



**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, JULY 25, 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, and 18 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:**

**V. Committee Reports from Commissioners:**

Commissioner Chatterley reported she attended the NMML Board Meeting on June 2<sup>nd</sup> where they went over the audit, presented a legislative update, discussed mental health services available for public safety employees, the concerns with the NM Supreme Court pushing for the dissolution of municipal courts, and accepted bids for the annual conference. On June 14<sup>th</sup> she attended a zoom meeting with City Manager Berry and Community Facilities Director Greene regarding the Trails+ Grant. On June 16<sup>th</sup> she attended a zoom meeting with City Manager Berry and Community Facilities Director Greene regarding the Bartlett Mesa Acquisition. She met with Colfax County Commissioner Si Trujillo on June 19<sup>th</sup> regarding the Ports to Plains Alliance. On June 20<sup>th</sup> she, City Manager Berry, Community Facilities Director Greene, and a Moss Adventure representative visited the Lake Dorothy trails to assess the potential. On June 24<sup>th</sup> she met with the NMML Policy Committee where she served on the Finance, Intergovernmental Relations & Taxation Committee, discussed potential resolutions for the 2024 Legislative Session, and policy changes. On July 1<sup>st</sup> she attended the Entrepreneurs Community Meeting at the Shuler Theater which she said was very successful. She also attended the NMML Resolutions Committee Meeting, along with Mayor Segotta, on July 22<sup>nd</sup> in Albuquerque where they approved amendments to the policy, deletions, adoptions and carryover resolutions.

Commissioner Donald Giacomo attended the AJML Board Meeting on June 20<sup>th</sup> and July 18<sup>th</sup> where they discussed programs held, donations received, fines collected, number of copies made, and memorials purchased. He also attended the RPS Board Meeting on July 24<sup>th</sup> where they discussed the power outages on June

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9<sup>th</sup> & 10<sup>th</sup> and how to prevent it from happening in the future, approved financials, budget adjustments, the FY24 Final Budget and a BID Award for the Frontage Road Lighting Project.

Commissioner Ronald Chavez attended the RWW Board Meeting on July 18<sup>th</sup> and reported the job openings for the office staff have been filled, Lake Maloya is currently below the spillway, they approved financials and the FY24 Final Budget. He reported the Cimarron water line is currently under major repair. He attended the FAC Meeting on July 20<sup>th</sup> where they reviewed and approved the FY24 Final Budget.

Mayor Pro-tem Linde' Schuster, along with Mayor Segotta, attended the NCNMEDD Meeting on June 26<sup>th</sup> where they discussed various projects, changes in the AAA, the budget, brought in some new board members and discussed the success of the grant writing assistance. She spoke with Ramel Family Farms owner who stated he has been selling fresh produce at the old Heirloom shop on 1<sup>st</sup> Street and that the hours are posted. She also commended Raton MainStreet on another successful balloon rally and 4<sup>th</sup> of July celebration and attended the Run to Raton Swap Meet at the Blü Dragonfly Brewery which had a good turnout.

Mayor Neil Segotta attended the NMSIF Board Meeting where they approved the FY24 Budget and discussed rates, which did not increase. He attended the NMML Policy Committee Meeting, he was on the Public Safety Committee where they discussed the possibility of EMS being permanently funded. He attended the NMML Resolutions Committee Meeting, along with Commissioner Chatterley, where they approved amendments to the policy, deletions, adoptions and carryover resolutions. He attended the RPS Board of Directors meeting via conference call and stated it was business as usual. He met with Congresswoman Leger-Fernandez and was informed the funding for the wastewater treatment plant was not awarded to the City of Raton this year, but stated there was good conversation about the need for funding to replace the water line to the water tank that was installed in 1948.

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 the July 11, 2023 Regular Meeting Minutes***

A motion was made by Commissioner Ronald Chavez to approve the July 11, 2023 Regular Meeting Minutes. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 4-0 with all voting "aye". Commissioner Lori Chatterley abstained due to not attending the July 11<sup>th</sup> meeting.

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**B. *PUBLIC HEARING: Infrastructure Capital Improvement Plan (ICIP) FY25-FY29***

City Manager Scott Berry stated there have been public hearings regarding the FY25-FY29 ICIP at the previous two Commission meetings. He recommended emphasis to include storm drainage improvements, renovation of the Raton Train Depot, elimination of slum and blight conditions, the next phase of the photovoltaic project, improvements to or replacement of the Raton Animal Shelter, Civic Plaza construction and ADA improvements. He noted the importance of the ICIP in consideration of capital outlay requests and other state funding requests. He encouraged citizens to contact City Hall with any thoughts or suggestions they may have. Commissioner Chatterley stated she would like to see a monument sign added to the list and Commissioner Chavez stated the Lake Maloya Dam should remain in the number one spot. Stephanie Jansen requested adding pickle ball courts to the list. No action was taken.

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

- *1<sup>st</sup> Baptist Church Block Party August 23*
- *Gate City Music Festival September 2-3*
- *Rainbow Alliance Pride Festival August 25-26*

City Manager Scott Berry stated all three events were reviewed and signed off on by the Public Works Director, Raton Police Chief, and the Raton Fire Chief. Mrs. Pafford stated the Block Party will have free games, food, drinks, school supplies and is the registration for their Awanas youth program. Raton MainStreet Executive Director Brenda Ferri stated Gate City will have Country, Rock and Spanish bands this year. They will also have axe throwing, a mechanical bull, food vendors and more. Niko Ibanez stated the Pride Festival will have a pet parade encouraging adoption from the Humane Society, vendors, live performances, a potluck sponsored by the Episcopal Church and an after party at Gate City Craft Bar. A motion was made by Commissioner Ronald Chavez to approve all three Event Forms. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**D. *DELIBERATE AND ACT on Public Celebration Permits for Gate City Music Festival September 2-3, Music from Angel Fire August 20 & William Lee Martin Comedy Performance August 12***

- **Colfax Ale Cellar (2)**
- **Left Turn Distilling**
- **Blü Dragonfly Brewery (2)**

City Manager Scott Berry stated all the public celebration permits were in order and ready to be sent to the Alcoholic Beverage Control Division but require action to be taken by the City Commission. A motion was made by Mayor Pro-tem Linde' Schuster to approve the Public Celebration Permits for Gate City Music Festival September 2-3, Music from Angel Fire August 20 & William Lee Martin Comedy Performance August 12. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

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**E. *DELIBERATE AND ACT on LT Recommendations***

- *Raton MainStreet dba Gate City Music Festival September 2-3*
- *Rainbow Alliance August 25-26*
- *Colexico Spaghetti and Western Fest October 13-14*
- *Lions Club Community Event August 5*

City Manager Scott Berry stated the Lodgers' Tax Advisory board met on July 19<sup>th</sup>. They recommended \$26,530.17 be awarded to Raton MainStreet for the Gate City Music Festival for radio ads, t-shirts, posters, sanitation, hospitality, Shuler sound, outdoor entertainment, outdoor sound, Will & Crystal Yates, and headliner Mark Wills from the Annual Events Fund, \$6,750 be awarded to the Rainbow Alliance for the Raton Pride Festival for shirts, bandanas, flags, stickers, pins, radio ads, newspaper ads, flyers, posters, insurance, portable toilets, tents/first aid station, and security from the Contingency Fund, \$5,000 be awarded to Colexico, LLC for the Spaghetti & Westerns Fest for social media ads, print ads, radio ads, festival merchandise, video & photography, graphic design & content, posters & other printing, program guide printing, and professional PR from the Annual Events Fund, and \$5,205 be awarded to the Lions Club for the Community Event for performer Will Banister, lodging, meals for performer, alcohol at the dance, sound & lighting, and RPD security from the Contingency Fund. A motion was made by Commissioner Lori Chatterley to approve the LT Recommendations. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**F. *DELIBERATE AND ACT on Sixty-Day Dispatch Agreement Between the City of Raton and Colfax County***

City Manager Scott Berry stated Colfax County requested a sixty-day extension of an existing agreement. The extension expiration date would be September 24, 2023 at the current rate approved by the City Commission at the June 27, 2023 meeting. A motion was made by Commissioner Lori Chatterley to approve the Sixty-Day Dispatch Agreement Between the City of Raton and Colfax County. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with a unanimous roll-call vote of "yes".

**G. *DELIBERATE AND ACT on Award of RFP and Sub-Contract for Direct Youth Services for Restorative Justice Program***

City Treasurer Michael Anne Antonucci stated the City of Raton previously advertised for Restorative Justice Proposals and did not receive any, but upon re-advertising, one proposal was received from New Hope Family Counseling, by the July 18<sup>th</sup> 5:00 p.m. deadline. The proposal was reviewed by the Chief Procurement Officer and by a committee consisting of Continuum Advisory Board members. It was determined that New Hope Family Counseling, LLC meets all criteria to be considered a responsive proposer. Based on the determination, City Treasurer Antonucci recommended award of the fiscal year 2024 sub-contract, which is also contingent upon receiving written approval from CYFD per grant agreement 21-690-200-20841-5. A motion was made by Mayor Pro-tem Linde Schuster to approve Award of RFP and Sub-Contract for Direct Youth Services for the Restorative Justice Program. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

