MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, JUNE 28, 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 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, Public Works Director Jason Phillips and 23 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:

- All City Offices will be closed Monday, July 4, 2022 in Observance of Independence Day
- Next Regular Commission Meeting Tuesday, July 12, 2022 at 6:00 p.m.
- Proclamation – Lemonade Day – July 2, 2022

V. COMMITTEE REPORTS FROM COMMISSIONERS:

Commissioner Lori Chatterley attended the North Central New Mexico Economic Development meeting via zoom on June 24th, they discussed budget adjustments, website overhaul, a new title three contract for funding, and they are working with Colfax and Mora County on a hazard mitigation plan and rental assistance for residents who lost homes in the fire so they can apply for assistance from FEMA & NM Cares. She attended the New Mexico Municipal League Policy Committee meeting on June 25th where they worked on 25 resolutions, moved the Whistle Blower Protection Act to policy, and discussed annexation related resolutions. She reported the Colfax County Senior Citizens Board meeting was held on June 2nd, but she was not able to attend.

Commissioner Donald Giacomo attended the Raton Public Service Department Board meeting on June 22nd where financials were presented by Office Manager/Bookkeeper Robyn Osborn and approved by the board. General Manager Dave Piancino reported the unit test run and the cooling tower tear down went well, he discussed some solar panel research and presented a comparison of
power usage with different sources. 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 June 21st, and he reported the Water Works crew has replaced a sewer main on Stevens Street, a valve at the ballpark, and a filter at the filter plant. He also reported the New Mexico Department of Finance approved their fiscal year 2023 budget. Commissioner Chavez attended the Finance Advisory Committee meeting on June 23rd where they reviewed and approved the May financials.

Mayor Pro-tem Linde’ Schuster stated the Lodgers’ Tax Advisory Board met on June 15th, but she was unable to attend. She attended the Hereford Solid Waste Collection Center’s ribbon cutting on June 24th which was arranged by the Raton Ambassadors. Mayor Pro-tem Schuster attended the New Mexico Municipal League Policy meeting where they discussed several policies.

Mayor Neil Segotta reported he spent a week in Bernalillo meeting with NM Aging & Long-Term Services where they focused on expanding their service levels on the same budget and trying to rebrand the “Senior Citizens Centers” with a more modern name. He and City Manager Berry met with the Governors Chief of Staff, Matt Garcia to discuss economic development projects. He met with the New Mexico Municipal League Executive Board Committee to discuss the Policy Board meeting where they discussed some ranking and went over and approved the budget. He noted that the New Mexico Self Insurers Fund quarterly meeting is tomorrow.

VI. ITEMS FROM CITIZENS PRESENT:

Mrs. Joy Cummings was present to address the progress she has made and is making, on cleaning up her property. She stated she has already cleaned it up quite a bit and is doing what she can, when she can. She requested that Code Enforcement, George Riley have some patience and leave her alone due to it taking time, help and money for the entire process to be complete. Mayor Neil Segotta stated that if Mrs. Cummings is showing effort and progress the City of Raton is more than happy to work with her.

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 June 14, 2022 Regular Meeting Minutes

A motion was made by Mayor Pro-tem Linde’ Schuster to approve June 14, 2022 Regular Meeting Minutes. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting “aye”.
B. **DELIBERATE AND ACT on Event Form – Run to Raton July 21-23, 2022**

City Manager Scott Berry stated the Run to Raton has been an event in the City of Raton for several years and has grown substantially. He noted that it is a very important event to the City of Raton and that the department heads have reviewed the event form, signed and approved. He recommended approval. A motion was made by Commissioner Lori Chatterley to approve Event Form – Run to Raton July 21-23, 2022. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

C. **DELIBERATE AND ACT on Public Celebration Permits for Run to Raton Event**

- Blú Dragonfly Brewery
- Left Turn Distilling/Palmer Brewery & Cider House

City Manager Scott Berry stated there are two Public Celebration Permit Applications for the Run to Raton Event which require action taken by the City Commission. Blú Dragonfly Brewery and Left Turn Distilling/Palmer Brewery & Cider House. A motion was made by Commissioner Lori Chatterley to approve the Public Celebration Permits for the Run to Raton Event. The motion was seconded by Mayor Pro-tem Linde’ Schuster and carried 5-0 with all voting “aye”.

