

MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
REMOTE MEETING IN COMPLIANCE WITH THE NM OPEN MEETINGS ACT
June 08, 2021, 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
James Reynolds, Town Attorney
Freddie Portillo, Police Chief
Milo Lambert, Fire Chief
James Marshall, Asst. Town Manager
Geoffrey Plant, Silver City Daily Press
Jeff Fell, Asst. Fire Chief
Melinda Hobbs, Captain-SCPD
Lisa Jimenez
Robert Higgins
Maria C. Sublasky, Adm. Asst. to Exec Dept.

- 1. CALL TO ORDER / PLEDGE OF ALLEGIANCE** – Mayor Ladner called the meeting to order at 6:00 p.m. Ms. Sublasky did a roll call of the Mayor, Councilors and Staff.
- 2. CHANGES TO AGENDA** – None.
- 3. CEREMONIES** – None.
- 4. PROCLAMATIONS** – None.
- 5. COUNCIL COMMENTS** – Councilor Aiman-Smith commented on the collaboration of all for the Vaccination Clinic at Gough Park. The other comment was to thank Mr. Brown and his staff for the work that was done on Swan Street between Silver Heights and 12th in the bicycle lane. Councilor Cano stated she wanted to acknowledge the passing of Bobbie Neal -Little. She was born in what is now the Silver City Museum, when it was the Silver City Fire Department and her father was the Fire Chief at the time. During her life, she has given a lot to the community as a realtor, as a Copper Cowbell with the Ranching community and she did everything she could to make sure the Silver City Museum succeeded, and thrived and to make sure people spent time there. She put a lot of her time and energy into the board; she put a lot of money into it and she personified what the Museum was, and what we want to do with it. She passed away after a short illness and we are definitely going to miss her. Councilor Cano asked for a brief moment of silence in her honor and said she would appreciate it. The Mayor, Council and all present observed a brief moment of silence in honor of Mrs. Bobbie Neal-Little.

Councilor Ray commented we have to have more patience by going towards Walmart. He stated people are cutting in front of everybody and he also observed Law Enforcement doing the same. He indicated hopefully the turning lane will be done quickly. He stated he had a very interesting conversation with Gary Stailey discussing projects they would like to see done in Silver City. Mr. Stailey brought up the idea that we should have some sort of activities during the summer months downtown such as closing downtown, or closing it off. He encouraged we should just try it and have different venues such as Cowboy Night, Hip-Hop Night, another time Country-Western Night and to also include vendors. He indicated he thought it was a very good idea. Councilor Ray stated he also hoped we did have something for the 4th of July, such as a party. Patience was needed, and he commented something needed to be done as people are dying to enjoy themselves. Councilor Ray commented on the New Mexico Magazine article saying he enjoyed article but one thing he wanted to clarify was that the La Capilla Park was not on the South end of Bullard Street but rather on was on the corner of Theodore and Richard Street. He made note that we should give kudos to the people that did the mural, which included young kids and local talent people. He thanked Mr. Marshall for the work being done on the

Senior Citizens Building. Patching has been done on the North and East walls and it also needed a paint job. Councilor Ray had a question/comment for Mr. Brown. He asked if in the future, plans could include a trail way for bicycle people or those that like to walk, from Cougar Way up to the Townsite of Tyrone; if possible, to mimic the one such as is in Santa Clara towards Bayard. He feels it would attract a lot of people here. He said, "We have people in the bicycle community and have received comments regarding bicycle lanes." "We have put bicycle lanes, let's utilize them." He said he would like to see Hudson Street incorporated in future projects to include the bicycle lane improvements. He also stated, "Those that ride bikes need to follow rules, but they don't stop." He implored everyone to obey the rules. Councilor Ray reported he is going to Tucson to get second shot and he will now be fully vaccinated.

Councilor Bettison thanked Councilor Cano for mentioning Bobby Neal-Little. She indicated she served with her on the Town's Advisory Board and knew her for quite a few years, and she was quite a light in town. She really put her all into Silver City and the Museum. She thanked everyone for the moment of silence. Mayor Ladner asked for any other Council comments.

Mayor Ladner stated he would like to add his feelings regarding Bobbie Neal-Little. He also knew her for a long time. She was not only a great lady who you could count on, but she made so many contributions to this community. He could go on and on with making a list. He mentioned that there would be a clean-up at the Big Ditch Park on Saturday, June 20. Mayor Ladner thanked Emergency Manger, Jeff Fell who will be giving a very good detailed report on the Covid Vaccinations and the Safe Summer Program he organized and conducted this past weekend. The mayor said there was a great atmosphere there, and so many volunteers. Mayor Ladner promoted the Governor's Vaccination program and encouraged all to get vaccinated. He said that the Governor's Vaccination Program included a cash sweepstakes for New Mexicans who have or will receive their vaccine. The program will be held over the summer, with one award winner drawn from each public health region, per week for a \$250,000 prize. In August, a grand prize will be awarded of five million dollars. Interested persons can register by going to New Mexico Department of Health website. In closing, Mayor Ladner announced his intent to run for re-election this coming November.

