



**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, JANUARY 14, 2020 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 Neil Segotta, Mayor Pro-tem Linde' Schuster, Commissioners: Lori Chatterley, Ron Chavez and Don Giacomo. Also present were City Manager Scott Berry, Deputy Clerk Robyn Osborn and approximately 7 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:**

- All City Offices will be closed on Monday, January 20<sup>th</sup> in observance of Martin Luther King Jr. Day.
- Next Regular Commission Meeting Tuesday, January 28, 2020 at 6:00 p.m.
- Notice of Potential Quorum of City Commissioners may attend the 31<sup>st</sup> Annual Municipal Day to be held in Santa Fe at the La Fonda Hotel located at 100 E. San Francisco St. A reception will be held Thursday evening February 6<sup>th</sup> at 5:30 p.m. and the Municipal Day session will be 10 a.m.-12 p.m. on February 7, 2020.
- Recognize Holiday Decorating Contest Winners. Residential Category: First Place Teresa Cruz and Second Place Carol Mares. Business Category: Doggie Stylz by Kathleen and Second Place Enchanted Grounds Coffee Shop and Cafe
- You Rock Award Presented by Mayor Pro-tem Schuster to David Wilson and his wife Cheryl.

**V. COMMENTS FROM THE GENERAL PUBLIC:**

Richard Torres was present to ask the commission to consider a four-way stop on North 1<sup>st</sup> Street. He is a home owner on this street and feels like the heavy flow of traffic is a safety issue for the residents. He suggested to the commission that a four-way stop could be placed at one of two intersections which would force traffic to slow down and allow drivers to safely turn onto North First from the side streets. The two possible intersections are North First and Morrow and North First and Highland Ave. Both intersections are currently two-way stops. City Manager Berry agreed that there is heavy traffic and that this issue would be looked at.

Bruce Daitz from the US Census Bureau was present to inform the Commission that he is heading the census count for the Raton area. He stated that this is of special

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, JANUARY 14, 2020 (Cont.)**

interest for Governor Lujan Grisham's office and that it is imperative that an accurate count is obtained. Raton could receive \$3,700 per capita. Mr. Daitz stated that he is needing to acquire a large staff and that anyone looking for a temporary job should speak to him. Requirements are minimal and starting pay is \$16.50 per hour. He asked the Commission if the City has any available office space that could be used for training purposes for the Census staff. City Manager Berry stated the City would be willing to assist and asked Mr. Daitz to stop by his office so they could discuss options.

**VI. ACTION ITEMS/PUBLIC HEARINGS/ ORDINANCES/ RESOLUTIONS/ CITY MANAGERS REPORT – The City Commission may discuss and/or take actions on the following agenda items:**

**A. *Approval of the December 17, 2019 Special Commission Meeting Minutes.***

A motion was made by Commissioner Chatterley to approve the December 17, 2019 Special Commission Meeting Minutes. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

**B. *Introduction of Ordinance Authorizing the Issuance of the City of Raton, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2020, In the Principal Amount of One-Million Seven Hundred Fifty-Four Thousand Dollars (\$1,754,000) for the Purpose of Acquiring, Exchanging, Enlarging, Bettering, Repairing or otherwise Improving the City's Joint Utility System; Providing for the Issuance and Sale of the Bonds; providing that the Bonds will be Payable and Collectible Solely from Net Revenues to be Derived from the Operation of the City's Joint Utility System; Providing for the Terms and Conditions of the Bonds, the Manner of Their Execution, the Method of Paying the Bonds and Other Details Concerning the Bonds and Such System, Including but not limited to Covenants and Agreements in Connection Therewith; Ratifying Action Previously Taken in Connection Therewith and Appertaining Thereto.***

City Manager Berry notated that the Bond Series year was updated on the ordinance by bond counsel to reflect 2020 rather than 2018 as stated on the agenda. He explained that the City has interim financing in place for the project but must proceed with adoption of a bond ordinance for the USDA financing which will be at a lower interest rate. Raton Water Works General Manager Terry Sykes was present and briefly updated the commission on the progress of the restoration of the Filter Plant. He stated that it is about 80% complete and will be completed by Spring. Commissioner Chavez made a motion to approve the introduction of the Ordinance for the Joint Utility System Improvement Series 2020 Revenue Bonds. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

**C. *Deliberate and Act on Introduction of Ordinance Enacting and Adopting a Supplement to the Raton Code of Ordinances.***

City Manager Berry stated that this was an introduction only but explained that the ordinance is to adopt Supplement #10 to the Raton Code of ordinances which includes codification of Ordinances No. 997-1005. He also reported that the online version has been updated and that the supplement pages will be

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, JANUARY 14, 2020 (Cont.)**

inserted into the code books. A motion was made by Commission Schuster to Introduce the Ordinance Enacting and Adopting a Supplement to the Raton Code of Ordinances. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

**D. *Introduction of Ordinance Amending Section 130.136 Unlawful Carrying of a Deadly Weapon to allow for hunting within the City Limits that is scheduled, managed and regulated by the NM Game and Fish Department for the purpose of controlling overpopulation of wildlife in designated areas and as authorized by the City Commission.***

City Manager Berry stated that the issue of an abundance of wildlife has been discussed at previous Commission meetings and that the Game and Fish Department also gave a presentation on the options for controlling the wildlife population which could include certain hunts within the City limits and that the types of weapons used could be coordinated by their agency. A brief discussion followed amongst the Commission expressing concern that this would not be the most effective way to handle the problem and that the City should look at other options. Commissioners also stated that they have received comments from several citizens in opposition to the proposed change. Mr. Daitz, who was present on behalf of the Census Bureau, stated that he liked the wildlife. A motion was made by Commissioner Chavez not to introduce the ordinance. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