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

City Manager Scott Berry stated the Lodgers’ Tax Advisory Board met on June 15, 2022. The Lodgers’ Tax Advisory Board recommended that $16,938.86 be awarded to Raton MainStreet for Gate City Music Festival for website advertisement, social media advertisement, Raton Visitors Guide advertisement, security (RPD), tent rental, backline equipment rental, and headliner Keith Anderson from the annual events line item. $6,970 be awarded to KCRT/KBKZ Radio for fiscal year 2023 radio advertisements from the radio advertisement line item. Obtaining Lamar Billboard Panel #18074 on HWY 287 NS on McPherson Avenue in Dumas, TX and Lamar Billboard Panel #15802 on Norman St. & HWY 78 in Dalhart, TX for a three-year time period with a rate of $500 per month for the first year, $525 per month the second year, and $550 per month the third year per billboard from the billboard expense line item. A motion was made by Commissioner Lori Chatterley to approve all three Lodgers’ Tax Advisory Board Recommendations. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

E. **DELIBERATE AND ACT on Lodgers’ Tax Fund Request by Raton MainStreet for Balloon Rally**

City Manager Scott Berry stated Raton MainStreet was requesting funding from the lodgers’ tax fund for the propane for the hot air balloons. Raton MainStreet President, Christine Valentini stated Northern NM Propane has donated the propane to the Balloon Rally pilots since 2013 but due to unforeseen circumstances Raton MainStreet was notified on June 21st they were no longer able to fulfill the obligation for 2022. Pinnacle Propane agreed
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to provide the propane for 13 pilots at a $3,000 cost. After a brief discussion, a
motion was made by Commissioner Donald Giacomo to approve the Lodgers’
Tax Request by Raton MainStreet for the Balloon Rally from the promotional
fund. The motion was seconded by Commissioner Ronald Chavez and carried
5-0 with all voting “aye”.

F. DELIBERATE AND ACT on Amendment No. 3 Memorandum of
Agreement Between the City of Raton and Shuler Restoration Corporation,
Inc.

City Manager Scott Berry stated this item was postponed from the June 14th
meeting due to the Shuler Restoration Committee wishing to further discuss a
couple of things. It was decided the items discussed would be handled as a
policy rather than changing the agreement. The agreement was not changed, it
is an extension of the previous agreement for a base period of one-year. City
Manager Berry noted this is the third and final renewal before the memorandum of agreement would require a request for proposals. Shuler
Restoration Committee President, Billy Donati was present, and he stated the
agreement has gone well and ran very smoothly the last couple of years. After
a brief discussion, a motion was made by Mayor Pro-tem Linde’ Schuster to
approve Amendment No. 3 Memorandum of Agreement Between the City of
Raton and the Shuler Restoration Corporation, Inc. The motion was seconded
by Commissioner Lori Chatterley and carried 5-0 with all voting “aye”.

G. DELIBERATE AND ACT on Tascosa Equipment Lease for Raton City Hall
Copier

City Manager Scott Berry stated this is a lease renewal for the copier that is
located in City Hall which never stops running. The proposed renewal consists
of a new Canon imageRUNNER ADV DX C580i copier with a buffer pass
unit-p1, cassette feeding unit-aq1, paper deck unit-f1, staple finisher-abl1,
super g3 fax board-ax1, parts, labor, drums, and toner (excluding paper,
staples, and IT services). All black & white images would be billed at
$0.0101, and all color images would be billed at $0.0650. It would have a
four-year term with a monthly payment of $384.72 not including NMGRT. A
motion was made by Commissioner Lori Chatterley to approve the Tascosa
Equipment Lease for the Raton City Hall Copier. The motion was seconded
by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

H. DELIBERATE AND ACT on Solid Waste Tipping Fee Project Agreement
to Extend Contract

Public Works Director, Jason Phillips stated this is the first renewal for this
agreement which is within the terms of the contract. He noted that he is very
impressed with the handling of the business and that he and Arthur Rolloff are
in mutual agreement on the terms of the agreement. In accordance with
Section 3.3 of the contract the price per ton will increase by the C.P.I. figure
for water, sewer, and trash. The C.P.I. adjustment for the previous annual
average is an increase of 3.86831%. This will increase the tipping fees from
the bid price of $27.50 per ton to a new unit value of $28.56 per ton. A motion
was made by Mayor Pro-tem Linde’ Schuster to approve the Solid Waste
Tipping Fee Project Agreement to Extend the Contract authorizing City
Manager Scott Berry to sign. The motion was seconded by Commissioner Ronald Chavez and carried 4-0 with all voting “aye”. Commissioner Lori Chatterley abstained from the vote.

I. **DELIBERATE AND ACT on Solid Waste Transportation Project Agreement to Extend Contract**

Public Works Director Jason Phillips stated this is an annual renewal of the contract with both parties in agreement. He noted that the renewal will honor the fuel escalation as per the agreement due to the inflation in fuel prices. After a brief discussion, a motion was made by Commissioner Ronald Chavez to approve the Solid Waste Project Agreement to Extend Contract authorizing City Manager Berry to sign. The motion was seconded by Commissioner Donald Giacomo and carried 4-0 with all voting “aye”. Commissioner Lori Chatterley abstained from the vote.