6. APPROVAL OF MINUTES –

A. Special Meeting May 17, 2021– Mayor Ladner asked for a motion to approve the minutes. Councilor Aiman-Smith moved to approve the Minutes of the Council Meeting of the Town of Silver City of May 17, 2021. Councilor Ray seconded the motion. Mayor asked if there was any discussion. There was none. Mayor asked for a roll call vote. Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; Councilor Cano voted aye. Motion carried.

B. Regular Meeting on May 25, 2021– Mayor Ladner asked for a motion to approve the minutes. Councilor Aiman-Smith moved to approve the Minutes of the Council Meeting of the Town of Silver City of May 25, 2021. Councilor Ray seconded the motion. Mayor asked if there was any discussion. There was none. Mayor asked for a roll call vote. Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; Councilor Cano voted aye. Motion carried.

7. PUBLIC INPUT – Mayor Ladner asked Ms. Sublasky if any public input was received by email, telephone or any other means. There was none.

8. REPORTS –

A. Mr. Brown stated the only report will be by Mr. Fell. Mr. Jeff Fell thanked the council for having him. He wished to echo the Councilors comments on Mrs. Neal. As Councilor Cano stated, her father was the Fire Chief in the 1930's and they do have pictures of him and his family at what is now the Museum. For those that do not know, her grandson Seth, is one of the newest hires at the Fire Department. He and his whole family are proud to carry on the tradition. Mr. Fell started his report by saying the State as a whole, at end of business day today, was at 56.9 % fully vaccinated for ages 16 and over. Over the last few weeks, the average has been going up 1% point per week and he felt that we were on a good trajectory to hit the 60 % goal set by the Governor for the end of June. Locally, here in Grant County,

we are at 58 % fully vaccinated with another 6.4 percent waiting on their second shot, for a total of 64.4 % of residents having at least one shot. Grant County has been in the top 1/3 of counties across the state as far as the vaccination effort since the start back in September. The Summer Safety event was a success this past Saturday with the following eleven organizations supporting the event: DOH-Public Health, New Mexico National Guard, Hidalgo Medical Services, Grant County Sheriff's Office-Dare Program, Pinos Altos Volunteer Fire Department-handing out Wildland Fire Safety Material, WNMU Early Childhood Development Program, Silver City Fire Department-was giving away bike helmets to kids, Native Air-the local helicopter ambulance service, GRMC EMS, Grant County Community Health Council and Silver Health Care. He stated it was hard to estimate how many people came through the park in total, but they estimate that 300 conservatively. They administered 45 vaccinations with 37 being first time recipients. Only 8 to 10 were pre-scheduled appointments and overall, all others were walk-ins or took the opportunity to take their vaccinations while there at the park.

Emergency Manager Fell continued to give a brief update on the local vaccination effort stating they were transitioning this week. He stated the local Department of Health has been hosting a weekly drive thru event every Wednesday at their clinic on Silver Street. Tomorrow would be the last day the particular event is offered. He stated he couldn't thank Margaret Diaz, Nursing Supervisor, her staff, and the volunteers she pulled together, enough. They need to be commended for the work they have done. The effort was started mid-December, 2020 and there wasn't a week missed to date this week. The day had to be changed around but through snow storms, rainstorms, spring winds, and now summer heat, that particular group was dedicated to the effort. That clinic has given 12,763 vaccinations; 6,664 initial shots, and 6,099 booster shots not including the 200 that will be administered tomorrow when they wrap up that effort. He stated one of the main reasons for the decision is because HMS now has the Community Covid Clinic which is up and operating at 1304 E. 32nd Street directly across the street from the ambulance service there at the hospital. The Clinic is now open 5 days a week, Monday through Friday, from 9am to 6 pm, and closed one hour for lunch at the noon hour. We encourage residents to go there for clinic and vaccination needs. They will handle and have access to all three vaccines which include Pfizer, Moderna and Johnson. He felt that since HMS will be operating the clinic on a 40-hour per week basis, their "drive through" clinic had reached its end. Walk ins are welcome at the HMS clinic. They also have a schedule that is available on the Department of Health's registration website, through the registration portal and you can view, and schedule your appointment. They are always willing to take walk-ins. He entertained any questions from the Mayor and Council. There were none.

