



MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, JUNE 13, 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, City Clerk Desire'e Trujillo, City Treasurer Michael Anne Antonucci, and 3 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, June 27, 2023 at 6:00 p.m.
- Presentation of Plaque: Joe Gagliardi

V. Items from Citizens Present: None

VI. 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 May 23, 2023 Regular Meeting Minutes

A motion was made by Mayor Pro-tem Linde' Schuster to approve the May 23, 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 Board Appointments to the Extraterritorial Zoning Commission and Planning and Zoning Commission

City Manager Scott Berry stated there is an appointment recommendation for each board. Randy Madison for the Extraterritorial Zoning Commission, who is currently the chairman of the Planning and Zoning Commission and Alexis Dixon for the Planning and Zoning Commission. A motion was made by Mayor Pro-tem Linde' Schuster to approve the Board Appointments to the Extraterritorial Zoning Commission and Planning and Zoning Commission. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

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C. *DELIBERATE AND ACT on Operating Agreement Between the City of Raton and the Colfax County Seniors Inc.*

City Manager Scott Berry stated the building that the Colfax County Senior Citizens Center Inc. resides in is owned by the City of Raton and has had a long standing service provider agreement. The City of Raton has recently replaced a portion of the roof and is currently making some improvements in the kitchen. This agreement begins on July 1, 2023 and will remain in full force and effect until June 30, 2024 and may be extended by mutual written agreement of the parties on an annual basis. A motion was made by Commissioner Lori Chatterley to approve the Operating Agreement Between the City of Raton and the Colfax County Seniors Inc. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

D. *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 the City of Raton has been waiting for this agreement since 2022 and has yet to receive it. It is currently under review by the NM Department of Finance and Administration. A motion was made by Mayor Pro-tem Linde' Schuster to postpone the Capital Appropriation Agreement 22-G2791 Between the City of Raton and Department of Finance and Administration for Kearny School Project until the agreement is received. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

E. *DELIBERATE AND ACT on Sugarite Avenue Project Change Order No. 1*

City Manager Scott Berry stated the City of Raton is requesting a cost increase in the amount of \$39,195.68 for colored concrete within the bike lane median and for several quantity adjustments for additions/deletions from the project scope due to utility improvements within the project area by Raton Water Works. A motion was made by Commissioner Donald Giacomo to approve the Sugarite Avenue Project Change Order No. 1. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

F. *DELIBERATE AND ACT on Agreement Between the City of Raton and Colfax County for Vector Control Services*

City Manager Scott Berry stated that this is a standard agreement that has been entered into with Colfax County for a number of years. He noted that due to the frequent heavy rain it is expected to bring a healthy amount of mosquitos and that it is not a healthy option for pollinators but is hopeful the city can find a better option in the future. The agreement states that Colfax County will provide Vector Services to the City of Raton and that the city will make monthly payments for the services after they commence not to exceed \$3,000. A motion was made by Commissioner Lori Chatterley to approve the Agreement Between the City of Raton and Colfax County for Vector Control

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

G. DELIBERATE AND ACT on Purchase of Sanitation Truck Utilizing Statewide Price Agreement #00-00000-20-00030

Public Works Director Jason Phillips stated he has budgeted for a new pickup truck for the sanitation department since 2020 but has been unable to find one. He noted that if the purchase is approved, he will be able to retire one of the 1990 trucks. The proposed purchase is for a 2023 Ford F-150 XL Extended Cab 4x4 Truck for \$44,832. A motion was made by Mayor Pro-tem Linde' Schuster to approve the Purchase of Sanitation Truck Utilizing Statewide Price Agreement #00-00000-20-00030. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

H. DELIBERATE AND ACT on Purchase of Police Radios from Code 3 Service LLC Utilizing State Price Agreement #20-00000-21-00030

City Manager Scott Berry stated the Raton Police Department has budgeted funding available for personnel but due to low staffing, Chief John Garcia proposed moving the funds to purchase some new radios for the department. The proposal is for Kenwood Viking 5000 VHF 136-174 MHz Portable Radios with a standard batteries, antennas, belt clips, unit chargers, 2-way radio programming and leather cases for \$29,877.94. A motion was made by Commissioner Lori Chatterley to approve the Purchase of Police Radios from Code 3 Service LLC Utilizing State Price Agreement #20-00000-21-00030. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

I. DELIBERATE AND ACT on Quiroga-Pfeiffer Engineering Corp. City Hall Structural Repair Fee Proposal

City Manager Scott Berry stated City Hall has some structural damage on the west end of the building due to drainage deficiencies. The structural engineering fee proposal for structural analysis and the design for settlement repair is \$4,700. Once this is complete, sealed bids will be solicited for the repairs. A motion was made by Commissioner Ronald Chavez to approve the Quiroga-Pfeiffer Engineering Corp. City Hall Structural Repair Fee Proposal. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

J. DELIBERATE AND ACT on Quiroga-Pfeiffer Engineering Corp. Coors Building Wall & Foundation Structural Repair Fee Proposal

City Manager Scott Berry stated the Coors building has some structural damage to the rear wall and into the basement due to drainage deficiencies. The structural engineering fee proposal for the structural analysis and design for the wall and foundation repair is \$9,300. Once this is complete, sealed bids will be solicited for the repairs. A motion was made by Commissioner Ronald Chavez to approve the Quiroga-Pfeiffer Engineering Corp. Coors Building Wall & Foundation Structural Repair Fee Proposal. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

