

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy. 180, Silver City, NM
October 10, 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
James Marshall, Assistant Town Manager
Robert L. Scavron, Town Attorney
Ann L. Mackie, Town Clerk
Ed Reynolds, Police Chief

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Mayor Ladner called the meeting to order at 6:00 p.m.

2. CHANGES TO THE AGENDA - None.

3. CEREMONIES – None.

4. PROCLAMATIONS – "Buddy Walk Week" - October 15 - 21, 2017. Mayor Ladner read the proclamation about the Buddy Walk and how it was developed by the National Down Syndrome Society in 1995 and its goal was to promote understanding and acceptance of people with Down Syndrome. He presented the proclamation to Vicky Galindo and others. Ms. Galindo said it was an honor, and that the Buddy Walk was a dream because they believed in inclusion. She said they appreciated what the Town of Silver City had done for them.

5. COUNCIL COMMENTS – Councilor Cano announced that Dr. Stephen Fox would be speaking about segregation and discrimination in Silver City from the 1940s to present during a Western New Mexico University (WNMU) WILL (Western Institute for Lifelong Learning) lunch and learn program on October 18. She also commented that she would be participating in GLAM week sponsored by the Center for Gender Equity and Social Justice at WNMU. She asked Police Chief Reynolds to review the policy on ATVs (all-terrain vehicles) because her neighborhood was having a lot of problems with people on ATVs. Chief Reynolds stated the ordinance said that ATVs and side-by-sides could not be operated within the city limits, on city streets, or in their jurisdiction, and there was a significant fine if cited for it. He said to call Central Dispatch to report violations. Councilor Aiman-Smith commented on the following: how she had also seen ATVs in her neighborhood; thanks to all of the non-profit and supportive organizations that made the town such a wonderful place; gratitude was expressed for all of the local events; and how businesses had absolute authority to stay open or closed on a federal holiday and they could call that holiday anything they wanted. Councilor Bettison commented that she also saw a UTV (utility task vehicle) racing down Highway 180 and she called Central Dispatch. She also mentioned that she participated in the previous year's Buddy Walk and that it was an incredible event. Councilor Ray had no comments. Mayor Ladner said they were glad Clerk Mackie was back.

6. APPROVAL OF MINUTES - Regular Meeting on September 26, 2017 - Councilor Aiman-Smith moved to approve the minutes of the Regular Council Meeting of the Town of Silver City of September 12, 2017. Councilor Bettison seconded. Clerk Mackie asked that the motion be corrected so it reflected the September 26 Council Meeting. Councilor Aiman-Smith restated the motion and moved to approve the minutes of the Regular Council Meeting of the Town of Silver City of September 26, 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.

7. PUBLIC INPUT – None.

8. REPORTS -

A. Presentation of the Draft of the Update to the Supplement on Water Use and Wellfield Service of the 40-Year Water Plan for the Town of Silver City by Dave Romero of Balleau Groundwater. Manager Brown introduced Dave Romero from Balleau Groundwater and stated he would provide an update to the 40-Year Water Plan. Mr. Romero presented his report which included the following information: how the Town of Silver City provided water to approximately 20,000 residents in the Town and to four water associations; how water use was currently supplied by two wellfields and the Gabby Hayes replacement well; how the Town was interested in the reliability of source water for future use and wellfield service life; how the technical assessment was part of the Town's 40-Year Water Development Plan; how the Town developed the 40-Year Water Plan in 1993 with supplements in 2006 and 2017; maps were displayed to show the area geohydrology, well locations that straddled the Continental Divide, well service life, and the regional water system, etc.; how part of the treated effluent from the Town's wastewater treatment plant is released into the San Vicente Arroyo which percolates into the ground to recharge the regional aquifer; how the Town applied for groundwater credit which was approved by the State of New Mexico and those credits were critical to the regional water plan; how the Town had permits to drill two other wells by the airport and plans to drill one of those wells would happen in 2017; the stages of the regional water plan; how the Town's water rights were pivotal to the regional water plan; permitted water use and groundwater credit conditions; projected water use; how the Gila Group was the principal aquifer that supplied the Town's water and the wells; how since 2010 the Town had diverted 2,400 acre feet of water per year; how the treated effluent from the wastewater treatment plant went to Scott Park for irrigation, the Glenn Ranch for irrigation, and is discharged into the San Vicente Arroyo; how the groundwater credit was up to 747 acre feet per year; how the existing system from the wellfields had a total amount of water rights of 4,566.64 acre feet per year; how the planned system was the airport area wellfield with 193.2 acre feet per year and the airport area wellfield ground water credit of 747 acre feet per year; how with the existing system and the planned system the Town had 5,506.84 acre feet of water per year; how the groundwater credit was permitted incrementally each year and eventually would grow to 747 acre feet per year; how the well conditioned on groundwater credit had a specific place of use which was for the regional water system; how projected water use looked at studies for population growth and water taps that get connected to the Town's water system; how the high growth for the water system was 1.6 percent per year since 1993 and the low growth rate for the last 10 years was 0.5 percent per year; a chart that demonstrated the projected growth in water demand and how the Town should reassess its water use and demand in five to 10 years; how the model analysis provided a tool to what could happen with future projections by considering water use by others, water use by the Town, and to project the yield of all of the wells considered; how if all of the wells in the area were producing an amount close to their water rights, the Town wells were still capable of producing water at that high rate of growth of 1.6 percent per year which indicated reliability with the water supply; estimated water levels in the area and the projected change to water levels in the next 40 years; how a long-term wellfield yield for the next 300 years was a way to address sustainability of the wellfield and the well yield for the town wells was 4,100 acre feet per year and 900 acre feet per year at the airport area wellfield; and models that showed the pre-groundwater development condition and the long-term groundwater development condition. Mr. Romero concluded by stating they found that in the next 40 years if the Town had a growth schedule of demand of 1.6 percent per year their best estimate was that the wells could produce that water. He said in the long term, the town wells could produce about 4,100 acre feet per year. He provided the following recommendations: monitor growth of use of the water use and demand relative to the permits and possibly seek additional water rights if needed; how some of the Town wells were 50 to 60 years old so be prepared to redrill or replace them; test yield down deep below 1,000 feet; and track adjacent wellfield withdrawals to see how it would affect the Town's supply; inspect the capacity of the pipeline to the existing system to make sure it could handle an additional 2,000 feet of water; to continue to move forward by working with the Grant County Water Commission and the regional water plan; and consider redrilling the inactive Anderson well or transfer the water rights to some of the other wells. There was further discussion. Manager Brown said the draft of the Supplement to the 40-Year Water Plan had been out to the public for a while, and if there were no changes he would bring a Resolution for its adoption to the second meeting in November.

B. Staff Reports - None.

9. PUBLIC HEARINGS - None.

10. UNFINISHED BUSINESS - None.

11. NEW BUSINESS -

A. Discussion and vote on whether to change the regular Council meeting scheduled for October 24, 2017.

Mayor Ladner said after the agenda was published he was made aware of important Town business that needed to take place during the October 24 Council Meeting. He asked Manager Brown to explain. Manager Brown said the State's Department of Finance and Administration (DFA) came up with a new requirement last year that municipalities could not show any funds with a negative balance. He said because their grants were on a reimbursement basis, they would have funds with a negative balance so they would have to do a budget adjustment to transfer money into those funds, then turn around and move it back to satisfy DFA's requirement, and to make sure they would get their Quarterly Report approved. Mayor Ladner said if there were no objections he would like the Council Meeting on October 24 to stand as originally published. There were no objections.

B. Approval / Disapproval of Notice of Intent Ordinance No. 1263: an Ordinance amending Chapter 6 (Animals), Article III (Rabies Control), Section 6-137 (Duty of Owner to Surrender Animal for Observation), of the Municipal Code of the Town of Silver City.

Councilor Bettison, sponsor of the proposed ordinance, asked Assistant Town Manager Marshall to give a brief history of the reason for Notice of Intent Ordinance No. 1263. Mr. Marshall said the ordinance came about by a citizen who had a visitor in town that was bitten by a dog and according to the current ordinance the dog owner had 24 hours to surrender the dog and provide vaccination records so the visitor spent the next 24 hours staring out the door at the dog that bit her while the owner took the entire 24 hours to surrender the dog. He explained how a lot could happen within 24 hours and the proposed ordinance would have people surrender their dog immediately after becoming aware that the dog bit somebody, as well as providing the animal control or police the records of vaccination immediately. Councilor Bettison explained how the proposed ordinance strengthened the existing ordinance and how important it was to start a rabies treatment quickly if they believed the animal had rabies. Councilor Bettison moved to approve Notice of Intent Ordinance No. 1263: an Ordinance amending Chapter 6 (Animals), Article III (Rabies Control), Section 6-137 (Duty of Owner to Surrender Animal for Observation), of the Municipal Code of the Town of Silver City. Councilor Aiman-Smith seconded. Mayor Ladner asked if there was any discussion. Mr. Marshall said the owner of the animal was responsible for any fees incurred if the animal was quarantined by the Town. Councilor Bettison also stated it was the owner's responsibility to follow-through with any fees or fines, and that there were fines levied in the proposed ordinance. Mayor Ladner asked if there were any public comments, and there were none. He 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.

12. ADJOURNMENT – Mayor Ladner concluded the meeting and asked for a motion. Councilor Aiman-Smith moved to adjourn at 7:04 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 four Councilors said aye. Motion carried.

/s/

Ken Ladner, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk