



**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY JULY 23, 2019 AT 6 PM**

**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, Commissioner Chavez and Don Giacomo. Also present were City Manager Scott Berry, Clerk/Treasurer Michael Anne Antonucci and 18 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:**

- Next Regular Commission Meeting Tuesday, August 13, 2019 at 6pm
- Proclamation: Run to Raton 2019. Event organizers, volunteers, organizations and sponsors were recognized for their efforts in coordinating the 3<sup>rd</sup> annual event.
- You Rock Award - was presented to Jana Floersheim for her volunteer work downtown painting plywood on the buildings, the Ripley Park sign and tending to the medians.

**V. COMMENTS FROM THE GENERAL PUBLIC: No Comments.**

**VI. COMMITTEE REPORTS FROM COMMISSIONERS:**

Commissioner Chatterley reported that she and Mayor Segotta had a positive meeting in Raton with the new director of NCNMEDD, Monica Abeita. She also reported that she attended the Executive Committee meeting at the Santa Fe Business Incubator on July 19<sup>th</sup> and that they had been having trouble getting a quorum. She also reported that Thomas Garcia is still assisting during the transition. The committee discussed a proposed cost allocation plan, concerns with the new minimum wage increases and Representative Jim Trujillo reported that the relationship with AAA is getting better. Commissioner Chatterley attended the Senior Board Meeting held on July 16<sup>th</sup> and reported that board members were elected by acclamation and that the budget was submitted with protest. She also reported that they are pleased with the new food vendor and gave a summary of the various senior services provided noting that year to date 13,523 meals were served at the Senior Center and 25,261 home delivered. The next meeting will be held on September 17<sup>th</sup>. Commissioner Chatterley attended the NMML Resolutions Committee meeting in Albuquerque on July 20<sup>th</sup> and

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reported that the resolutions will be presented at the annual meeting for adoption. She also reported that she will officially graduate from the MOLI program and will receive a plaque and pin at the annual conference. Commissioner Chatterley reported that the Branding Team met on July 8<sup>th</sup> and discussed the photo project, signage, wayfinding, table tents and billboards. She announced that Sheila Castellini was the July Yard of the Month winner and Wes Seneff was the runner up. Commissioner Chatterley also reported that she was a speaker at the Rotary meeting today.

Commissioner Giacomo attended the RPS meeting held on July 22<sup>nd</sup> and reported that Jessica Gonzales presented the financial and statistical information. The board also approved the budget adjustment, FY19 Financial Report and the FY20 Final Budget. General Manager Chavez also gave a report on the new meters and Assistant General Manager Piancino gave a report on the #4 generator. Commissioner Giacomo attended the Library Board meeting held on July 16<sup>th</sup> and reported that Joe Rodman gave a presentation on Hi-Bay Enterprises. Librarian, Thayla Wright, reported she is working on the State Library report. Commissioner Giacomo also gave an overview of the May and June statistics and fiscal year report.

Commissioner Chavez attended the July 16<sup>th</sup> Water Board Meeting and reported that the end of year reports were approved, the Hospital Lift Station bid was awarded and that crews worked on a water main break recently. He also noted that Lake Maloya is 2 feet below the spillway and that the board reviewed the General Manager applications in closed session. Commissioner Chavez attended the Financial Advisory Committee meeting held on July 18<sup>th</sup> and reported that they reviewed and approved the financials and final budget for presentation to the City Commission.

Mayor Pro-tem Schuster attended the Housing Authority meeting today. She reported that the audit was completed finally and that they are working on bathrooms in the units. She also reported that the summer food program is going well. Mayor Pro-tem Shuster attended the Chamber meeting held on July 8<sup>th</sup> and reported that the Chamber provided the City with a list of concerns at the Visitors Center. She also reported that the Center for Community Innovation is working hard and reported that they battling insurance costs with the Community Kitchen.

Mayor Segotta attended the RPS Special meeting held on July 22<sup>nd</sup>. He also reported that the AAA funding for the Senior Center will be available in the 1<sup>st</sup> Quarter. Governor Lujan-Grisham announced that 2020 will be the year of seniors. Mayor Segotta reported that they will be offering some new activities such as karaoke to try and get baby boomers to come to the Senior Center, Mayor Segotta reported that he will attend the NMML Annual Conference in Las Cruces next month and that he also participated in a conference call recently with City Manger Berry and the NM Workforce Initiative.

