



**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, APRIL 28, 2020 AT 6 PM**

**I. CALL TO ORDER:**

Mayor Segotta called the regular meeting of the Raton City Commission to order at 6:00 p.m.

**II. ROLL CALL/ATTENDANCE:**

Answering roll call was: Mayor Neil Segotta, and the following who were present via conference call: Mayor Pro-tem Linde' Schuster and Commissioners: Lori Chatterley, Ron Chavez and Don Giacomo. Also present were City Manager Scott Berry and Clerk/Treasurer Michael Anne Antonucci and 2 visitors. All persons in attendance maintained a 6-foot social distance to comply with the COVID-19 restrictions and to ensure public safety.

**III. RECOGNITION OF VISITORS, CITIZEN OF THE MONTH AND/OR PRESENTATION OF PROCLAMATION, SERVICE AWARD, CONGRATULATIONS, CONDOLENCES, HOLIDAY SCHEDULES AND CITY/MUNICIPAL EVENTS:**

- Next Regular Commission Meeting Tuesday, May 12, 2020 at 6 p.m.

**IV. ITEMS FROM CITIZENS PRESENT**

Troy Wilson, a local dentist, commented that his office remains closed and that he is only able to see emergency cases. He further noted that dental patient's conditions have declined during this time and that Colorado dental offices have been allowed to open but New Mexico has provided no guidance as to whether dental offices can open on May 15<sup>th</sup>. Dr. Wilson stated that over the years he has worked during various epidemics such as Aids, Swine Flu and SARS. He also is hoping that testing will be available soon, but that part of the problem is without a vaccine the virus is not going away. According to Dr. Wilson, the American Dental Association (ADA) has a phased plan for opening dental offices. He is extremely concerned for small businesses and noted that nationwide it is estimated that 15% of dental offices will go broke and that if this continues until August approximately 40% will close. Dr. Wilson stated that many businesses have received PPP loans and that the 8-week clock is ticking. He also stated that we can't rely on the state because they will not have any money. Mayor Segotta stated that the City Commission will consider approval of an Economic Recovery plan on the agenda for submission to the Governor. City Manager Berry stated that it will be a tiered plan with the lowest risk businesses opening first.

**V. COMMITTEE REPORTS FROM COMMISSIONERS:**

Commissioner Chatterley reported that NCNMEDD did a zoom meeting on March 26th and that the audit report was discussed and that they are working on correcting

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the findings and are creating County profiles. Commissioner Chatterley reported that Jessica Barfield will be the NCNMEDD Economic Development Representative for Colfax County. She also attended the NMML District Meeting via conference call the previous Friday and reported that the legislative session was discussed. Commissioner Chatterley reported that the Beautification Coalition benefit concert has been rescheduled for August 23<sup>rd</sup> at the Shuler and that they are repairing banners and have placed the order for the flower baskets.

Commissioner Giacomo reported that the Library Board did not have a meeting and that the RPS Board would meet on May 6<sup>th</sup>.

Commissioner Chavez attended the Raton Water Works Board meeting on April 21<sup>st</sup> via conference call and reported the charge off list was approved, the FY2021 Budget was discussed, project updates were reported, and the financial report was presented. He also reported that April 21<sup>st</sup> was Dan Campbell's last day and thanked him for his 29 years of outstanding service.

Mayor Pro-tem Shuster also attended the Raton Water Works Board meeting via conference call on April 21<sup>st</sup> and noted that Commissioner Chavez covered the main highlights of the meeting. Mayor Pro-tem Schuster attended the Housing Authority Annual Board Meeting remotely on April 14<sup>th</sup>. She also reported that the Center for Community Innovation has not met.

Mayor Segotta attended 2 meetings with the Mayor's Caucus via conference call and reported that action plans were discussed. It was also noted that one size does not fit all communities and that a group of Mayors spoke directly to the Governor. He also noted that the Governor is still stressing that citizens should stay at home. He also reported that the NM Municipal League will present the action plan as one document to the Governor.

**VI. ACTION ITEMS/ PUBLIC HEARINGS/ORDINANCES/ RESOULTIONS/ CITY MANAGER'S REPORT- The City Commission may discuss and/or take actions on the following agenda items:**

***A. Approval of April 14, 2020 Regular Commission Meeting Minutes***

A motion was made by Commissioner Chatterley to approve the April 14, 2020 Regular Commission Meeting Minutes. The motion was seconded by Commissioner Giacomo and carried 5-0 with a roll call vote of "yes" from each Commissioner.

***B. Deliberate and Act on Billboard Contract Between the City of Raton and Elite Media Group LLC, dba Lindmark Outdoor Media for Visitor Center Billboard located in Capulin.***

City Manager Berry reported that this was discussed at a previous meeting and that Lindmark has agreed to enter into a new agreement with the City of Raton rather than the City take over the old agreement with the Chamber for the remainder of their term. He noted that Lindmark has prepared options for a 1, 2 or 3 year contract. He also stated that the City anticipates a new vinyl with different branding. The 3-year contract is \$339.67 per month with a free vinyl. Discussion followed on the life span of a vinyl. Tom Palmer with Lindmark

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was present at the meeting via conference phone and stated that there is a one-year guarantee on a vinyl and that the life often depends on the direction the billboard is facing. City Manger Berry stated that the Chamber has a past due balance owed on the account and that he will have Jessica Barfield contact them to see if they have some remaining funds to cover the balance owed. The new contract with the City of Raton would begin on May 4, 2020. A motion was made by Commissioner Giacomo to approve a 3-year contract between the City of Raton and Elite Media Group LLC, dba Lindmark Outdoor Media for the Visitor Center Billboard located in Capulin. The motion was seconded by Commissioner Chatterley and carried 5-0 with a roll call vote of “yes” from each Commissioner.

**C. *Deliberate and Act on Billboard Lease Agreement between the City of Raton and Elite Media Group LLC, dba Lindmark Outdoor Media for property located at 905 South Second Street.***

City Manager Berry stated that the City previously took action to deny the lease several months ago with the new owner who purchased it from the Raton Sign Company. He also noted that the concern was that the billboard is a historic retro structure and that the City was not interested in changing the billboard to a vinyl. Tom Palmer with Lindmark was on the conference call and commented that allowances have been made to keep the sign the same and that the only change would be to add the Lindmark name on the sign. He also stated that Lindmark has reached an agreement with FNBNM and that the bank will be responsible for changing the letters. City Manager Berry reviewed the basic terms which would be \$650 annually for years 1-5 and the option to extend lease for years 6-10 at a negotiated amount not less than \$780 annually. A motion was made by Commissioner Chatterley to approve the Billboard Lease Agreement between the City of Raton and Elite Media Group LLC, dba Lindmark Outdoor Media for property located at 905 South Second Street. The motion was seconded by Commissioner Giacomo and carried 5-0 with a roll call vote of “yes” from each Commissioner.

**D. *Deliberate and Act on Change of Date for Public Celebration Permits for Raton MainStreet Spring for Hops and Vine Event Rescheduled for June 6<sup>th</sup> at the Raton Museum for Blu Dragonfly Brewing Co., Comanche Creek Brewing Company, Wicked Kreations Winery, Noisy Water Winery and Las Nueva Ninas Winery & Vineyard.***

City Manager Berry discussed the process and advised the Commission that they are not approving the new date of the event which would be between Raton MainStreet and Alcoholic Beverage Control depending on if the Governor still has restrictions in place on June 6<sup>th</sup>. The Commission would only be approving a change to the date on the previously approved public celebration permits. A motion was made by Mayor Pro-tem Schuster to approve the date change for the Public Celebration Permits for Raton MainStreet Spring for Hops and Vine Event Rescheduled for June 6<sup>th</sup> at the Raton Museum. The motion was seconded by Commissioner Chatterley and carried 5-0 with a roll call vote of “yes” from each Commissioner.

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***E. Deliberate and Act on Resolution 2020-24: Adopting City of Raton Economic Recovery Plan.***

City Manager Berry stated that every community is different, but all have an obligation to protect public health and their economy which is a tough balancing act. He also reported that Raton is proposing a Raton Economic Recovery Plan that would be submitted to the Governor for approval. City Manager Berry stated that the plan would use a tiered approach and reviewed the various parts of the plan with the initial phase allowing smaller businesses and others with special conditions to open May 1<sup>st</sup>. All businesses would be required to use hand sanitizer, face coverings, perform frequent disinfecting, maintain 6 feet social distancing and limit the number of customers. He also noted that the greater risk is the traveling public and that subsequent phases would allow hotels, RV Parks, bars, restaurants, gyms and theaters to open. Discussion followed regarding the addition of medical and dental services to the plan, when State Parks will open and if there will be additional testing available in Raton. City Manager Berry stated that the plan also addresses the formation of a Raton Task Force and suggested that Dr. Wilson would be a good candidate. Mayor Segotta announced that he was appointed to the Governor's Task Force and that the Governor wants to see communities come up with their own plans. A motion was made by Commissioner Giacomo to approve Resolution 2020-24: Adopting City of Raton Economic Recovery Plan as amended to include medical and dental services. The motion was seconded by Commissioner Chatterley and carried 5-0 with a roll call vote of "yes" from each Commissioner.

***F. Deliberate and Act on Purchase of Chest Compression System for Raton Fire and EMS.***

City Manager Berry stated that more work on the procurement of this system needed to be done and would be brought back to the Commission at the next meeting. A motion was made by Commissioner Giacomo to postpone action on the purchase of Chest Compression System for Raton Fire and EMS. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with a roll call vote of "yes" from each Commissioner.

***G. Deliberate and Act on Lease Cancellation of Termination Agreement between the City of Raton and the New Mexico State Armory Board.***

City Manager Berry provided background information going back to 2015 when the NM State Armory Board initially approached the City with regards to donating the building but had issues due to lead contamination that prevented the transaction until the abatement was complete. He also noted that during this time the City has had a month to month lease and that the lease cancellation and donation agreement will be taken to the State Armory Board for approval at their next meeting and then to the Board of Finance for final approval. Mayor Segotta asked that items G and H be acted on together. A motion was made by Commissioner Chatterley to approve the Lease Cancellation of Termination Agreement and the Raton Readiness Center Donation Agreement between the City of Raton and the New Mexico State Armory Board. The motion was seconded by Mayor Pro-tem Schuster and

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carried 5-0 with a roll call vote of “yes” from each Commissioner.

**H. *Deliberate and Act on Raton Readiness Center Donation Agreement between the City of Raton and the New Mexico State Armory Board.***

Items G & H were approved together under item G.

**I. *Deliberate and Act on J3 Systems CES Proposal for Education Building Re-Roofing***

City Manager Berry stated that CES is a purchasing cooperative available to all purchasing agencies but is rarely used by the City. He further explained that the roof on the building is over 30 years old and needs to be replaced. He also noted that J3 Systems was recently awarded the bid for the RPS Powerplant Roof Project, however, the original bid did not include any provisions for the City to utilize the contract for roofing of other buildings therefore it was recommended that the City of Raton hire J3 Systems under their CES contract since they are already mobilized in Raton. The total cost proposal submitted by J3 Systems is \$56,516.55 and would be paid for from the General Fund reserves. City Manager Berry stated he was not sure if the cost included the CES fee but noted he would also need to contract with Alpha Design to oversee the project which would be an additional cost. Mayor Pro-tem Schuster made a motion to approve J3 Systems CES Proposal for Education Building Re-Roofing and then amended her motion to allow City Manager Berry to contract with Alpha Design and include CES Fee. The amended motion was seconded by Commissioner Chavez and carried 5-0 with a roll call vote of “yes” from each Commissioner.

**J. *Deliberate and Act on Resolution 2020-25: Water and Waste System Grant Agreement USDA Rural Utilities Service.***

City Manager Berry reported that the project is substantially complete, and that final completion will occur in May. He then turned the item over to Clerk/Treasurer Antonucci who explained to the City Commission that this item was put on the agenda in anticipation of needing approval of the grant agreement but that the City was notified by USDA today that Resolution 2018-38 previously adopted on June 12, 2018 was the same agreement and did not need to be approved again. As a result, the recommendation would be to table the item since it does not need approval. A motion was made by Commissioner Chavez to table item J. The motion was seconded by Commissioner Chatterley and carried 5-0 with a roll call vote of “yes” from each Commissioner.

**K. *Deliberate and Act on Resolution 2020-26: FY20 3<sup>rd</sup> Quarter Financial Report.***

Clerk/Treasurer Antonucci provided the Commission with the ending cash balances in the various funds and reported that the City of Raton was very optimistic prior to the COVID-19 health emergency that finances were in good order and on track to meet budget projections as a result of receiving a higher than anticipated distribution from the Small Cities Assistance. She also reported that as a result of an extended closure of many local businesses,

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the City of Raton is very concerned about the future gross receipts distributions and the overall impact that the decline will have on the remainder of this year's budget and the next fiscal year which will be extremely difficult to forecast. Clerk/Treasurer Antonucci stated that the City of Raton will closely monitor all departmental expenses between now and the end of the fiscal year and will review with department supervisors to determine if some expenditures can be delayed until the next fiscal year. She also reported that the 3<sup>rd</sup> Quarter report would be submitted to DFA by the April 30<sup>th</sup> deadline. City Manager Berry also commented on his concerns with the loss of revenue and the severe impact it could have on operations. A motion was made by Commissioner Giacomo to approve Resolution 2020-26: FY20 3<sup>rd</sup> Quarter Financial Report. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with a roll call vote of "yes" from each Commissioner.

**L. Deliberate and Act on Resolution 2020-27: FY20 Budget Adjustment #12**

Clerk/Treasurer Antonucci reviewed the budget adjustment and noted that it included adjustments for an insurance recovery related to a claim for Fire Department vehicle repairs, the amount approved for the Education Building roof repairs and various line item adjustments in the General Fund, Fire Fund and Recreation Fund. A motion was made by Commissioner Chatterley to approve Resolution 2020-27: FY20 Budget Adjustment #12. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with a roll call vote of "yes" from each Commissioner.

**M. City Manager's Report.**

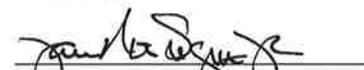
- City Manager Berry reported on various Small Business support initiatives and reported that the City of Raton Micro Loan Fund Program awarded 8 loans and that the balance of the fund was less than \$900.
- Reported that Jessica Barfield has assisted businesses in the area with the SBA loan program. He also noted that INBANK is the local certified lender.
- Reported that the Raton virtual cash mob has received a lot of attention statewide and was featured on KOB TV and also interviewed by a Denver station. He reported that this is a short-term measure that is helping small local businesses that have remained closed under the current orders.
- Reported that the Public Works Department is working on drainage improvement projects, washing medians, painting curbs, street sweeping, irrigating parks, mowing and street patching.
- Reported that Hospital Drive Lift Station is substantially complete, and that Archuleta Construction has started work at the Shuler.
- City Manager Berry stated that he would compile a report for the next meeting on upcoming projects.

**VII. ADJOURNMENT:** The meeting adjourned at 7:32 p.m.

**ATTEST:**

  
Michael Anne Antonucci, City Clerk

**CITY OF RATON**

  
James Neil Segotta Jr., Mayor