



**MINUTES OF THE REGULAR RATON CITY COMMISSION  
MEETING HELD ON TUESDAY, APRIL 26, 2022 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, 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/Treasurer Michael Anne Antonucci, and four visitors.

**III. MAYOR 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:**

- City Commission Workshop 10 a.m., April 30, 2022 at Raton Readiness Facility, 33808 U.S. Hwy 64 (Agenda will be posted 72 hrs. prior as required by the Open Meetings Act)
- Next Regular Commission Meeting Tuesday, May 10, 2022 at 6:00 p.m.
- Proclamation: Motorcycle Awareness Month May 2022
- Proclamation: Better Speech and Hearing Month May 2022
- Proclamation: Drinking Water Week May 1-7, 2022
- Proclamation: Municipal Clerks Week May 1-7, 2022

**V. COMMITTEE REPORTS FROM COMMISSIONERS:**

Commissioner Lori Chatterley attended the Colfax County Senior Citizens Board meeting on February 8<sup>th</sup> where they discussed employee health insurance, policy revisions, board positions, the budget, and meal numbers. She attended the Non-Metro AAA Colfax Assessment on April 26<sup>th</sup> where they discussed budget concerns, each center's financials, staffing, and nutritional programs. She attended the Raton MainStreet MRA meeting on April 13<sup>th</sup> where they discussed Metropolitan Redevelopment Area tools and the need for seed money. The North Central Economic Development Board did not meet.

Commissioner Donald Giacomo attended the Raton Public Service Board meeting on March 23<sup>rd</sup> where they discussed and approved the financials, heard the monthly reports, and the numbers of meters replaced. The Arthur Johnson Memorial Library Board did not meet.

Commissioner Ronald Chavez and Mayor Pro-tem Linde' Schuster attended the Raton Water Works Board meeting on April 19<sup>th</sup> and he stated the City of Raton

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water is currently running from Lake Maloya, the sealing of Maloya's dam taking place this fall due to the water rising so soon, the Environmental Secretary recently inspecting the sewer plant, and they approved the quarterly financials. Commissioner Chavez attended the Financial Advisory Board meeting on April 21<sup>st</sup> where they discussed and approved financials.

Mayor Pro-tem Linde' Schuster reported the Lodgers' Tax Advisory Board meeting was rescheduled for April 27<sup>th</sup> due to no quorum. She met with U.S. Representative Theresa Leger Fernandez and USDA Under Secretary Torres Small on April 20<sup>th</sup> where they toured the Veteran's Clinic and held a Public Meeting at the Shuler Theater regarding the possible closure of the Raton Veteran's Clinic.

Mayor Neil Segotta attended the New Mexico Self Insurer's Fund meeting on March 25<sup>th</sup> where they discussed outstanding claims. He attended the MOLI meeting on April 7<sup>th</sup>-8<sup>th</sup> with over one hundred participants. He also met with U.S. Representative Theresa Leger Fernandez and USDA Under Secretary Torres Small on April 20<sup>th</sup> and discussed some economic development projects, the possible closure of the Raton Veteran's Clinic and also the Raton Wastewater Treatment Plant. City Manager Berry, Commissioner Chatterley, and Mayor Segotta met with NMML Director AJ Forte on April 21<sup>st</sup> where they discussed some outstanding claims that have been resolved and some possible new legislation. Mayor Segotta attended the High Country Meat's Grand Opening on April 23<sup>rd</sup> which he stated had a great turnout with great food. He attended the Cooks Peak Fire Incident Command meeting with City Manager Berry, Mayor Gonzales, Mayor Gallegos, and Mayor Lopez on April 25<sup>th</sup> regarding concerns of not enough effort being made to put out the fire in Colfax County and concerns about the water shed. They then attended a meeting with Governor Lujan Grisham the same day in Las Vegas and expressed their concerns about the Cooks Peak Fire which resulted in five hundred firefighters now fighting the fire. He noted that the state of New Mexico is number 5 in the nation for economic growth.

**VI. ITEMS FROM CITIZENS PRESENT:** None.

**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 Minutes for Regular Meeting held on April 12, 2022***

A motion was made by Commissioner Ronald Chavez to approve the Minutes for the Regular Commission Meeting held on April 12, 2022. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**B. *PUBLIC HEARING: City of Raton FY23 Interim Budget***

City Manager Scott Berry stated this public hearing is regarding the upcoming budget cycle. He noted that the city has some initiatives to clean up the town and that there may be some moving around of resources. He stated there will be a budget workshop on April 30<sup>th</sup> at 10:00 a.m. at the Raton Readiness

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Facility located at 33808 US Hwy 64. City Manager Berry invited all public citizens to attend and participate. No action was taken.

**C. *DELIBERATE AND ACT on Event Forms for Raton MainStreet Carnival June 20-26 and the Balloon Rally July 2-4***

City Manager Scott Berry stated these are two popular events put on by Raton MainStreet annually requiring the Commissions action to ensure public safety and to ensure the staff is prepared. Executive Director Brenda Ferri stated she is working with the Raton High School to hold the carnival in the parking lot and that RFD Chief Anthony Burk will perform the safety inspection as he does every year prior to opening. She also noted that RPD Chief John Garcia sends officers to patrol the carnival periodically each day. MainStreet President Christine Valentini stated this is the ninth year Raton MainStreet has held the Balloon Rally and that she has already received sponsorship requests and RSVPs from balloon pilots. She noted that the RFD has a unit on site each day of the balloon rally. A motion was made by Commissioner Lori Chatterley to approve the Event Forms for Raton MainStreet Carnival June 20-26 and the Balloon Rally July 2-4. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**D. *DELIBERATE AND ACT on Film Liaison Appointment***

City Manager Scott Berry stated the City of Raton Film Liaison Lucas Jansen recently resigned for personal reasons. The city received one application from Ann Theis. City Manager Berry stated he has had the opportunity to work with Mrs. Theis when she was with GrowRaton. He noted that the City of Raton has some networking opportunities coming up and if the Commission approves, she would be representing the city. After a brief discussion, a motion was made by Mayor Pro-tem Linde' Schuster to approve the Film Liaison Appointment. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

**E. *DELIBERATE AND ACT on Bid Award for the Raton Senior Center Shingle Roof Project***

City Manager Scott Berry stated a portion of the Senior Center roof is in decent shape, but the shingles are in extremely poor shape and need to be replaced. A request for bids was advertised with the help of Alpha Design and the bid opening was held on April 21<sup>st</sup>. Four bids were received. Alpha Design recommended awarding the bid to Superior Roofing of NM for the bid amount of \$18,617.23 plus NMGRT. A motion was made by Commissioner Ronald Chavez to approve Bid Award for the Raton Senior Center Shingle Roof Project. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**F. *DELIBERATE AND ACT on Bid Award for Raton Senior Center Exterior Maintenance & Repair Project***

City Manager Scott Berry stated there are exterior repairs and maintenance needs at the Senior Center that consist of the replacement of the water damaged ceilings over the driveway and over the southeast covered patio, replacing damaged skylight lenses, painting most of the stucco, and related

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work. A request for bids was advertised with the help of Alpha Design with a bid opening held on April 21<sup>st</sup>. Two bids were received. Alpha Design recommended the bid be awarded to Naturescapes Inc. for the bid amount of \$34,000 plus NMGRT. A motion was made by Commissioner Lori Chatterley to approve the Bid Award for Raton Senior Center Exterior Maintenance & Repair Project. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**G. *DELIBERATE AND ACT on 2022 Capital Outlay Grant Agreement Between the City of Raton and NM MainStreet for Train Depot Reservations***

City Manager Scott Berry stated this project has been a collaboration between the City of Raton and Raton MainStreet that has been talked about for quite some time. He stated the intent is to restore the Train Depot back to its original look. The project description is to perform structural repairs to stabilize the building which includes the removal and replacement of roof and roofing system components, restoration of stucco covered pillars, replacement of windows, and miscellaneous structural repairs as identified by the project design team. The Grant appropriation amount is \$270,900 with a 20% match from the general fund. A motion was made by Mayor Pro-tem Linde' Schuster to approve the 2022 Capital Outlay Grant Agreement Between the City of Raton and NM MainStreet for Train Depot Reservations. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

**H. *DELIBERATE AND ACT on Resolution 2022-21: Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement by and Between the City of Raton and NM Finance Authority for Purpose of Purchasing Two New Fire Apparatus***

City Clerk Michael Anne Antonucci stated that this resolution was drafted by the New Mexico Finance Authority for the loan amount of \$903,955 pledging the fire protection funds for repayment. City Clerk Antonucci noted that two resolutions were brought to the Commission at a previous meeting for the purchase of fire equipment through the HGAC contract and that the approval of this agreement is the next step. City Clerk Antonucci also noted that the delivery time of the equipment is about twenty-two months, and that the first payment due date is May 1, 2024. A motion was made by Commissioner Lori Chatterley to approve Resolution 2022-21: Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement by The City of Raton and NM Finance Authority for Purpose of Purchasing Two New Fire Apparatus. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with a unanimous roll call vote of "yes".

**I. *DELIBERATE AND ACT on Resolution 2022-22 Submission of USDA Rural Innovation Stronger Economy (RISE) Grant Application and Pledge of Matching Funds for Raton Film Project***

City Manager Scott Berry stated this grant application is for the Kearney School Project that is intended to be used for film production and workforce development. City Manager Berry noted that this project is estimated to cost five to six million dollars and that the City of Raton has been awarded

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\$1,100,000 dollars in capital outlay funds by the legislature in the recent legislative session. The grant request is for \$1,500,000 pledging local matching funds in the amount of \$350,000 using the City's recently awarded capital outlay funds. The USDA funds shall be utilized for planning, design, construction of building and property renovations, improvements and code compliance construction, and purchase of facility equipment, furnishings, and operational appurtenances necessary for a fully functional project. A motion was made by Commissioner Lori Chatterley to approve Resolution 2022-22 Submission of USDA Rural Innovation Stronger Economy (RISE) Grant Application and Pledge of Matching Funds for Raton Film Project. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with a unanimous roll call vote of "yes".

**J. *DELIBERATE AND ACT on Resolution 2022-23 Approval of 3<sup>rd</sup> Quarter Report FY22***

City Clerk Michael Anne Antonucci went over the ending cash balances in all the funds as of March 31, 2022. She stated that as of July 1<sup>st</sup> the City of Raton tax rate will decrease to 8.3833% as a result of House Bill 163 decreasing the state tax rate 1/8% from 5.125% to 5%. She also stated that the City of Raton will still receive 1.225% from the State and there will be no impact on the City of Raton revenues. City Clerk Antonucci also went over the gross receipts tax breakdown, the gas tax comparison, lodgers' tax comparison, and the unaudited financial statements. The Commission commended City Clerk Antonucci for her magnificent work. A motion was made by Commissioner Lori Chatterley to approve Resolution 2022-23 Approval of 3<sup>rd</sup> Quarter Report FY22. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**K. *DELIBERATE AND ACT on Resolution 2022-24: Budget Adjustment #11 FY22***

City Clerk Michael Anne Antonucci went over some budget adjustments in the general fund, special revenue fund, and the capital projects fund. After a brief discussion, a motion was made by Commissioner Ronald Chavez to approve Resolution 2022-24: Budget Adjustment #11 FY22. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**L. *CITY MANAGER REPORT***

- City Manager Berry reported as of this morning the Cooks Peak Fire was at 54,000 acres burned and 18% contained. Sweetwater, Rayado and Sunny Side remain on Go status and the Philmont Scout Ranch returned to Set status. There are 541 total personnel currently battling the fire with an estimated containment date of 12:00 a.m. on Saturday.
- City Manager Berry reported the Raton Convention Center was activated as an Emergency Evacuation Center on Friday, April 22<sup>nd</sup> with three Red Cross personnel and that one evacuee utilized the facility. The Center was closed on Sunday, April 24<sup>th</sup> and the supplies donated were forwarded to active fire areas.

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- City Manager Berry reported the Raton Fire Department has been actively fighting the fires as well as the Volunteer Firefighters in the area and that aircraft has been deployed to the hotspots on the west perimeter over the last couple of days.
- City Manager Berry reported that the Governor has suggested a ban or limit of fireworks due to it being dangerously dry this year.
- City Manager Berry reported he submitted Resolution 2022-18 and a letter to all 5 NM Federal Delegation in an attempt to keep the Raton Veteran's Clinic open and he urged all citizens to write letters as well.

**M. *CLOSED EXECUTIVE SESSION Pursuant to Section 10-15-1(H)(7) Threatened Litigation City of Raton and Horse Racing at Raton LLP***

A motion was made by Commissioner Ronald Chavez to go into Closed Executive Session Pursuant to Section 10-15-1 H(7) Threatened Litigation City of Raton and Horse Racing at Raton LLP. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with a unanimous roll call vote of "yes" by each Commissioner. The Commission took a 5-minute recess and then entered into closed session at 7:20 p.m.

**N. *CERTIFICATION OF CLOSED SESSION***

The City Commission returned from closed session at 8:05 p.m. and City Clerk/Treasurer Michael Anne Antonucci read the Certification of Closed Session stating the only business discussed was Threatened Litigation City of Raton and Horse Racing at Raton LLP and that no action was taken. 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".

**O. *DELIBERATE AND ACT on Filing of Lawsuit Against Horse Racing at Raton LLP***

Commissioner Lori Chatterley made a motion to authorize City Manager Scott Berry and City Clerk Michael Anne Antonucci to work with attorneys to file a lawsuit against Horse Racing at Raton LLP and for Commission to review the finalized complaint at the next City Commission meeting. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with a unanimous roll call vote of "yes" from each commissioner.

**VIII. ADJOURNMENT:**

The meeting adjourned at 8:10 p.m.

**CITY OF RATON**

  
James Neil Segotta Jr., Mayor

**ATTEST:**

  
Michael Anne Antonucci, City Clerk