



MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, FEBRUARY 28, 2023 AT 6 PM

I. CALL TO ORDER:

Mayor Neil 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 and Mayor Pro-tem Linde' Schuster. Commissioners: Ronald Chavez, Donald Giacomo and Lori Chatterley. Also present were City Manager Scott Berry, Deputy Clerk Desire'e Trujillo, Clerk/Treasurer Michael Anne Antonucci, and 30 visitors.

III. MAYOR NEIL SEGOTTA LED EVERYONE IN THE PLEDGE OF ALLEGIANCE:

IV. 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, March 14, 2023 at 6:00 p.m.

V. Committee Reports from Commissioners:

Commissioner Lori Chatterley attended the North Central New Mexico Economic Development Annual Meeting, January 26th-27th in Santa Fe where they heard the Legislative Priority report from the New Mexico Municipal League, New Mexico Association of Counties, and North Central & Non-Metro AAA. They prioritized funding to continue Grant Writing and Technical Assistance, went over the audit report, approved the open meetings resolution, calendars, board appointments, amendments to the JPA regarding property ownership, budget adjustments, and the organizational charts. They also discussed strategic plans, completing the Broad Band Highway, Innovations with the Older Americans Act, and Disaster and Post-Fire Recovery. She met with the Colfax County Senior Citizens Board on February 7th and discussed the Cimarron Center renovation and approved a policy revision regarding nutritional code of conduct. She also attended the New Mexico Municipal League's Municipal Day and the Board of Directors Meeting on February 16th-17th where they received remarks from Lt. Governor Howie Morales, a presentation by the State Auditor, and a legislative briefing. She reported the New Mexico Self Insurer's Fund has strong reserves and with the completion of boots on the ground property assessments, those rates will be going up 25%, however the worker's comp rates will be going down around 75% and liability will go down around 50%.

Commissioner Donald Giacomo attended the Raton Public Service Board meeting on February 27th where they approved the financials, budget adjustments, the allocation of Guzman Community Donation Funds, vouchers and heard the

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General Managers report. The Arthur Johnson Memorial Library Board didn't meet.

Commissioner Ronald Chavez attended the Raton Water Works Board Meeting along with Mayor Pro-tem Linde' Schuster on February 21st and reported Lake Maloya is 3" from spilling over the dam. They recently repaired two 18" valves at the Sewer Plant, and are currently working on seasonal leaks and frozen meters. He also reported the Water Works crew recently completed their CDL training for their license. He met with the Financial Advisory Board on February 21st where they reviewed and approved the financials being brought to Commission this meeting.

Mayor Pro-tem Linde' Schuster attended the New Mexico Municipal League's Municipal Day on February 16th-17th and went to the Capital Building, along with City Manager Berry and Deputy Clerk Trujillo, to oppose HB 367, which would have a negative impact on municipalities GRT received. While there she took the opportunity to step into Senator Pete Campos office where City Manager Berry went over the capital outlay requests with Mr. Sisto Abeyta.

Mayor Neil Segotta attended the North Central Board meeting where they discussed a request of \$7,500,000 towards senior centers statewide. He noted that with the seniors numbers dramatically rising the funds are desperately needed and urged citizens to call the New Mexico Legislature as well as the Federal Legislature to show their support. He also attended the New Mexico Municipal League's Municipal Day on February 16th-17th and has attended several budget hearings with the New Mexico Senate Finance Committee.

VI. Items from Citizens Present:

None

VII. 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. *DELIBERATE AND ACT on Approval of February 14, 2023 Regular Meeting Minutes*

A motion was made by Mayor Pro-tem Linde' Schuster to approve the February 14, 2023 Regular Meeting Minutes. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

B. *DELIBERATE AND ACT on Preliminary Replat of Daniels Subdivision in the City of Raton, Lot 17, 18, 19, 20 of the Mtn View Sub N 7 Feet, Block 16 of the Fairview Subdivision, Currently Zoned R-5 Residential District*

City Manager Scott Berry stated the Planning & Zoning Commission met on February 23, 2023 and recommended approval of the Preliminary Plat, Daniel's Subdivision in the City of Raton, Lot 17, 18, 19, 20 of the Mountain View Subdivision and North 7 Feet of Woodrow Avenue, of Block 16 of the Fairview Subdivision, currently zoned R-5 Residential District. He noted that the ordinance requires the request to be taken to the Planning & Zoning

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Commission for approval, then to the City Commission for approval, and back to the Planning & Zoning Commission, and then brought back to the City Commission for a final approval. City Manager Berry also noted that Raton Public Service Company, Raton Water Works, Raton Natural Gas, and the Raton Public Works Department have all submitted letters of approval for the subdivision. Mr. Tony Molitor was present, and he stated the plans are for ten manufactured homes that will conform with the city's setback regulations. After some discussion a motion was made by Commissioner Lori Chatterley to approve the Preliminary Replat of Daniels Subdivision in the City of Raton, Lot 17, 18, 19, 20 of the Mountain View Sub and N. 7 Feet, Block 16 of the Fairview Subdivision, Currently Zoned R-5 Residential District. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

C. PRESENTATION for Proposed Development of El Portal Site

City Manager Scott Berry stated the El Portal Site has been city owned for about ten (10) years due to a fire that caused the El Portal to burn down. There was a public meeting held for suggestions on what the citizens of the City of Raton would like to see developed on this site, which presented several suggestions. The City of Raton has received \$25,000 in capital outlay funding for the development of the El Portal site from the 2022 Legislative Session and has submitted a request in the 2023 Legislative Session but hasn't heard anything as of yet. The proposed development was for eight fenced in pickleball courts with covered tables, a restroom and all to be under lock and key. There were several avid pickleball players present to show their support of the proposal. The City of Raton also received several e-mails regarding the proposal. Some of the e-mails received were in favor of the development and some opposed it. The pickleball group spoke of a private donor who would be willing to donate \$100,000 towards the development of the courts under the condition that they are located at the El Portal site. The private donor, who was not present, instructed that if the City of Raton could provide grant funding in the amount of \$100,000, he would donate another \$100,000. The Commission thanked the group for their effort put into the proposal, but expressed some concern about the public restroom, the locks and keys as well as the location due to the City's intent of developing Roundhouse Park as a central recreation area. Mayor Segotta stated that a public meeting would be a good idea before any final decisions are made. No action was taken.

D. PRESENTATION on Explore Raton Bi-Yearly Report & Updates by Patricia Duran – Director of Marketing & PR

Director of Marketing & PR, Patricia Duran went over the 2022-2023 analytics for the social media and the google ads. The total online reach from August 2022- February 2023 was 522,890. She also explained her efforts in updating the Explore Raton website, populating it with outdoor recreation, arts and culture, history and annual events. She noted that the Center for Community Innovation with the help of City Clerk Antonucci and City Manager Berry purchased the Explore Raton Domain from Rich Kuhns securing the domain for nine years and that she is currently working with Google Ads and Wix to switch the website out from under the subdomain exploreraton.sustainraton.org to ExploreRaton.com. Mrs. Duran reported she is currently working on new visitor guide advertising prices for 2023 while

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tracking tourism trends and travel patterns for better results. The Google Ads Grant made some changes increasing costs per click, requiring her to retrain in order to make necessary changes to help increase traffic. Mrs. Duran also designed quarterly magazine ads for the New Legends magazine which was approved by the Lodgers' Tax Advisory Board. The Commission commended Mrs. Duran for her great work. No action was taken.

E. *INTRODUCTION OF ORDINANCE No. 1021 Approving and Adopting a Local Economic Development Project Participation Agreement between the City of Raton and El Raton Media Works to Plan, Develop and Implement a Functional Workforce Development and Film Production Facility: and Renovations, Lease Payments and Tenant Improvements to the City's Kearny School Facility for Local Economic Development Project*

City Manager Scott Berry stated the City of Raton issued a request for proposals No. 2022-1027 for commercial/business occupancy of the existing Kearny School building and site for economic development and community service purposes. The City of Raton received one proposal from El Raton Media Works on November 16, 2022. The submitted proposal is to develop a film production studio and workforce education center to meet the demand for professional productions and provide workforce development opportunities. Pursuant to the Raton Economic Development Plan Ordinance §153.30 et seq., Raton, New Mexico Code of Ordinances, and in accordance with the Local Economic Development Act ("LEDA"), section 5-10-1, et seq., NMSA 1978, as amended, the City of Raton is authorized to approve an economic development project and to enter into a project participation agreement for a qualifying project. City Manager Berry stated there will be a public hearing held at the March 28th City Commission meeting. A motion was made by Commissioner Lori Chatterley to Introduce Ordinance No. 1021 Approving and Adopting a Local Economic Development Project Participation Agreement between the City of Raton and El Raton Media Works to Plan, Develop and Implement a Functional Workforce Development and Film Production Facility: and Renovations, Lease Payments and Tenant Improvements to the City's Kearny School Facility for Local Economic Development Project. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

F. *DELIBERATE AND ACT on Hangar Lease Agreement Between the City of Raton and Martin Manglesdorf*

City Manager Scott Berry stated the hangar owned by the City of Raton is located at the Raton Municipal Airport which was constructed in 2002. The lease is for a fifty year-term with the first ten year fee being \$.04 per square foot, with an increase of fees every eleventh year, resulting in years 41 through 50 being twenty-five cents per square foot. City Manager Berry noted that this is an affordable rate in order to encourage a lengthy lease agreement with the Raton Municipal Airport. A motion was made by Mayor Pro-tem Linde' Schuster to approve the Hangar Lease Agreement Between the City of Raton and Martin Manglesdorf. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

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G. DELIBERATE AND ACT on Professional Services Contract Between the City of Raton and Lloyd & Associates

