



MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, APRIL 9, 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 Neil Segotta, 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 37 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 Friday, April 19th in observance of Good Friday.
- Notice of Potential Quorum: A quorum of City Commissioners may attend the NM Municipal League District 3 Meeting in Las Vegas, NM on April 10th 10 a.m. to 4 p.m. at the Plaza Hotel located at 230 Plaza Park.
- Next Regular Commission Meeting Tuesday, April 23, 2019 at 6pm
- Proclamation: Celebration of Champions – RHS Cheerleaders
- Proclamation: Raton Public Service 100th Anniversary
- Proclamation: Fair Housing Month, April 2019
- Proclamation: Equal Pay Day – April 2, 2019
- Proclamation: Telecommunicators Week April 14-20, 2019
- Proclamation: Comcast Cares Day – May 4, 2019

V. COMMENTS FROM THE GENERAL PUBLIC:

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 March 26, 2019 Commission Meeting Minutes.*

Commissioner Chatterley made a motion to approve minutes for the March 26, 2019 Regular Commission Meeting. Commissioner Giacomo seconded the motion. No further discussion took place and the motion passed 5-0 with all voting "aye".

B. *Public Hearing: Fiscal Year 2020 Budget Hearing*

City Manager Berry introduced and reviewed the DFA Guidance memo and reported that the City of Raton will begin the Interim Budget preparation process. He also noted that public input is an important part of the process and encouraged the public to submit written comments, call or attend a public hearing. He then discussed the decrease seen in Gross Receipts which has been a consistent trend and hard to predict. City Manager Berry stated that personnel costs are 70% of the budget and referred to the note in the DFA memo that states "if you local government is facing fiscal challenges, DFA recommends adopting and applying formal policy that strictly disallows recurring expenditures from cash balance and non-recurring revenues". A brief discussion followed regarding minimum wage changes and how the city will handle the impact. City Manager Berry reported that staff raises will be

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minimal this year and that health insurance costs will increase 5%. Clerk/Treasurer Antonucci reported to the Commission that she is working on a draft budget to present at the first meeting in May and that an Interim Budget is due to DFA no later than June 1st.

C. *Deliberate and Act on Memorandum of Agreement Between the City of Raton and the Raton Country Club.*

City Manager Berry introduced the request from the Raton Country Club and noted that the funding would be limited to capital improvements only and direct components of the irrigation system. Devon Barton was present on behalf of the Raton Country Club and discussed the relationship with the City of Raton and the reclaim water. He further noted that repairs to the irrigation system are needed and provided an estimate of costs. He also noted that in exchange the Raton Country Club would provide golf passes to guests at local hotels and motels and it was agreed that the restraints and similar business should be deleted and RV Parks and Bed and Breakfasts be added. It was also discussed that item 9 should be revised to delete "in a reasonable and congenial manner" and state "free daily usage" of existing disc golf course. Devon Barton stated that the board did not agree with the language in item 11 with regards to having to reimburse City if they fail to meet requirements of the MOA. City Manager Berry agreed to strike that item. There was also a brief discussion on the expense for the Rainbird warranty. Mr. Barton also mentioned that the Country Club would like to produce a brochure on disc golf and golf rules to distribute at the course. There was no further discussion. A motion was made by Commissioner Chatterley to approve the MOA as amended and award an amount not to exceed \$25,000 towards contractor services and parts. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

D. *Deliberate and Act on Board Appointment to the Planning and Zoning Commission.*

City Manager Berry announced the next P & Z meeting will be on April 18 and that there is currently one vacancy on the board and that only one application was received from Dee Burks. City Manager Berry recommended approval and noted that Dee would be appointed to fill the remainder of Laurie Bunker's term. A motion was made by Commissioner Chavez to appoint Dee Burks to the Planning and Zoning Commission. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

E. *Deliberate and Act on Bid Award for Brilliant St. – Hart Ave. Resurfacing Project*

City Manager Berry discussed the waterline replacement project recently completed by Raton Water Works and reported that it has had a detrimental effect on the streets. As a result, the City of Raton will use \$100,000 in NMDOT Cooperative funding with participation from Raton Water Works and a 25% match from Gas Tax revenue. According to City Manager Berry, the estimated cost of the project is closer to \$200,000. Jason Phillips was present and reported that 2 bids were received and gave an overview of the tabulation and recommended award to Northern Mountain Constructors for the base bid plus alternatives and NMGRT in the amount of \$212,903.70. A motion was made by Commissioner Giacomo to Award the Bid to Northern Mountain Constructors for the Brilliant St. – Hart Ave. Resurfacing Project as presented. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

F. *Deliberate and Act on Bid Award for Annual Contract to Perform On-Call Excavation and Drainage Maintenance Work*

Jason Phillips reported that 2 bids were received and recommended award to the low bidder, R.W. Butt Construction for 11,900 plus tax for a total of \$12,884.23. A motion was made by Commissioner Chatterley to Award an Annual Contract to R.W. Butt Construction to Perform On-Call Excavation and Drainage Maintenance Work as presented. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

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G. *Deliberate and Act on Dispatch Agreement between the City of Raton and Village of Cimarron*

City Manager Berry introduced the standard annual agreement and noted that there was no increase and that the fee to provide dispatch services to Cimarron would remain \$14,000 per year and that the term of the agreement would be 2 years starting May, 1 2019. City Manager Berry also noted that it costs the City around \$350,000 a year to run the Dispatch Center. A motion was made by Mayor Pro-tem Schuster to approve the Dispatch Agreement between the City of Raton and Village of Cimarron. The motion was seconded by Commissioner Chavez and carried 5-0 with all voting "aye".

H. *Deliberate and Act on Introduction of an Ordinance Amending Ordinance 995, Chapter 90: Animals*

City Manager Berry introduced and discussed the revisions made to the Animal Ordinance 2 years ago. He also noted that the City Attorney and the Municipal Judge met to discuss and draft the ordinance. This revision will amend Chapter 90 to delete the language "shall be guilty of a misdemeanor". And will state that every person convicted of a violation of 90.105 shall be punished by a fine not exceeding \$500 or imprisonment for a term not exceeding 90 days or by both the fine and imprisonment. He further noted that this was an introduction only and that a notice would be published for a hearing and adoption at the first meeting in May. A motion was made by Commissioner Chavez to introduce an Ordinance Amending Ordinance 995, Chapter 90: Animals. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

I. *Deliberate and Act on Resolution 2019-21: Acceptance of Debit/Credit Cards or Electronic Means for Payment of Utilities and Related Services*

City Manager Berry introduced and reported that the City is easing into this to provide customer convenience. He also reported that the utilities are closer to implementation and that the City was just starting the process to adopt the policy. It was also noted by Clerk/Treasurer Antonucci that the City will also need to upgrade its accounting software to the new version prior to implementation. A motion was made by Commissioner Giacomo to approve Resolution 2019-21: Acceptance of Debit/Credit Cards or Electronic Means for Payment of Utilities and Related Services. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

J. *Deliberate and Act on Better City LLC, Economic Development Services Contract Scope Adjustment and Associated Costs*

City Manager Berry gave a status report and noted that Better City has submitted a draft report based on observation and analysis of their recent visit to Raton. He further noted that they are proposing a plan moving forward and scope of work for additional services in the amount of \$30,375. City Manager Berry also discussed the need for the City to have a recurring revenue source to fund economic development and hire staff full-time. Commissioner Chatterley stated she was concerned with the cost of the proposal and asked if approval could wait or if the City must act on it right away. Discussion followed. Mayor Segotta stated that he felt the City has gained momentum since the Better City visit and that he hates to see the momentum slow down. City Manager Berry stated that this would be a one-time non-recurring cost from General Fund reserves. A motion was made by Mayor Pro-tem Schuster to approve the Better City LLC Contract Scope Adjustment in the amount of \$20,375 and to give the City Manager authority to schedule and make decisions as needed. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

K. *Deliberate and Act on CYFD Juvenile Justice Grant FY19 Budget Adjustment #1*

Clerk/Treasurer Antonucci reviewed the request and noted that a line item adjustment from the Boys Council to the Girls Circle was needed due to a higher number of referrals received in the Girls Circle program and is necessary to have enough monies through the end of the fiscal year. A motion

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was made by Mayor Pro-tem Schuster to approve CYFD Juvenile Justice Grant FY19 Budget Adjustment #1. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

L. *Deliberate and Act on Resolution 2019-22: City of Raton FY19 Budget Adjustment #13*

Clerk/Treasurer Antonucci presented the resolution which included line item adjustments in various funds, an adjustment to add revenues and expenses for the Department of Homeland Security Grant for Fire Department protective clothing and radiation detection equipment. She also noted that the additional debt payment was sent to NMFA as approved by the Commission at a previous meeting and that a line item adjustment was needed to reclass the additional debt payment to the 2009 loan due to this loan having a higher interest rate. A motion was made by Commissioner Chatterley to approve Resolution 2019-22: City of Raton Budget Adjustment #13. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

M. *City Manager's Report.*

City Manager Berry reported the following:

- Phase II of Taxiway A Reconstruction started on Monday and will be complete within 60 days.
- RMCI will start the Filter Plant Improvement project in about 10 days.
- Reported that he will attend the NMML District Meeting in Las Vegas tomorrow. There will be an overview of legislation passed that impacts municipalities. HB 6 is a new tax law that allows municipalities to collect a share of the project if the property is owned by the City but located outside of the City limits. He further noted that the City of Raton has advocated for this legislation for many years.
- Offered his condolences to the family of Fred Sparks and recognized his efforts and contributions as a former Commissioner and Mayor who was also active on the NCNMEDD Board and in communications with BNSF.


VII. ADJOURNMENT:

The meeting adjourned at 7:52 p.m.

ATTEST:


Michael Anne Antonucci, City Clerk

CITY OF RATON


James Neil Segotta Jr., Mayor