**E. *Deliberate and Act on Resolution 2020-1: Public Meeting Policy***

City Manager Berry stated that staff recently attended training and were told that posting the agenda in six public places was not a requirement of the open meetings act and that the minimum requirement would be met if the agenda is posted at City Hall and on the City website. He further stated that there were issues in the past if a posting location was closed and as a result the language in Section 4B of the resolution has been changed. The City may still post in additional locations, however the specific locations except City Hall have been taken out of the resolution. A motion was made by Commissioner Giacomo to approve Resolution 2020-1: Public Meeting Policy. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

**F. *Deliberate and Act on Resolution 2020-2: November 2019 Financial Report***

City Manager Berry reported that the General Fund Gross Receipts are 3.84% above budget projection and that the City remains strong in cash available in reserves which is a testament to management keeping expenses in line with the budget. A brief discussion followed regarding the NM Municipal League District 3 Meeting to be held in Raton on March 25<sup>th</sup>. It was also noted that the location has been changed from the Convention Center to the Raton Museum. A motion was made by Commissioner Chatterley to approve the November 2019 Financial Report. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, JANUARY 14, 2020 (Cont.)**

**G. *Deliberate and Act on Resolution 2020-3: Participation in Local Government Road Fund Grant Agreement L400447 Change of Scope and Termini***

City Manager Berry stated that the City submits an application to the NMDOT Cooperative Agreement Program (Co-Op) annually in March for street projects and that funding was received this past year to reconstruct a portion of Kearney Avenue, however the funding received was less than the amount needed to complete the project. As a result, the City is proposing that the scope and termini be changed to allow for application of crack sealing material on various City streets as specified in the resolution. The NMDOT share will be (75%) \$38,290 and the City will pay the 25% match plus all costs that exceed the total project amount of \$51,053. David Wilson asked a question about the bidding process and City Manager Berry explained that the City would utilize a State Price Agreement for this project. A motion was made by Commissioner Chavez to approve Resolution 2020-3: Participation in Local Government Road Fund Grant Agreement L400447 Change of Scope and Termini. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

**H. *Deliberate and Act on Approval of Expenses to Attend Denver Outdoor Retailers Winter Show and NM Game and Fish Outdoor Adventure Show.***

City Manager Berry turned the item over to Jared Chatterley who gave the Commission an overview of the Outdoor Retailers event that he attended last year and his request to attend the Denver Outdoor Retailers Winter Show in Denver January 28-31. He also stated that the State is offering to register him with the show as an "exhibitor" which will give greater access to the people and businesses that the regular participants attending the show don't get and will also give Raton exposure to the national and international outdoor industry. City Manager Berry stated that Outdoor recreation is a primary target as economic development given the recreation assets in the Raton area and that there needs to be a discussion on how to measure economic development results and what the expectations are. According to Mr. Chatterley, the cost to attend the Outdoor Industry's Winter Outdoor Retailer Show would only be the cost of per-diem and the cost to be an exhibitor for the NM Game and Fish Outdoor Adventure Show in Albuquerque Feb 14-17 would be \$150 for 3 days plus per-diem and \$3 per day to attend as a participant. A motion was then made by Commissioner Chavez to approve the expenses for Jared Chatterley to attend both shows. The motion was seconded by Mayor Pro-tem Schuster and carried with 4 "aye" votes. Lori Chatterley abstained.

**I. *Deliberate and Act on Resolution 2020-4: FY2020 Budget Adjustment #5***

City Manager Berry gave a brief overview of the proposed adjustments that included a temporary transfer from the General Fund to the Depot project to cover engineering expenses pending reimbursement from the FHWA Grant and repairs to a police vehicle for damages covered by insurance. The adjustment also includes a new travel line item in the Lodgers Tax non-promo fund to pay for the approved expenses for attending the outdoor recreation shows and an increase in the Street Fund for the crack sealing project. A motion to approve Resolution 2020-4: FY2020 Budget Adjustment #5 was

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, JANUARY 14, 2020 (Cont.)**

made by Commissioner Chatterley. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

**J. *Deliberate and Act on Region IV Task Force Joint Powers Agreement.***

Police Chief John Garcia informed the Commission that the Raton Police Department would like to participate in the Region IV Task Force by entering into a Joint Powers Agreement which will allow them to partner with other agencies and give them the ability to work outside the city limits for the prevention, investigation, control and prosecution of unlawful drugs, narcotics and controlled substances and related crimes within the Region IV area which will increase efficiency and benefit all citizens within Region IV. City Manager Berry stated that this would be an effective tool for the department. A motion was made by Mayor Pro-tem Schuster to approve the Region IV Task Force Joint Powers Agreement. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

**K. *City Manager's Report***

City Manager Berry reported that the Hospital Drive Sewer Pump Project was close to completion and that he is also working on the pre-bid work for the Great Blocks project, Depot and Solid Waste Transfer Station. He also reported that the architect is working on the final phase of Shuler renovations to the office area which will also include a refreshment stand. City Manager Berry reported that 95% of the 2019 Capital Outlay funding has been spent and that the remainder will be used for small equipment purchases. City Manager Berry also reported to the Commission that the Public Works Director, Street Superintendent and himself attended the Paving and Transportation Conference recently held in Albuquerque.

**VII. ADJOURNMENT:**

The meeting adjourned at 7:09 p.m.

**CITY OF RATON**

  
James Neil Segotta Jr., Mayor

**ATTEST:**

  
Michael Anne Antonucci, City Clerk