J. **DELIBERATE AND ACT on Bid Award for W. Colfax Ave. Resurfacing Project**

City Manager Scott Berry stated sealed bids were solicited for the W. Colfax Resurfacing Project and the bid opening was conducted on June 27, 2022 at 2:00 p.m. A total of two bids were received and were determined to be responsive to the bid request. It was recommended to award low bidder, Northern Mountain Constructors Inc, for the bid amount of $125,410 plus NMGRT (8.3833% effect 7/1/22) for a total of $135,923.50. The City of Raton received $50,000 in grant funds through the NMDOT Coop Agreement Program, and the remainder of the fees would be paid from the gas tax fund. A motion was made by Commissioner Lori Chatterley to approve the Bid Award for W. Colfax Ave. Resurfacing Project. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

K. **DELIBERATE AND ACT on Contracts between the City of Raton and Envision IT Solutions to Provide Managed IT Services**

- City, Raton Water Works & Raton Public Service
- Raton Police Department
- Raton Fire and EMS

City Manager Scott Berry stated there are separate contracts due to the fees coming from separate funds. City Clerk Michael Anne Antonucci stated in the past there had been several deficiency’s due to software and hardware and that she is very pleased with Envision IT Solutions services due to very little downtime. The fee for the service agreement is based on the number of workstations and servers. She noted there will be an additional $5 charge per each workstation for better malware protection and cyber security. A motion was made by Mayor Pro-tem Linde’ Schuster to approve the Contracts between the City of Raton and Envision IT Solutions to Provide Managed IT Services. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting “aye”.
I. DELIBERATE AND ACT on Fiscal Year 2023 E-911 Grant Agreement
Project No. 23-E-10

City Manager Scott Berry stated this E-911 Grant Agreement reflects the City of Raton’s approved budget by the State Board of Finance for fiscal year 2023 in the amount of $124,650. The grant funds the Public Safety Answering Points (PSAPs) at the City of Raton, which also provides E-911 related services to Colfax County, as well as E-911 related reimbursements for travel, training, and Geographic Information Systems (GIS) software and hardware. A motion was made by Commissioner Lori Chatterley to approve the Fiscal Year 2023 E-911 Grant Agreement Project No. 23-E-10 authorizing City Manager Berry to e-sign. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting “aye”.

M. DELIBERATE AND ACT on Resolution 2022-31 FY23 Per Diem Rate Changes

City Clerk/Treasurer Michael Anne Antonucci stated this is an update to the per diem rates. She noted the updated mileage and per diem policy was adopted in January by City Commission and the new rates published by DFA will go into effect on July 1st. All the per diem rates were increased except the mileage due to it being based off the IRS mileage rate. A motion was made by Commissioner Lori Chatterley to approve Resolution 2022-31 FY23 Per Diem Rate Changes. The motion was seconded by Mayor Pro-tem Linde’ Schuster and carried 5-0 with all voting “aye”.

N. DELIBERATE AND ACT on Resolution 2022-35: May Financial Report FY22

City Clerk/Treasurer Michael Anne Antonucci went over the ending cash balances in all the funds as of May 31st. She also went over the lodgers’ tax comparison and the gas tax comparison. The final Gross Receipts Tax Distribution for the fiscal year 2022 was received and was 16.05% above the year-to-date budget projection as a result of various construction projects and the on-line sales tax. The City of Raton submitted the Proposed Interim Budget by the June 1st deadline and already received approval from the NM Department of Finance. The Final Fiscal Year 2023 Budget, Fiscal Year 2022 End of Year Reports and Fiscal Year 2022 Final Budget Adjustments are due to the Department of Finance no later than July 31st. A motion was made by Mayor Pro-tem Linde’ Schuster to approve Resolution 2022-35: May Financial Report FY22. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

O. CITY MANAGER REPORT

- City Manager Berry reported he was notified yesterday that the plans to close four Veteran Health Clinics in NM, is now off the table. He noted that the significant turnout of supporters that showed up to the meeting with Congresswoman Leger Fernandez had a huge impact in keeping the Raton facility open.
- City Manager Berry reported he received an email from the staff of Congresswoman Leger Fernandez stating the Kearney School Film
Production Project was awarded $3,000,000 by the House Appropriations Committee in their Fiscal Year 2023 Appropriations Draft Legislation Bill which will now be moving to the Full Appropriations Committee for consideration on the House Floor in negotiations with the State Senate.

- City Manager Berry reported he has been in discussion with representatives of the Nature Conservancy and the Trust for Public Land who are working together and have purchased the Bartlett Mesa Ranch property. He noted that there is a $2,500,000 funding deficiency and he suggested that the City of Raton look to the Legislature for some Capital Outlay funds.

VIII. ADJOURNMENT:

The meeting adjourned at 7:09 p.m.

CITY OF RATON

[signature]
James Neil Segotta, Jr., Mayor

ATTEST:
Michael Anne Antonucci, City Clerk