**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. *Approval of the July 9, 2019 Regular Commission Meeting Minutes.***

Commissioner Chatterley made a motion to approve the July 9, 2019 Regular

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Commission Meeting Minutes. The motion was seconded by Commissioner Chavez and carried 5-0 with all voting "aye".

**B. *Public Hearing/Deliberate and Act on Resolution 2019-35: Rezone Request by City Manager to Amend the Zoning Designation from Mobile Home Subdivision (MHS) to R-5 Residential District for a Tract of Land described as Lots 17 through 20, Block 16 of Fairview Addition, consisting of 3.70 acres more or less. Parcel is owned by Mark Pena.***

City Manager Berry gave a history of the request which dates back about a year ago. He also reported that Planning & Zoning has met twice on the issue and that the City Commission had one public hearing in June. He then discussed the location of the property and stated that it is currently zoned MHS and owned by Mark Pena. He further noted that this is considered a spot zone and that R-5 is consistent with the surrounding area. He also stated that the non-conforming use has ceased and that the mobile home park lots are currently vacant. Mr. Pena was present and stated that he purchased the property almost a year ago and that he wanted to put in a trailer court for senior citizens. Mr. Pena stated that the property value is currently \$177,000 and that the property value will drop to \$15,000 if the City turns it into a residential property. Mr. Pena also stated that he checked with the Fire Department before he purchased the land and that they told him it was zoned for mobile homes. He also stated that the fireman he spoke to said that he had an uncle that lived nearby and that his uncle would not like lots of people living there. Mr. Pena stated that several people attended the last P&Z meeting and were upset about a proposed rock crusher near the racetrack but no one seemed to care about his request. City Manager Berry stated that a mobile home park would not be allowed in a MHS zone. Mayor Segotta asked Mr. Pena what his timeline would be and Mr. Pena responded probably 2-3 years. There were no further comments.

A motion was made by Commissioner Chatterley to amend the zoning designation from Mobile Home Subdivision (MHS) to R-5 Residential District for a tract of land described as Lots 17 through 20, Block 16 of Fairview Addition, consisting of 3.70 acres more or less. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

**C. *Deliberate and Act on Celebration Permit Application for Gate City Music Festival Alcohol Vendors.***

City Manager Berry introduced the celebration permit applications for the Gate City Music Festival alcohol vendors and recommended approval. Brenda Ferri was present and stated that the vendors this year will be Left Turn Distilling, Colfax Ale Cellar, Palmer Brewery and Blu Dragonfly Brewing. A motion was made by Commissioner Chavez to approve the Celebration Permit Applications for Gate City Music Festival Alcohol Vendors: Left Turn Distilling, Colfax Ale Cellar, Palmer Brewery and Blu Dragonfly Brewing. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

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***D. Deliberate and Act on Dispatch Agreement between the City of Raton and Colfax County***

City Manager Berry introduced and reviewed the agreement stating that the annual amount is still \$49,062 and the term is for one year. He also stated that he wants to work with Colfax County next year to raise the amount which is based on call volume. A motion was made by Commissioner Giacomo to approve the Dispatch Agreement between the City of Raton and Colfax County. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

***E. Deliberate and Act on School Resource Officer Memorandum of Understanding Between the City of Raton and Raton Public Schools.***

City Manager Berry introduced the MOU and stated that a Raton police officer will serve as the School Resource Officer for the school year. He also noted that this is the third and final year of this grant but that the City would be applying for funds again. City Manager Berry stated that Raton Public Schools has agreed this year to pay 100% of the match and that he recommended approval of the MOU. A motion was made by Mayor Pro-tem Schuster to approve the School Resource Officer Memorandum of Understanding Between the City of Raton and Raton Public Schools. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

***F. Deliberate and Act on Ground Lease Agreement Between the City of Raton and Charles Sheldon for Lot located at Raton Municipal Crews Field Airport***

City Manager Berry introduced the standard agreement and stated that Mr. Sheldon would like to build a hangar on lot D in the second row. He also noted that the lease term would be 50 years commencing on August 1, 2019 and terminating on July 30, 2069 and that the annual rental would be based on the square footage of the hangar structure. City Manager Berry also stated that the City would always own the property and it can only be used for aviation purposes. A motion was made by Commissioner Chatterley to approve the Ground Lease Agreement Between the City of Raton and Charles Sheldon for Lot located at Raton Crews Field Airport. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

***G. Deliberate and Act on Memorandum of Understanding between the City of Raton and Shuler Restoration Corporation Inc.***

City Manager Berry gave an overview of the agreement which shall be for a one-year period commencing August 1, 2019 and terminating July 31, 2020. He also noted that the City did an RFP in 2015 and that the Shuler Restoration Corporation Inc. has managed the theater for the City of Raton since then. He also stated that the new agreement has a provision for subleasing and defines the responsibilities by both parties. Mike Kowalski was present and stated that Shuler Restoration reviewed the MOU and made some minor revisions but is in agreement with it. The agreement states that it is subject to annual review and may be renewed in (1) year increments through June 2023. A motion was made by Mayor Pro-tem Schuster to approve the Memorandum of

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Understanding between the City of Raton and Shuler Restoration Corporation Inc. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

**H. *Deliberate and Act on Memorandum of Understanding between the City of Raton and the Juvenile Justice Continuum Advisory Board.***

Clerk/Treasurer Antonucci stated that the MOU is between the City of Raton and the Juvenile Justice Continuum Advisory Board and is required per the terms of the JJAC Grant. A motion was made by Commissioner Chatterley to approve the Memorandum of Understanding between the City of Raton and the Juvenile Justice Continuum Advisory Board. The motion was seconded by Commissioner Chavez and carried 5-0 with all voting "aye".

**I. *Deliberate and Act on Appointment of 2019 Voting Delegate and Alternate for NMML Annual State Conference.***

City Manager Berry stated that the conference will be held in Las Cruces this year and that the business meeting will be held on August 29<sup>th</sup>. He also announced that Mayor Segotta is running for President-Elect and is unable to serve as the voting delegate. Mayor Pro-tem Shuster volunteered to be the voting delegate and Commissioner Chatterley said that she could serve as the alternate. A motion was made by Commissioner Chavez to appoint Mayor Pro-tem Schuster as the 2019 Voting Delegate and Commissioner Chatterley as the alternate. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

**J. *Deliberate and Act on Resolution 2019-41: Authorizing the Assignment of Authorized Officer(s) and Agent(s) for Rural Infrastructure Loan Program Project # RIP 00011.***

City Manager Berry gave a brief overview and noted that the resolution needed to be updated to reflect the current signatories for the loan. Clerk/Treasurer Antonucci stated that the City Commission recently approved an extension to the loan and it was discovered after that was submitted that the signatory resolution needed to be updated. The new resolution authorizes Mayor Segotta and City Manager Berry to sign the loan agreement and all other documents necessary to fulfill the loan agreement requirements. She also noted that she and the Deputy Clerk would be listed as authorized signers for disbursements only. A motion was made by Commissioner Chatterley to approve Resolution 2019-41: Authorizing the Assignment of Authorized Officer(s) and Agent(s) for Rural Infrastructure Loan Program Project #RIP 00011. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

**K. *Deliberate and Act on Resolution 2019-42: FY19 End of Year Financial Reports for City of Raton, Raton Water Works and Raton Public Service.***

Clerk/Treasurer Antonucci reviewed the 4<sup>th</sup> Quarter Financial Reports and summarized the ending cash balances: General Fund \$2,758,193.54; Special Revenue \$2,064,070.82; Capital Projects \$139,244.11; Debt Service \$1,530,689.95; Solid Waste \$689,657.05; Trust & Agency \$11,534.91; Landfill Trust \$362,193.89. She also reported that the City of Raton battled

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declining gross receipts most of the fiscal year and ended the year 4.35% below General Fund GRT budget projections, however, the additional amount received in Small Cities Assistance was enough to cover the shortfall. She also noted that the City of Raton also minimized departmental expenses throughout the year resulting in General Fund revenues exceeding operating expenses by 11% thus resulting in a positive net change in the General Fund cash balance at year end. Clerk/Treasurer Antonucci reported that the only outstanding grant reimbursements at year end were the Juvenile Justice Grant and the FHWA Depot Grant and that temporary transfers made at year end will be budgeted and reimbursed in FY20 once the reimbursements are received. Dan Campbell from Raton Water Works and Sandy Chavez from RPS were also present to answer questions on their financial reports. There was no further discussion. A motion was made by Commissioner Giacomo to approve Resolution 2019-42: FY19 End of Year Financial Reports for City of Raton, Raton Water Works and Raton Public Service. The motion was seconded by Commissioner Chatterley and carried 5-0 with a unanimous roll call vote of “yes” by each commissioner.

**L. *Deliberate and Act on Resolution 2019-43: FY19 City of Raton End of Year Budget Adjustment.***

Clerk/Treasurer Antonucci reviewed the end of year budget adjustment request and recommended approval. A motion was made by Commissioner Giacomo to approve Resolution 2019-43: FY19 City of Raton End of Year Budget Adjustment. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting “aye”.

**M. *Deliberate and Act on Resolution 2019-44: FY19 End of Year Budget Adjustments for Raton Water Works and Raton Public Service.***

Clerk/Treasurer Antonucci stated that budget adjustments were approved by the RWW Board and RPS Board and were included in the packet for City Commission review and approval also. She noted that Raton Water Works is requesting an increase in Water & Sewer Operating expenditures due to 2018-2019 reduction in anticipated expenditures and increase in anticipated revenue. A motion was made by Mayor Pro-tem Schuster to approve Resolution 2019-44: FY19 End of Year Budget Adjustments for Raton Water Works and Raton Public Service. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting “aye”.

**N. *Deliberate and Act on Resolution 2019-45: Approval of Final FY2020 Budgets for City of Raton, Raton Water Works and Raton Public Service.***

RPS General Manager Chavez reported that the RPS budget reflects a 1.5% wage increase for employees except the lineman who receive step increases. She also noted there is an increase in revenue due to the Tri-State increase. Water Works General Manager Dan Campbell reported that the budget includes an overlap in the General Manager’s salary due to his upcoming retirement and that the Water Board is currently reviewing applications for the position. He also reported that the 1967 Lift Station Project will start soon. Clerk/Treasurer Antonucci gave an overview of the Final Budget and provided a summary of the changes. City Manager Berry gave a brief overview of the special projects that will be done during the fiscal year that

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would include a LED lighting project at City Hall for energy conservation, painting of the north and south underpasses, IT software/ hardware upgrades, and a fencing project at the soccer field. He also noted that the City has budgeted for the purchase of a new ambulance, a fully outfitted police car and a public works pickup truck. Mayor Segotta and the Commission thanked all of the staff for their long hours and hard work. There was no further discussion. A motion was made by Commissioner Giacomo to approve Resolution 2019-45: Approval of Final FY 2020 Budgets for City of Raton, Raton Water Works and Raton Public Service. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".


**O. *City Manager's Report***

City Manager Scott Berry gave a report on the following (1) He will attend the NERPO meeting tomorrow in Las Vegas and will meet with the new District Engineer to talk about local issues on 2<sup>nd</sup> Street. (2) He also reported that he met with Colfax County yesterday to discuss the traffic issues (3) He had meetings with each of the community organization partners on economic development. (4) Met with Century Link recently to discuss need for better broadband services in Raton (5) Announced that the City is accepting comments on Infrastructure Capital Improvement Plan (ICIP) and that the City will have a public hearing at the next meeting.


Mayor Segotta announced that he will be absent from the August 13<sup>th</sup> meeting and also stated that the City may need to cancel the August 27<sup>th</sup> meeting due to the conflict with the NMML Annual Conference.

**VIII. ADJOURNMENT:** The meeting adjourned at 7:45 p.m.

**ATTEST:**

  
Michael Anne Antonucci, City Clerk

**CITY OF RATON**

  
James Neil Segotta Jr., Mayor