



**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, APRIL 25, 2023 AT 6 PM**

**I. CALL TO ORDER:**

Mayor Pro-tem Linde' Schuster called the meeting of the Raton City Commission to order at 6:00 p.m.

**II. ROLL CALL/ATTENDANCE:**

Answering roll call was: 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, City Clerk Michael Anne Antonucci, and about 50 visitors. Mayor Neil Segotta joined the meeting at 7:05 p.m. via conference call.

**III. MAYOR PRO-TEM LINDE' SCHUSTER 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, May 9, 2023 at 6:00 p.m.
- Proclamation: Raton High School Cheer Team Day, April 25, 2023
- Proclamation: Motorcycle Awareness Month, May 2023
- Proclamation: Lemonade Day, July 1, 2023
- Proclamation: Drinking Water Week, May 7-13, 2023
- Proclamation: Municipal Clerks Week, April 30- May 6, 2023
- Proclamation: Behavioral Health/Mental Health Awareness Month May 2023

**V. Committee Reports from Commissioners:**

Commissioner Lori Chatterley attended the Ports-to-Plains Alliance in Washington DC March on 26<sup>th</sup>-31<sup>st</sup> where she met briefly with Representative Leger Fernandez, Senator Lujan's staff, Senator Lujan, and Senator Heinrich. She sat in on a meeting with the USDOT and the FHWA regarding funding avenues, the NM Delegation regarding the I-27 Numbering bill to designate the Ports-to-Plains route in TX and NM. A request in the amount of \$1,600,000 was made for the I-27 planning in New Mexico and is on Senator Heinrich's list for 2024 Transportation Housing and Urban Development Congressionally Directed Spending with NMDOT offering a \$400,000 match. She met with the Colfax County Senior Citizens Board April 11<sup>th</sup> where they discussed board openings, financials, production reports, number of meals served this fiscal year, transportation, chore work and homemaker work. She also toured the Water Treatment plant, attended the New Mexico Municipal League Legislative Recap on April 11<sup>th</sup> via zoom, toured Kearney School with El Raton Media Works, and

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, APRIL 25, 2023 (Cont.)**

attended the New Mexico Municipal League District 3 Meeting and was reelected as the District 3 Director for another 2 year-term on the Board of Directors.

Commissioner Donald Giacomo attended the Raton Public Service Co. Board meeting on April 24<sup>th</sup> where they approved financials & statistical information, transfers for March, Acknowledgement of FY22 Audit-Resolution 2023-3, and vouchers.

Commissioner Ronald Chavez reported the Raton Water Works Board meeting was postponed until May 2, 2023 at 5:30 p.m. and the Financial Advisory Committee meeting was canceled.

Mayor Pro-tem Linde' Schuster toured Kearney School with El Raton Media Works and attended an Albuquerque Convention where they discussed available scholarships and back to school.

**VI. Items from Citizens Present:**

Mr. Julian Gutierrez expressed his appreciation to the City Commission for all the City's help with the barricades, lighting, stage and all their help in making the 2022 Relay for Life a success. He also thanked the businesses and the community for their support. They raised \$20,000 and the next one will be held on August 5, 2023.

**VII. 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. *DELIBERATE AND ACT on Approval of April 11, 2023 Regular Meeting Minutes and April 15, 2023 Special Meeting Minutes***

A motion was made by Commissioner Lori Chatterley to approve the April 11, Regular Meeting Minutes and the April 15, 2023 Special Meeting Minutes. The motion was seconded by Commissioner Donald Giacomo and carried 4-0 with all voting "aye".

**B. *DELIBERATE AND ACT on Event Forms***

- ***International Santa Fe Trail Balloon Rally, July 1-3, 2023***  
City Manager Scott Berry stated Raton MainStreet has held this event for a number of years. President of Raton MainStreet, Christine Valentini stated the annual Pilot Reception will be held on June 30<sup>th</sup> and that Suburban Propane will be providing the propane for the Balloonist. A motion was made by Commissioner Lori Chatterley to approve the Santa Fe Trail Balloon Rally, July 1-3, 2023. The motion was seconded by Commissioner Donald Giacomo and carried 4-0 with all voting "aye".
- ***Raton MainStreet 4<sup>th</sup> of July Parade & Fun on 1<sup>st</sup> Street***  
City Manager Scott Berry stated this event is also Raton MainStreet sponsored, planned and conducted. A motion was made by Commissioner Lori Chatterley to approve the Raton MainStreet 4<sup>th</sup> of July Parade & Fun on 1<sup>st</sup> Street. The motion was seconded by Commissioner Donald Giacomo and carried 4-0 with all voting "aye".

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, APRIL 25, 2023 (Cont.)**

- ***Sun Valley Rides Carnival, June 16-25, 2023***  
Raton MainStreet Executive Director, Brenda Ferri stated the Carnival will be open to the public June 22<sup>nd</sup> – 25<sup>th</sup>, and the tickets will go on sale June 1<sup>st</sup> at InBank. A motion was made by Commissioner Ronald Chavez to approve the Sun Valley Rides Carnival, June 16-25, 2023. The motion was seconded by Commissioner Lori Chatterley and carried 4-0 with all voting “aye”.
  
- ***Independent Riders, Run For The Wall, May 20, 2023***  
City Manager Scott Berry stated this is a very popular event that has been sponsored by the Independent Riders for many years. The bikers come though on Clayton Highway and ride north on 2<sup>nd</sup> Street. A motion was made by Commissioner Ronald Chavez to approve the Independent Riders, Run for the Wall, May 20, 2023. The motion was seconded by Commissioner Lori Chatterley and carried 4-0 with all voting “aye”.
  
- ***Run to Raton, July 20-22, 2023***  
City Manager Scott Berry stated this event has grown in the last few years. They are wanting to expand this year from Rio Grande Avenue to Clark Avenue, on 1<sup>st</sup> Street and one block on 3rd Street, between Savage Avenue and Clark Avenue. A motion was made by Commissioner Ronald Chavez to approve the Run to Raton, July 20-22, 2023. The motion was seconded by Commissioner Donald Giacomo and carried 4-0 with all voting “aye”.

**C. *DELIBERATE AND ACT on J&M Displays 2023 Fireworks Show Proposal***

City Manager Scott Berry stated there were two proposals. The first proposal is for the same fee that was paid last year but with a reduced number of fireworks and the second proposal was for the same number of fireworks as last year but with a larger fee. The Commission agreed that they don't want to reduce the number of fireworks. A motion was made by Commissioner Donald Giacomo to approve the J&M Displays 2023 Fireworks Proposal for \$32,200. The motion was seconded by Commissioner Lori Chatterley and carried 4-0 with all voting “aye”.

**D. *DELIBERATE AND ACT on Public Celebration Permits***

- ***Left Turn Inc. for the Run to Raton scheduled for July 20-22, 2023***  
City Clerk Michael Anne Antonucci stated she had a conversation with J.P. Rodman about what is required for the Left Turn Inc. Celebration Permits to be complete. Commissioner Lori Chatterley made a motion to postpone the Public Celebration Permits for Left Turn Inc. for the Run to Raton scheduled for July 20-22, 2023. The motion was seconded by Commissioner Ronald Chavez and carried 4-0 with all voting “aye”.
  
- ***Blü Dragonfly Brewing LLC Shuler Events May 4, 11-12, 2023***  
City Clerk Michael Anne Antonucci apologized for the dates, the dates that were given were different than the permits provided. The Celebration Permits were for the Shuler Theater on May 4<sup>th</sup>, 12<sup>th</sup> and 20<sup>th</sup>. Clerk Antonucci noted the permits were complete with the list of

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, APRIL 25, 2023 (Cont.)**

servers and the floor plan in order. A motion was made by Commissioner Ronald Chavez to approve the Blü Dragonfly Brewing LLC Shuler Events May 4<sup>th</sup>, 12<sup>th</sup> and 20<sup>th</sup>. The motion was seconded by Commissioner Donald Giacomo and carried 4-0 with all voting “aye”.

**E. *PUBLIC HEARING: City of Raton FY24 Interim Budget***

City Manager Scott Berry stated the Special Commission Meeting – Budget Workshop that was held on April 15, 2023 was very productive. GrowRaton President Brandy Dietz stated GrowRaton would like to request funding in the amount of \$20,000 to continue providing services to the public such as workshops, economic development assistance, entrepreneur assistance, promotional skills to businesses, and relocation opportunities. City Clerk Michael Anne Antonucci stated there will be another public meeting opportunity at the May 9<sup>th</sup> City Commission meeting. No action was taken.

**F. *DELIBERATE AND ACT on Lodgers’ Tax Advisory Board Recommendations***

- *International Santa Fe Trail Balloon Rally, July 1-3, 2023*
- *Raton Visitors Guide 2023 Distribution*
- *World Journal 2023 Summer Guide*

City Manager Scott Berry stated the Lodgers’ Tax Advisory Board met on Wednesday, April 18, 2023 and recommended \$7,744.46 be awarded to Raton MainStreet for the Santa Fe Trail Balloon Rally ads, brochures, posters, t-shirts, sanitation, and fire protection from the annual events line item, \$1,616.26 be awarded to the Center for Community Innovation to reimburse the cost of distribution of the Raton Visitors Guide to 62 rack sites in Taos, 89 rack sites in Red River and 878 sites across New Mexico from the contingency fund line item, and \$1,200 be awarded to the World Journal for a full-page ad in the summer guide to be designed by CCI Director Patricia Duran from the print line item. A motion was made by Commissioner Lori Chatterley to approve the Lodgers’ Tax Advisory Board Recommendations. The motion was seconded by Commissioner Ronald Chavez and carried 4-0 with all voting “aye”.

**G. *DELIBERATE AND ACT on Capital Appropriation Agreement 22-G2791 Between the City of Raton and Department of Finance and Administration for Kearny School Film Project***

City Manager Scott Berry stated this is in regard to the \$1,100,000 appropriation that was awarded in 2021. He noted that the City of Raton has not received the grant agreement and requested to postpone this item until the May 9<sup>th</sup> Commission meeting. A motion was made by Commissioner Lori Chatterley to postpone the Capital Appropriation Agreement 22-G2791 Between the City of Raton and Department of Finance and Administration for Kearny School Film Project. The motion was seconded by Commissioner Donald and carried 4-0 with all voting “aye”.

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, APRIL 25, 2023 (Cont.)**

**H. *DELIBERATE AND ACT on Award of RFP for Economic Development Services***

City Manager Scott Berry stated the City of Raton issued a solicitation seeking proposals for Business & Economic Development Services. The city received two proposals, opened them on April 5, 2023 and they were evaluated by a committee consisting of City Manager Scott Berry, Community Facilities Director Jolene Greene, and Raton MainStreet Director Brenda Ferri. The evaluation committee unanimously selected Better City, LLC as the most qualified firm and recommended award of the contract. City Manager Berry noted that the city previously contracted with Better City, LLC for the Economic Development Strategic Plan. A motion was made by Commissioner Lori Chatterley to approve the Award of RFP for Economic Development Services. The motion was seconded by Commissioner Ronald Chavez and carried 4-0 with all voting "aye".

*Mayor Neil Segotta joined the meeting at 7:05 p.m. via conference call.*

**I. *DELIBERATE AND ACT on Alpha Design Proposals for Architectural Services***

- ***Shuler Theater Alley Ramp***

City Manager Scott Berry stated the request is for the design and replacement of the ramp due to the current ramp being problematic. He noted that this request is for the design of the ramp and for the carrying out of the bid process for a fee of \$5,800 plus NMGRT and the construction will take place in the next fiscal year. A motion was made by Commissioner Lori Chatterley to approve the Alpha Design Proposal for Architectural Services on the Shuler Theater Alley Ramp. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

- ***Raton Aquatic Center***

City Manager Scott Berry stated this is another phase of the general improvements due to wear and tear and some is due to poor construction. Five showers are leaking and need repair. Alpha Design will edit the Project Manual and carry out the bid process for a fee of \$3,000 including NMGRT. A motion was made by Commissioner Ronald Chavez to approve Alpha Design Proposal for Architectural Services at the Raton Aquatic Center. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

**J. *DELIBERATE AND ACT on Dispatch Agreement Between the City of Raton and the Village of Cimarron***

City Manager Scott Berry stated this is a renewal of an existing agreement to provide dispatch services to the Village of Cimarron. He noted that the cost of dispatch services has increased significantly and requested the agreement be approved for one-year for the amount of \$14,000 so that the fee can be evaluated. A motion was made by Commissioner Lori Chatterley to approve the Dispatch Agreement Between the City of Raton and the Village of

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, APRIL 25, 2023 (Cont.)**

Cimarron for a term of one-year. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

**K. *DELIBERATE AND ACT on FY23 Audit Services Recommendation and Authorization to Contract with Selected Firm***

City Clerk Michael Anne Antonucci stated the City of Raton just completed its first year with the audit firm SJT Group, LLC. The City of Raton solicited an RFP in 2022 and negotiated a three-year contract subject to annual renewals and approval from the NM State Auditor. City Clerk Antonucci noted that it is to the City's advantage to continue working with SJT Group, LLC due to them developing familiarity and the good job they did on the previous years audit. The 2<sup>nd</sup> year cost is \$56,650 plus NMGRS which includes the fee for the City, Raton Water Works and Raton Public Service Company. If approved the contract will be forwarded to the State Auditor by the May 15<sup>th</sup> deadline. A motion was made by Commissioner Lori Chatterley to approve the FY23 Audit Services Recommendation and Authorization to Contract with Selected Firm. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

**L. *DELIBERATE AND ACT on Resolution 2023-24: 3<sup>rd</sup> Quarter Financial Report***

City Clerk Michael Anne Antonucci went over the ending cash balance as of March 31, 2023 in the General Fund, Special Revenue Fund, Capital Projects Funds, Debt Service Fund, Solid Waste Fund, Trust & Agency Fund, and the Landfill Trust Fund. She noted that the collected General Fund GRT is 20.47% above the year-to-date budget projection. She also went over the Lodgers' Tax Comparison, Gas Tax Comparison, Cannabis Excise Tax, State Report, and the Unaudited Financials. She noted that due to a decrease in the State of New Mexico tax rate, the City of Raton's tax rate will be 8.2583% effective July 1, 2023. A public service announcement will be made to notify the public. A motion was made by Commissioner Donald Giacomo to approve Resolution 2023-24: 3<sup>rd</sup> Quarter Financial Report. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

**M. *DELIBERATE AND ACT on Resolution 2023-25: Budget Adjustment #14 FY23***

City Clerk Michael Anne Antonucci went over the budget adjustments request in the General Fund line item, Aquatic/Rec Center Fund line item, Library Building Fund line item, Swim Pool/Recreation Center GRT Fund line item, Airport Capital Outlay Fund line item, and the Trust & Agency Fund line item. After a brief discussion, a motion was made by Commissioner Lori Chatterley to approve Resolution 2023-25: Budget Adjustment #14 FY23. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**N. *DELIBERATE AND ACT on Resolution 2023-26: Appointment of City Clerk & Deputy***

City Manager Scott Berry stated that in years past the Treasurer/Clerk position were two separate positions. City Clerk Antonucci took on both roles after

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, APRIL 25, 2023 (Cont.)**

servicing as the Interim Clerk. Due to the City taking on many projects and remaining exceptionally busy it is desired to separate the roles and appoint Desire'e Trujillo to serve as the City Clerk. Desire'e Trujillo has worked for the City of Raton for 9 years and has served as the Deputy Clerk since May 26, 2020. Deputy Clerk Trujillo is actively pursuing a Municipal Clerk Certification and has the knowledge and expertise to perform the duties as defined by Ordinance 984. It was proposed that City Clerk Antonucci serve as the Deputy Clerk and continue her duties as City Treasurer and with her knowledge and expertise provide assistance and serve in the absence of City Clerk. A motion was made by Commissioner Ronald Chavez to approve Resolution 2023-26: Appointment of City Clerk & Deputy. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**O. CITY MANAGER REPORT**

- City Manager Berry cautioned the public to use caution due to the current elevated fire risk. He noted that the Raton Fire Department has responded to several wild & structural fires in the last week.
- City Manager Berry reported he will be attending a meeting tomorrow with the NE Regional Transportation Planning Organization in regard to the preliminary documents submitted for the three new proposed Street/Bridge Projects previously discussed.
- City Manager Berry reported the Town Hall Meeting at the Raton Convention Center was well attended with about 80 people and numerous community groups.
- City Manager Berry reported the Center for Community Progress conducted a community evaluation and will draft some recommendations regarding Raton's vacant building strategy.
- City Manager Berry reported the Arthur Johnson Memorial Library renovations are progressing well and he anticipates it should reopen in about 7 to 10 business days.

**P. CLOSED EXECUTIVE SESSION Pursuant to Section 10-15-1 H(7) Threatened Litigation Horse Racing Real Property and Section 10-15-1 H(2) Personnel – City Manager**

A motion was made by Commissioner Lori Chatterley to Enter Closed Executive Session Pursuant to Section 10-15-1 H(7) Threatened Litigation Horse Racing Real Property and Section 10-15-1 H(2) Personnel – City Manager at 7:38 p.m. with a 5 minute recess. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with a unanimous roll-call vote of "yes".

**Q. CERTIFICATION OF CLOSED EXECUTIVE SESSION**

The City Commission returned from closed session at 8:11 p.m. and Deputy Clerk Trujillo read the Certification of Closed Session stating the only business discussed was Threatened Litigation Horse Racing Real Property and Personnel – City Manager. Mayor Neil Segotta, Mayor Pro-tem Linde' Schuster, Commissioner Ronald Chavez, Commissioner Donald Giacomo and Commissioner Lori Chatterley all agreed with the statement by signifying "yes".

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, APRIL 25, 2023 (Cont.)**

**R. *DELIBERATE AND ACT on Authorization for City Manager to Negotiate Settlement Agreement for Approval by City Commission***

A motion was made by Mayor Neil Segotta to approve the Authorization for City Manager to Negotiate Settlement Agreement for Approval by City Commission. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with a unanimous roll-call vote of "yes".

**VIII. ADJOURNMENT:**

The meeting adjourned at 8:13 p.m.

**CITY OF RATON**

  
\_\_\_\_\_  
James Neil Segotta Jr., Mayor

**ATTEST:**  
  
\_\_\_\_\_  
Michael Anne Antonucci, City Clerk