against debris or against trees or limbs that fell on other people's property or against abandoned vehicles, she suggested the Council think about adopting those types of ordinances. She said if they did have those ordinances, she suggested they think about enforcing them.

5. COUNCIL COMMENTS - The Council commented on the following: Councilor Ray, Councilor Bettison, and Mayor Ladner commented on how the recent Chocolate Fantasia event downtown was a great success; how Grant County Day at the New Mexico Legislature was a great event and highly recommended to any citizen that wanted to know what happened in the Legislature and to support the Town and County; how Councilor Cano wanted the Town to make Grant County Day more handicap accessible; how Councilor Cano met with Callie Kennington from the Arts and Cultural District and their photographer to discuss having a more diverse portfolio by the end of summer; issues with errors in the Spanish translations in a Town pamphlet regarding recycling; how Councilor Cano met with several firefighters to learn about their needs and their equipment needs; and how the Town was trying to reroute some trails on Boston Hill to make it accessible after a nearby property owner blocked some of the trails. Mayor Ladner thanked the hundreds of volunteers in the community that contributed their time and energy to make Silver City the place they loved to be in. He reflected on the past when the citizens of Silver City finally got their Territorial Charter and how in Santa Fe they called Silver City the rebels and in Silver City they called Santa Fe the Santa Fe Ring. He commented on

the Victorian-era attire that he was wearing, the importance of attire and etiquette regarding top hats, and how a lot of the etiquette, etc. that they had in Silver City in the past came from Europe. He also announced that Laurinda Wright, USSSA (United States Special Sports Association) Summer League President and Silver City Director, was inducted into the USSSA Hall of Fame, Director Category, on February 11, 2017 at the Las Cruces Convention Center.

6. CHANGES TO AGENDA – None.

7. APPROVAL OF MINUTES - Regular Meeting on January 24, 2017 - Councilor Ray moved to approve the minutes of the Regular Council Meeting of the Town of Silver City of January 24, 2017. Councilor Bettison seconded. The Mayor asked if there was any discussion, and there was none. He asked those in favor to approve the minutes to say aye, and all four Councilors said aye. He asked if any were opposed to say nay, and there was no opposition. Motion carried.

8. REPORTS -

A. Staff reports. Clerk Mackie said early voting would begin on February 15 at City Hall and would run until March 3 with the exception of February 20 because the Town offices would be closed for President's Day. She said election day would be on March 7 at the Silver City Woman's Club for the offices of Councilor in District 1 and Councilor in District 3 for two-year terms.

Ben Villegas, Detective Sergeant, reported on the process of handling a reported burglary from start to finish in the Police Department. He stated the DNA lab took eight to twelve months, but getting the results from latent prints was faster. He answered questions from the Council about how long the victim's property was held; misinformation in the community about when it stopped being a police investigation and became the District Attorney's investigation; and how the Police Department should be more consistent with follow-up with the victims. Mayor Ladner commended the Police Department for doing a great job and he commented on how tenuous and dangerous their work was.

9. PUBLIC HEARINGS - None.

10. UNFINISHED BUSINESS - None.

11. APPROVAL OF CONSENT AGENDA - Note: All matters listed under Item 11, Approval of Consent Agenda, were considered to be routine by the Town Council and were enacted by one motion in the form listed below.

A. Approval / Disapproval of Resolution No. 2017-05: Adopting a Fair Housing Policy.

B. Approval / Disapproval of Resolution No. 2017-06: Citizen Participation Plan CDBG Program.

C. Approval / Disapproval of Resolution No. 2017-07: Residential Anti-Displacement and Relocation Plan and Certification.

D. Approval / Disapproval of Resolution No. 2017-08: Section 3 Plan.

E. Approval / Disapproval of Resolution No. 2017-09: CDBG Procurement Policy.

Mayor Ladner stated 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. He said there would be no separate discussion of the items; that if discussion was desired, that item would be removed from the Consent Agenda and would be considered separately. He read Items A through E for each of the Resolutions. Manager Brown said all of the Resolutions were required to be adopted annually by the CDBG Program, the Mortgage Finance Program, and other programs. Councilor Ray moved to approve Resolution No. 2017-05 Adopting a Fair Housing Policy; Resolution No. 2017-06 Citizen Participation Plan CDBG Program; Resolution No. 2017-07 Residential Anti-Displacement and Relocation Plan and Certification; Resolution No. 2017-08 Section 3 Plan; and Resolution No. 2017-09 CDBG Procurement Policy. Councilor Bettison seconded with clarification that all items were on the Consent Agenda. There was no further discussion. Mayor Ladner asked for a roll call vote and Councilor Cano voted aye; Councilor Ray voted aye; Councilor Aiman-Smith voted aye; and Councilor Bettison voted aye. Motion carried.