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K. DELIBERATE AND ACT on Resolution 2023-32: Colorado Parks and Wildlife Lake Dorothy State Wildlife Area Management Plan

City Manager Scott Berry stated the City of Raton's public citizens were concerned with the lease of the Lake Dorothy State Wildlife Area due to wanting more public access to trails year round. The management plan now includes Trail A, Trail B and the Maloya Perimeter Bike Trail that will be accessible year round. Citizen Leslie Fernandez expressed her concerns on who will be maintaining these trails to ensure they are accessible for hikers and bikers. City Manager Berry suggested the City of Raton could possibly use some of the lease fees received to hire a contractor to maintain the trail once or twice a year. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-32: Colorado Parks and Wildlife Lake Dorothy State Wildlife Area Management Plan. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

L. DELIBERATE AND ACT on Resolution 2023-33: Election Resolution for Regular Local Election on November 7, 2023

City Treasurer Michael Anne Antonucci stated the City of Raton opted in with the Colfax County Clerk's office two years ago for the regular local election to be conducted by the County Clerk. The regular local election is to be held on November 7, 2023 and the ballot will contain the entire county. The municipal elective offices that will be on the ballot for the City of Raton are Districts One and Three which are both Commissioner seats with a four-year term and Municipal Judge for a four-year term. Treasurer Antonucci noted that due to the population being under 10,000, to run for an elective office the candidate does not have to reside in the district. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-33: Election Resolution for Regular Local Election. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

M. DELIBERATE AND ACT on Resolution 2023-34: Adopting Changes to the Travel Policy Relating to the Reimbursement and Travel for Per Diem and Mileage Expenses for Public Officers and Employees of the City While on City Business

City Treasurer Michael Anne Antonucci stated the NM Department of Finance published the Fiscal Year 24 per diem rates as required by 10-8-4 (B) & (C), NMSA 1978. The adjustment is a \$2 increase to the In-State per diem rates for overnight travel, a \$8 increase for In-State – County of Santa Fe (special area) rates for overnight travel, and a \$2 increase for Out-of-State per diem rates for overnight travel which will go into effect July 1, 2023. There were no changes to the meal rate reimbursements or the partial day/same day travel. A motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2023-34: Adopting Changes to the Travel Policy Relating to the Reimbursement and Travel for Per Diem and Mileage Expenses for Public Officers and Employees of the City While on City Business. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

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N. *DELIBERATE AND ACT on Resolution 2023-35: Budget Adjustment #17 FY23*

City Treasurer Michael Anne Antonucci went over the proposed budget adjustments in the General Fund, Capital Projects Fund and the Solid Waste Fund. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-35: Budget Adjustment #17 FY23. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

O. *DELIBERATE AND ACT on Resolution 2023-36: Declaring Surplus Property and Authorizing it to be Donated to Another Public Agency*

City Treasurer Michael Anne Antonucci stated the two ambulances suggested have very high mileage and are not needed for the continued operations of the department. The two ambulances consist of a 2009 Ford E350 with 313,880 miles and a 2013 Ford E350 with 252,674 miles. The Raton Fire & Emergency Services suggested to the City Commission to donate the surplus vehicles with the gurneys to the City of Tucumcari, contingent upon the City of Raton obtaining an approval letter from the Local Government Division of the Department of Finance and Administration. A motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2023-36: Declaring Surplus Property and Authorizing it to be donated to Another Public Agency. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

P. *CITY MANAGER REPORT*

- City Manager Berry reported the Grant Application that was submitted to the US Environment Protection Agency for the Brownfield Grant has been denied. The City of Raton is working on resubmitting an application at the end of July.
- City Manager Berry reported the Airport Hangar construction is substantially complete and that once the meter installation is complete the alarm system will be installed, and a final inspection will be done by the NM Construction Industries Division and a certificate of occupancy will be issued.
- City Manager Berry reported the second layer of asphalt/aggregate has been completed on all the project streets. Brooming and potential correction work will take place for the remainder of the week and then the fog seal will be the final stage.
- City Manager Berry reported most of the concrete work is complete on the Sugarite Avenue Project. The remaining work includes pavement preservation work, pavement markings, signage & bollards.
- City Manager Berry reported the Frontage Road Project is scheduled to commence this week and will take place until late fall of 2023.
- City Manager Berry reported the Photovoltaic Project construction is underway with the site fencing and PV framing installed and the panel installation to begin next week.

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Q. *CLOSED EXECUTIVE SESSION Pursuant to Section 10-15-1 H(2)*
Personnel – City Manager

A motion was made by Commissioner Lori Chatterley to go into Closed Executive Session Pursuant to Section 10-15-1 H(2) Personnel – City Manager. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with a unanimous roll call vote of "yes" by each Commissioner. The Commission took a 5-minute recess.

R. *CERTIFICATION OF CLOSED SESSION*

The City Commission returned from closed session at 7:27 p.m. and City Manager Berry read the Certification of Closed Session stating the only business discussed was 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".

ADJOURNMENT:

The meeting adjourned at 7:28 p.m.



CITY OF RATON


James Neil Segotta Jr., Mayor

ATTEST:


Desire'e Trujillo, City Clerk