City Manager Scott Berry stated this commenced through a Request for Proposals for professional services for renovation of the Raton Train Depot. The City of Raton has \$300,000 that was funded by NM MainStreet Capital Outlay funds. The intent is to restore the Train Depot to its original condition. The fee for phase one, initial services of architectural work, an electrical engineer, a mechanical engineer, a cultural resources expert, structural engineer and an environmental consultant is an estimated \$66,700. He noted that the Master Services Agreement will be brought to the Commission at a future meeting and recommended the approval of the service order presented. A motion was made by Commissioner Lori Chatterley to approve the Preliminary Fee Proposal. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

H. DELIBERATE AND ACT on Resolution 2023-06: Application for Fiscal Year 2023-2024 LGRF Cooperative (COOP) Funding to NMDOT District IV

City Manager Scott Berry stated this is an annual request made to the New Mexico Department of Transportation for maintenance and improvement of local street, drainage and transportation infrastructure. The request is for pavement markings from First Street to Third Street and from Savage Avenue to Rio Grande Avenue. The markings will consist of crosswalks, stop bars, turn arrows, and established parking. The request is also for speed radar signs. The total project cost is \$100,000. The request is for \$75,000 with a city match of \$25,000 which would come from the gas tax line item. A motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2023-06: Application for Fiscal Year 2023-2024 LGRF Cooperative (COOP) Funding to NMDOT District IV. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

I. DELIBERATE AND ACT on Resolution 2023-07: Application for Fiscal Year 2023-2024 Municipal Arterial Program (MAP) Funding to NMDOT District IV

City Manager Scott Berry stated this is also an annual request made to the New Mexico Department of Transportation. The request is for renovation of the North Underpass which is in need of repair and reconstruction including pavement replacement or repair, curb & gutter and sidewalk replacement, drainage improvements, bridge coatings, abutment repairs, lighting improvements as well as other tasks. The request is for \$400,000 with a city match of \$100,000 from the gas tax line item. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-07: Application for Fiscal Year 2023-2024 Municipal Arterial Program (MAP) Funding to NMDOT District IV. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

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J. *DELIBERATE AND ACT on Agreement Between the City of Raton and the State of NM CYFD Juvenile Justice Grant # 21-290-3200-20841 Amendment Five (5)*

City Clerk Michael Anne Antonucci stated that there has been an increase in referrals from the Raton High School and the Raton Intermediate School resulting in a budget adjustment increasing the funding to \$31,866 for Fiscal Year 2023, which was previously approved by the Commission. Amendment Five's new budget for Fiscal Year 2023 is \$220,294 which includes a raise for the Continuum Coordinator and an increase to the City's 15% admin fee and increase of the 40% in-kind requirement. A motion was made by Mayor Pro-tem Linde' Schuster to approve the Agreement Between the City of Raton and the State of NM CYFD Juvenile Justice Grant # 21-290-3200-20841 Amendment Five (5). The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

K. *DELIBERATE AND ACT on Resolution 2023-08: FY23 January Financial Reports*

City Clerk Michael Anne Antonucci went over the Lodgers' Tax Comparison, Gas Tax Comparison, Cannabis Excise Tax Comparison, Total Year-To-Date GRT, General Fund Financial Summary, and the Unaudited Financial Statement through January 31, 2023. She noted that the Gross Receipts Distribution for December business activity was strong as expected and is 20% above the General Fund Budget projection. She also noted that the City of Raton received the Small Cities Assistance distribution earlier than expected and the amount received was \$336,398.75. A motion was made by Commissioner Donald Giacomo to approve Resolution 2023-08: January Financial Reports. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

L. *DELIBERATE AND ACT on Resolution 2023-09: Budget Adjustment #10 FY23*

City Clerk Michael Anne Antonucci went over the requested budget adjustments in the general fund and the special revenue fund. After a detailed discussion a motion was made by Commissioner Lori Chatterley to approve Resolution 2023-09: Budget Adjustment #10 FY23. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

M. *CITY MANAGER REPORT*

- City Manager Berry reported the New Mexico Outdoor Division has retained a consultant who will be in town on March 15th at 5:30 p.m. at the Moss Adventures building and the public is invited to discuss desired outdoor recreation.
- City Manager Berry reported the certificate of occupancy was received for the Ramel Family Farms Greenhouse which is now in operation.
- City Manager Berry reported the new hangar at the Municipal Airport is complete but still awaiting the electrical panel.

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- City Manager Berry reported the Lighting Improvement Project is underway and currently taking place at the Regional Aquatic Center and will next take place at the Arthur Johnson Memorial Library and then at the Shuler Theater.
- City Manager Berry reported the HVAC system at the Highlands building has had some issues and will most likely require replacement of all five units.
- City Manager Berry reported the Legislative Session will adjourn on March 18th and following that the City of Raton should receive response to the capital outlay requests submitted.
- City Manager Berry reported the request for funding submitted to the US Department of Transportation for replacement of the East 10th Street bridge was denied.

VIII. ADJOURNMENT:

The meeting adjourned at 8:13 p.m.

CITY OF RATON


James Neil Segotta Jr., Mayor

ATTEST:

Michael Anne Antonucci, City Clerk