12. NEW BUSINESS -

A. Approval / Disapproval of Notice of Intent Ordinance No. 1255: an Ordinance approving a Memorandum of Agreement providing for a long-term lease with Hidalgo Medical Services, Inc. to manage and provide services to the Silver City Senior Citizens Center, under the provisions of Chapter 48, Section 48-24 of the Town of Silver City Municipal Code. Manager Brown said Hidalgo Medical Services (HMS) would be taking over the Senior Citizen Program with Grant County, and currently the Town had a lease with Grant County who currently operated the Senior Citizens Services. He said under the Town's current ordinance they were not required to do an ordinance for a long-term lease when it was a government to government transaction so they did not have to do that previously. He said now that it was a government to private non-profit transaction they would have to use the ordinance process. He said it was for a five-year lease with HMS and they would operate the facility. He said the only obligation the Town had was to pay for capital repairs that were over \$5,000; that HMS would take care of everything else such as, the utilities, insurances, minor repairs, etc. He provided further details. Mayor Ladner asked for a motion. Councilor Ray moved to approve Notice of Intent Ordinance No. 1255: an Ordinance approving a Memorandum of Agreement providing for a long-term lease with Hidalgo Medical Services, Inc. to manage and provide services to the Silver City Senior Citizens Center, under the provisions of Chapter 48, Section 48-24 of the Town of Silver City Municipal Code. Councilor Cano seconded. There was no further discussion. Mayor Ladner asked all those in favor to say aye, and all four Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

B. Approval / Disapproval of Notice of Intent Ordinance No. 1256: an Ordinance amending Chapter 40 (Solid Waste), Article I (In General), Section 40-2, and Article III (Collection and Disposal) of the Town of Silver City Municipal Code. Councilor Bettison presented the details of Notice of Intent Ordinance No. 1256 and said it was to include recycling into the Code. She discussed how the customer did have to pay for the waste receptacles, but would not have to pay for the recycle receptacles or cans and they could always add more recycle cans. She said she liked that it would be an opportunity for Town residents to reduce the amount of trash they put into the landfill which would extend the life of the landfill, and it would also lighten their pocket because they would not have to pay more for a larger can. She said the more they recycled the smaller waste receptacle they would need to pay for on a monthly basis with tipping fees, etc. Manager Brown said the intent of the ordinance was to do two things: 1) to give them the mechanism to enforce the recycling program, and 2) to provide sanitation rates that would be reviewed annually. He said with the adoption of the ordinance he was not proposing a rate increase, but he recommended they add a recycling cost for individuals that currently did not have trash collection on their water bill, and he provided examples. He also explained that there would be a senior rate for individuals that were 65 years and older if they only used the 35-gallon trash container, but if they needed a larger container they would not get the senior rate. There was further discussion. Mayor Ladner asked for a motion. Councilor Bettison moved to approve Notice of Intent Ordinance No. 1256: an Ordinance amending Chapter 40 (Solid Waste), Article I (In General), Section 40-2, and Article III (Collection and Disposal) of the Town of Silver City Municipal Code. Councilor Ray seconded. There was no further discussion. Mayor Ladner asked all those in favor to say aye, and all four Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

C. Approval / Disapproval of Notice of Intent Ordinance No. 1257: an Ordinance authorizing issuance of the Town's State-Shared Gross Receipts Tax Revenue bonds in the amount of \$450,000 to finance improvements to the Joint Utility System. Manager Brown said Notice of Ordinance No. 1257 was a replacement for the SIB (State Infrastructure Bank) loan application that they had submitted for over the last few months and he provided the details of that loan application process. He said he decided to shorten the period of repayment from ten years to three years, from \$40,000 a year payment to a little over \$120,000 a year payment which was very affordable out of the water and sewer fund. He said they would secure it with the governmental gross receipts portion of their gross receipts tax, and it was to replace the utilities under Highway 15 that they were required to do as part of the Department of Transportation's project. There was further discussion. Mayor Ladner asked for a motion. Councilor Cano moved to approve Notice of Intent Ordinance No. 1257: an Ordinance authorizing issuance of the Town's State-Shared Gross Receipts Tax Revenue bonds in the amount of \$450,000 to finance improvements to the Joint Utility System. Councilor Ray seconded. Mayor Ladner asked all those in favor to say aye, and all four Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

D. Appointments to the Historic Design Review Committee. Mayor Ladner said the Town received applications from two existing members whose terms expired on February 1. He said the Chair of the Committee and the Director of the Community Development Department recommended the reappointment of Steven Shelendich to continue serving in the architect position and Suzanne Gershenson to continue serving in the general contractor position. He said if there was no objection from the Council he would appoint them. There was no objection and they were so appointed.

E. Approval / Disapproval of changing the regular Council meeting scheduled for Tuesday, March 14, 2017 at 6:00 p.m. to Tuesday, March 21, 2017 at 6:00 p.m. Mayor Ladner asked for a motion. Councilor Ray moved to approve the changing of the regular Council meeting scheduled for Tuesday, March 14, 2017 at 6:00 p.m. to Tuesday, March 21, 2017 at 6:00 p.m. Councilor Cano seconded. There was no discussion. Mayor Ladner asked all those in favor to say aye, and all four Councilors said aye. He asked if any were opposed, and there were none. Motion carried.

13. ADJOURNMENT – Mayor Ladner asked for a motion to adjourn. Councilor Bettison moved to adjourn at 7:16 p.m., and Councilor Ray 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 four Councilors said aye. Motion carried.

/s/

Ken Ladner, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk