



**MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, JANUARY 8, 2019 AT 6PM**

I. CALL TO ORDER:

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

II. ROLL CALL/ATTENDANCE:

Answering roll call was: Mayor James Neil Segotta, Jr., Mayor Pro-tem Linde' Schuster, Commissioners: Lori Chatterley, Ron Chavez and Don Giacomo. Also present were City Manager Scott Berry, Clerk/Treasurer Michael Anne Antonucci and 12 visitors.

III. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

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

- Effective 1/1/2019 City of Raton Gross Receipts tax Rate reduced to 8.2708%.
- All City Offices will be closed on Monday, January 21st in observance of Martin Luther King, Jr. Day.
- Next Regular Commission Meeting Tuesday, January 22, 2019 at 6pm
- Notice to Public: Immediately following this meeting a quorum of the City Commission will be present in the City Commission Chambers to record a short radio advertisement with KRTN Radio
- Recognition of Holiday Decorating Contest Winners
Lauri Bunker was present on behalf of the Beautification Coalition to present prizes and certificates to the winners of the holiday decorating contest.
Business winners were 1st Place – Enchanted Grounds, 2nd Place – Flowerland, 3rd Place – Solano's and Residential winners: 1st Place - Tina Vigil-Torres, 2nd Place - Carol Mares and 3rd Place Monty Colangelo.

V. COMMENTS FROM THE GENERAL PUBLIC: No Comments.

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

A. Approval of the November 27, 2018 Regular Commission Meeting Minutes.

Commissioner Chavez made a motion to approve minutes for the December 11, 2018 Regular Commission Meeting, December 17, 2018 Special Strategic Planning Meeting and December 28, 2018 Special Meeting. Mayor Pro-tem Schuster seconded the motion. No further discussion took place and the motion passed 5-0 with all voting "aye".

B. Deliberate and Act on Open Meetings Resolution 2019-01.

City Manager Berry explained that the resolution is adopted annually. Clerk/Treasurer Antonucci stated that the only change made was to add FNBNM to the list of 6 places that agendas will be posted and to take Colfax County off since they are closed on Fridays. A motion was made by Mayor Pro-tem Schuster to approve the Open Meetings Resolution. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

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C. *Deliberate and Act on City of 2019 Holiday Schedule.*

City Manager Berry reviewed the holiday schedule for non-union employees noting that it has not come before the Commission in many years but is addressed and approved in the various union contracts. He stated that he thinks it is appropriate for the Commission to approve every year the same as the open meetings resolution. A motion was made by Commissioner Giacomo to approve the City of Raton 2019 Holiday Schedule. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

D. *Deliberate and Act on Memorandum of Understanding Between the City of Raton and The Raton Chamber of Commerce.*

City Manager Berry introduced the revised MOU between the City of Raton and the Raton Chamber of Commerce that defines the responsibilities of the parties regarding tourism development efforts as it relates to the Tourism Information Center. The term of the agreement will be until June 30, 2020 and may be renewed annually in 1 year increments through June 30, 2023. Under the agreement the City of Raton will pay the Raton Chamber \$2,500 a month from Lodgers Tax promotional revenues to provide tourism promotion services. Dee Burks, Chamber President, was present at the meeting and reported that the Chamber Board approved the revised MOU. Commissioner Chatterley questioned whether the last sentence in item 16 with regards to the Chamber also attending quarterly City Commission meetings should have been deleted. City Manager Berry stated that he intended to make that correction. Item 16 will require the Chamber to attend the first meeting in April to present an annual report of promotion activities performed during the period.

A motion was made by Commissioner Giacomo to approve the Memorandum of Understanding Between the City of Raton and the Raton Chamber of Commerce and to strike the last line in item 16. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

E. *Deliberate and Act on Resolution 2019-02: Adopting the Name "Heritage Park" to the Facility Commonly Known as the Multi-modal Transportation Center.*

City Manager Berry gave a brief overview of the idea brought to the City Commission by Frank Ferri. He stated that if it is approved the City will do additional signage downtown. A brief discussion followed on the idea and how it evolved into Heritage Park. A motion was made by Commissioner Chavez to approve Resolution 2019-02: Adopting the Name "Heritage Park" to the Facility Commonly Known as the Multi-modal Transportation Center. The motion was seconded by both Mayor Pro-tem Schuster and Commissioner Giacomo and carried 5-0 with all voting "aye".

F. *Deliberate and Act on Resolution 2019-03: Adopting the Official Raton, New Mexico Brand.*

City Manager Berry gave a brief overview of the Resolution and commented that this was a very successful effort and that this is only the first step of an overall marketing plan for Raton. He also recognized the efforts of the branding committee and Commissioner Chatterley who also reported that they are working on a partnership agreement, monument signage and way finding. A motion was made by Mayor Pro-tem Schuster to approve Resolution 2019-03: Adopting the Official Raton, New Mexico Brand. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

G. *Public Hearing/Deliberate and Act on Ordinance No. 1002 Pursuant to NMSA 1978, Section 1-22-3.1 (2018) To Opt in To the Election of the Municipal Officers of the City of Raton in the Regular Local Election.*

City Manager Berry gave an overview of the options that were presented to the Commission in December. As a result of the action taken at that meeting an ordinance was introduced to opt in to the November 2021 election and lengthening the terms of office 21 months. Mayor Segotta stated this was also

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a public hearing and asked if anyone present wished to speak. There was no public comment. A motion was made by Commissioner Chavez to approve Ordinance No. 1002 Pursuant to NMSA 1978, Section 1-22-3.1 (2018) To Opt In To the Election of the Municipal Officers of the City of Raton in the Regular Local Election. The motion was seconded by Commissioner Giacomo and carried 5-0 with a unanimous roll call vote with each commissioner voting "yes".

H. *Deliberate and Act on Consent and Assignment Agreement Between the City of Raton, Raton Public Service Company and Twin Eagle Resource Management, LLC.*

City Manager Berry stated he has worked on this with RPS for some time and that it was put on the agenda anticipating an agreement would be ready. City Manager Berry stated that the agreement is currently in the process of legal review and that he recommended they postpone action. RPS President Kathy McQueary was present and addressed the Commission. She stated that the RPS Board is doing its due diligence to do what is in the best interest of the rate payers. A motion was made by Commissioner Chatterley to postpone action until due diligence is complete. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

I. *Deliberate and Act on Bid Award for Four Wheel Drive Sport Utility Vehicles.*

City Manager Berry reported that sealed bids were requested for two vehicles and that one bid was received from Phil Long Ford but they failed to submit the proper forms and required information as stated in the request and as a result their bid was considered non-responsive. City Manager Berry recommended that the bid be rejected allowing the city to re-bid. A motion was made by Mayor Pro-tem Schuster to reject the bid. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

J. *Deliberate and Act on Resolution 2019-04: November 2018 Financial Reports*

Clerk/Treasurer Antonucci reported that the December gross receipts tax distribution was received and that it was down again causing the year to date collections to drop below the City's budget projections resulting in a budget deficit of \$9,675.34. She also stated that the City of Raton is concerned if this downward trend continues through the winter months which could result in an unknown General Fund deficit. As a result, the City will review the General Fund budget to identify specific non-recurring expenses that can be delayed until later in the fiscal year or postponed and re-budgeted for FY2020. She also noted if the Small Cities Assistance is higher than budgeted the additional funds could be used to offset the gross receipts deficit but if it is lower the City of Raton will have to take measures in the 4th quarter to balance the budget. She also reminded the Commission and the public that the lower tax rate 8.2708% took effect January 1st. A motion was made by Commissioner Chatterley to approve Resolution 2019-04: November 2018 Financial Reports. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

K. *Deliberate and Act on Resolution 2019-05: City of Raton FY19 Budget Adjustment #7:*

Clerk/Treasurer Antonucci presented a budget adjustment for approval to add the funding awarded for renovations at Fire Station #1 and also set up the new fund and budget for the Filter Plant Project. A motion was made by Mayor Pro-tem Schuster to approve Resolution 2019-05: City of Raton FY 19 Budget Adjustment #7. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

L. *City Manager's Report.*

- City Manager Berry reported that the Town Hall Meeting held today with Senator Campos and Representative Chatfield was well attended and there were extensive communications about the needs of Raton including the Lake

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Maloya Dam Project.

- City Manager Berry reported that the Legislative Session will be January 15 – March 16 and that Municipal Day will be in Santa Fe on February 20th at the La Fonda Hotel.
- City Manager Berry reported that the new asphalt recycling machine is being used to patch pot holes.
- City Manager Berry reported there will be a Southwest Chief Rally in Las Vegas on April 19th.
- City Manager Berry reported that the Hart/Brilliant Waterline Project would be completed in 2-3 weeks. He also reported that the Great Blocks Project would take a winter shutdown and will come back in March to finish the landscaping and irrigation.
- City Manager Berry reported that the City is working with an architect on the Fire Station #1 renovation project.
- City Manager Berry reported that the Filter Plant Project is starting soon but may be affected by the government shutdown.
- City Manager Berry briefly discussed improvements needed at the Shuler Theater.
- City Manager Berry reported that the City is still using the Cimarron water source and that Lake Maloya is slowly coming up. He also reported that Raton Water Works has responded to several leaks during the cold weather.

M. *Closed Executive Session Pursuant to NMSA 10-5-1H (6) Certain Purchases*

- Review of RFP's for Business and Economic Development Services

A motion was made by Commissioner Chatterley to go into Closed Executive Session pursuant to NMSA 10-5-1H(6) Certain Purchases to Review the RFP's for Business and Economic Development Services. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with a unanimous roll call vote of "yes" by each commissioner. The Commission then took a 5 minute recess.

N. *Certification of Closed Session*

The Commission returned to open session at 7:24 p.m. The matters discussed in closed session were limited only to those specified in the motion to go into closed session and also as advertised. No action was taken. All commissioners agreed to this statement by signifying "yes".

O. *Deliberate and Act on Award(s) for Business and Economic Development Services*

Mayor Segotta thanked everyone for their interest in the RFP and noted that the result will be a better Raton. He also noted that the Center for Innovation was awarded \$21,000 at the December 28th meeting for Creative Startups. Mayor Segotta then summarized the Commission's recommendation for funding on the other proposals:

The Center for Innovation	\$10,000	
Hi-Bay Enterprises	\$37,000	follow LEDA with possible forgivable loan
Grow Raton	\$10,000	
Better City, LLC	\$42,000	+ a maximum of \$6,000 for incidentals

The awards total \$126,000 and will be split \$67,817.24 from the Economic Development Fund and \$58,182.76 from the General Fund. Mayor Segotta also stated that they want to see a result and performance from these entities and that they are looking for positive momentum for Raton. A brief discussion followed. Mayor Segotta also stated that gross receipts continue to be down but the Commission is taking a leap of faith by funding these proposals. City Manager Berry stated he will consult with NM Economic Development for guidance on preparing the agreements.

A motion was made by Commissioner Chatterley to approve the awards for Business and Economic Development. She then amended her motion to approve the awards for Business and Economic Development contingent upon execution of agreements to be approved by the Commission. The motion was

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seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".


VII. ADJOURNMENT:

The meeting adjourned at 7:37 p.m.

CITY OF RATON


James Neil Segotta Jr., Mayor

ATTEST:


Michael Anne Antonucci, City Clerk