Mayor Ladner thanked him for a job well done and stated it was a great event. Mayor Ladner asked if there were any other reports. There was none.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS – None.

11. NEW BUSINESS -

A. Approval/Disapproval of Ordinance No. 1302-An ordinance amending Chapter 2, (Administration), Article II (Elections), Division 1 (Generally), Sections 2-21 Through 2-25 of the Municipal Code of the Town of Silver City, Grant County, New Mexico. Mayor Ladner indicated the ordinance was sponsored by Councilor Bettison. Councilor Bettison stated that at the last council meeting, Asst. Town Manager James Marshall gave a very comprehensive explanation on the reasoning with moving forward with the November elections through the NOI presented at the last council meeting. It was reviewed by the Secretary of State's office and found to be in compliance. One of the concerns for doing so, was that the long time Town Clerk retired. She was excellent at conducting annual elections, then every two years every March after the stipulated terms of the Secretary of State's Office changed in 2020. The elections in 2019 were cancelled. In many ways it will facilitate what we know is going to occur. Sen. Ivey-Soto has made it known that he will be moving to submit legislation to remove the March even numbered year elections for municipalities and move everyone to November of odd years. She asked if Asst. Town Manager Marshall or any other council members would like to say anything in addition. She stated Mayor Ladner, herself and the other council members have been very proactive in trying to retain our March elections, but find at this time it is just not possible. She asked Mr. Marshall would like to say a few words. Mr. Marshall addressed the Mayor and Council and stated nothing has changed and he has not heard anything different from the Bureau of Elections at the Secretary of

State's Office. They are looking forward to working with the Town on the new process. Councilor Bettison commented that the Minutes from the last meeting and the article in the Daily Press clarified the upcoming November election will be for Mayor, Judge and Councilmembers in District 2 and District 4. She stated for those interested in running for office, Candidate filing date for the November election, for the Town of Silver City, for those office mentioned would be Tuesday, August 24, 2021 from 9 am to 5 pm at the County Clerk's Office. Write in date would be Tuesday, August 21, 2021 from 9 am to 5 pm and Election Day would be the first Tuesday after first Monday in November, or this year it would be November 2, 2021. Councilor Bettison moved to approve Ordinance No. 1302, An ordinance amending Chapter 2, (Administration), Article II (Elections), Division 1 (Generally), Sections 2-21 Through 2-25 of the Municipal Code of the Town of Silver City, Grant County, New Mexico. Mayor Ladner thanked Councilor Bettison and Asst. Town Manager for all the work they have done on this matter. Councilor Cano seconded the motion as stated. Mayor Ladner asked if there was any discussion. There was none. Mayor Ladner asked for a roll call vote. Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; Councilor Cano voted aye. Motion carried.

B. Appt to Cemetery Board-Mayor Ladner stated the Chair of the Cemetery Board recommended the appointment of Thomas Hester to the Cemetery Board. He inquired if there were any objections, there were none. Mayor Ladner appointed Mr. Hester to the Cemetery Board.

C. Reappointment to Historic Design Review Committee-Mayor Ladner stated Jaime Embick, Community Development Director recommends the re-appointment of Steven Shelendich to the Historic Design Review Committee. He inquired if there were any objections, there were none. Mayor Ladner re-appointed Mr. Shelendich to the Historic Design Review Committee.

D. Reappointment to the Planning & Zoning Board- Mayor Ladner stated Jaime Embick, Community Development Director recommends the re-appointment of Laszlo Sandor to the Planning and Zoning Commission. He inquired if there were any objections. Councilor Cano commented that she did not have an objection but stated that she has thought about this and would like to bring it up now. She stated for future reference, that she was not sure that it was a good idea that the Planning Director should be deciding who should be on Planning and Zoning. The reason being is that sometimes she, or whomever is the director, nothing personal, needs to go before the Planning and Zoning Commission to get approval or disapproval and has conflicts with residents. It seems to her that if that person is choosing the people that sit on the Planning and Zoning Commission, then it is not very transparent and the public is not getting a fair shake if that person has already picked the board. She indicated that should be something they want considered in the future. Mayor inquired if Councilor Cano would be willing to work with Mr. Marshall in terms of trying to redesign that process. Councilor Cano indicated she would. Councilor Bettison added by asking if generally speaking, doesn't the Chair of Planning and Zoning get asked for their opinion? Mayor Ladner asked Mr. Marshall if he could explain the process as it has been the same way since he has been in office as Mayor. Mr. Marshall stated the process is for the applications to be taken and received in the Community Development Department. They are reviewed to make sure they are qualified. There are a few qualifications because it is a commission. He went on to say that the staff does not appoint or choose the board, neither does the chair. That is the mayor's job, with consent of the council. Any comments by the staff are advisory, they have no bearing, the only bearing would be held by the whatever the mayor gives the comment. Councilor Cano stated that Peter Pena was not asked what he thought, Councilor Cano stated she was not asked what she thought, nor was Ms. Britton asked and she also represents the Town on that Board. So, if we are going to do it for one board, then it should be done for all or not at all when getting staff input. Mayor Ladner asked Mr. Marshall if he would work with Councilor Cano to see if we can come up with a process that is consistent. Mr. Marshall agreed. Mayor Ladner asked if there were any other comments or objections. Mayor Ladner reappointed Mr. Laszlo Sandor to the Planning and Zoning Commission.

E. Approval/Disapproval of Resolution No. 2021-08: A Resolution for funding consideration through the New Mexico Department of Transportation Program for Survey and Design of 32nd Street. Mr. Brown stated that during this year's legislative Session, the Legislature, with approval of the Governor set up a \$125,000,000 dollar fund for road projects. Usually, the Town has two or three shovel ready projects, except for this year. The Town has two shovel ready project which are Ridge Road and Little Walnut but we also have the funding for the construction on those projects. We are currently doing Phase 2 on Ridge Road and recommending for approval for Phase 3 out to the city limits. On Little Walnut we are waiting for an award of a million dollars for construction on Little Walnut which is 100% designed. We need to do some Right-of-Way work on Little Walnut. We are working on getting a couple more projects shovel ready and the first project we are proposing the Planning and Design on is 32nd Street, from Swan St to Pinos Altos Road. The total cost is \$125,300.00, with a Town match of \$6,265.00 which will be budgeted for in

next year's budget. Mayor entertained questions. Councilor Bettison made a motion approve Resolution No. 2021-08: A Resolution for funding consideration through the New Mexico Department of Transportation Program for Survey and Design of 32nd Street. Councilor Cano seconded the motion as stated. Mayor Ladner asked if there was any discussion. There was none. Mayor Ladner asked for a roll call vote. Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; Councilor Cano voted aye. Motion carried.

F. Approval/Disapproval of Resolution No. 2021-09: A Resolution for funding consideration through the New Mexico Department of Transportation Program for Survey and Design of N. Swan Street. Mr. Brown indicated this was another project for Survey and Design of N. Swan Street, from 32nd Street to the City Limits. Total cost of this project is \$196,000.00 with \$9,800.00 as the Town's match which is 5%. Mayor Ladner asked if there were any questions. There were none. Mayor entertained a motion. Councilor Bettison made a motion approve Resolution No. 2021-09: A Resolution for funding consideration through the New Mexico Department of Transportation Program for Survey and Design of N. Swan Street, from 32nd Street north to the City Limits. Councilor Aiman-Smith seconded the motion. Mayor asked if there was any discussion. There was none. Mayor Ladner asked for a roll call vote. Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; Councilor Cano voted aye. Motion carried.

G. Approval/Disapproval of Resolution No. 2021-10: A Resolution for funding consideration through the New Mexico Department of Transportation Program for Planning and Design of Silva Creek Trail. Mr. Brown indicated this was the third application that they would like to submit through the program for Planning and Design of the Silva Creek Trail from the historic Waterworks Building to Penny Park. Total project cost is \$40,000 with \$2,000 being our match. Mr. Brown indicated that whether the Town receives this funding or not, he plans on moving forward with this project. Mayor Ladner asked if there were any questions. There were none. Councilor Aiman-Smith moved to approve Resolution No. 2021-10: A resolution for funding consideration through the New Mexico Department of Transportation Program for Planning and Design of Silva Creek Trail. Mayor Ladner asked for a second. Councilor Ray seconded the motion. Mayor Ladner asked for a roll call. Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; Councilor Cano voted aye. Motion carried.

12. ADJOURNMENT- Mayor Ladner asked for a motion to adjourn. Councilor Ray made a motion to adjourn at 6:43pm. Council Aiman-Smith seconded the motion as stated. Mayor Ladner asked if there was any discussion, there was none. Mayor Ladner asked for a roll call. Councilor Bettison voted aye; Councilor Aiman-Smith voted aye; Councilor Ray voted aye; Councilor Cano voted aye. Motion carried.

_____/s/_____
Ken Ladner, Mayor

Attest:

_____/s/_____
Maria C. Sublasky, Acting Town Clerk