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**H. *DELIBERATE AND ACT on MOU Between the City of Raton and the Continuum Advisory Board as required by JJAC Agreement #21-690-3200-20841-5***

City Treasurer Michael Anne Antonucci stated this is an annual agreement stating both parties responsibilities. The goal of the agreement is to improve the Juvenile Justice System and decrease the incidences of juvenile delinquency in the community while increasing the emphasis on prevention and early intervention in the juvenile justice system. If approved by the City Commission the MOU will remain in effect until June 30, 2024. A motion was made by Mayor Pro-tem, Linde' Schuster to approve the MOU Between the City of Raton and the Continuum Advisory Board as required by JJAC Agreement #21-690-3200-20841-5. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**I. *DELIBERATE AND ACT on Resolution 2023-44: FY23 End of Year Budget Adjustments***

City Treasurer Michael Anne Antonucci went over the end of year budget adjustment requests in the Buildings Fund, Depot Improvement Project Fund, Wastewater Treatment USDA-Fund, NMFA Aquatic Center Loan Fund, NMFA Transfer Station Fund, Filter Plan USDA Loan Fund, Sanitation Fund, Trust & Agency Fund, General Fund, Special Revenue Fund, Recreation Fund, Lodgers' Tax Promo Fund, Lodgers' Tax Non-Promo Fund, Economic Development Fund, Environmental GRT Fund, Juvenile Justice Grant Fund, Capital Projects Fund, and the Economic Development Fund. A motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2023-44: FY23 End of Year Budget Adjustments. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**J. *DELIBERATE AND ACT on Resolution 2023-45: Approval of FY23 End of Year Financial Reports for the City of Raton, Raton Water Works, and Raton Public Service***

City Treasurer Michael Anne Antonucci went over the unaudited Financial Report reflecting the year ending June 30, 2023. She went over the ending cash balances in the General Fund, Special Revenue Fund, Capital Projects Fund, Debt Service Fund, Solid Waste Fund, Trust & Agency Fund, and the Landfill Trust Fund. The net change in the General Fund this year was a positive increase in Gross Receipts revenue during FY23 and also the early payoff of the RPS Loan which was a temporary loan made to RPS for the Twin Eagle Settlement in 2021. The City of Raton increased its FY24 General Fund Gross Receipts projection by 18% based on prior year data. The City Commission was also provided with a copy of the Raton Water Works and Raton Public Service Company's end of year financial reports. Upon Commission Approval the end of year financial reports will be submitted to the Department of Finance and Administration by the July 31<sup>st</sup> deadline. A motion was made by Commissioner Donald Giacomo to approve Resolution 2023-45: Approval of FY23 End of Year Financial Reports for the City of Raton, Raton Water Works and Raton Public Service. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

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**K. *DELIBERATE AND ACT on Resolution 2023-46: Approval of Final FY2024 Budgets for the City of Raton, Raton Water Works, and Raton Public Service***

City Treasurer Michael Anne Antonucci stated there were public hearings on April 15<sup>th</sup>, April 25<sup>th</sup>, and May 9<sup>th</sup> to discuss the FY24 Budget. She stated there are a few minor changes made to the Interim Budget in the General Fund. The City Commission was also provided with a copy of the Raton Water Works and Raton Public Service Company's FY2024 Final Budgets. Upon Commission Approval the FY 2024 Budgets will be submitted to the Department of Finance and Administration by the July 31<sup>st</sup> deadline. After some discussion a motion was made by Commissioner Lori Chatterley to approve Resolution 2023-46: Approval of Final FY2024 Budgets for the City of Raton, Raton Water Works, and Raton Public Service. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with a unanimous roll-call vote of "yes".

**L. *DELIBERATE AND ACT on Resolution 2023-47: Intent to Designate Raton Magistrate Court Having Jurisdiction Over Municipal Ordinance and Designation of Municipal Ordinance Jurisdiction Advisory Committee***

City Manager Scott Berry stated this is the first step, per Senate Bill 173, in designating the magistrate court of the county in which the municipality is located as the court having jurisdiction over municipal ordinances. He noted that it requires a public hearing, and adoption of ordinance and approval by the NM Supreme Court. Judge Roy Manfredi stated he was insulted by this attempt. He stated the Municipal Court is a place where the citizens of Raton can have their case heard by the elected official of their choosing. Municipal Court Clerk Christine Piancino requested the Commission reconsider taking action on this item, questioning the manner in which the magistrate court will handle city cases and how important the city ordinances will rank in the magistrate court. The Commission stated that this is not personal and requested documentation on how many court cases the municipal court handled last year, and the total amount of fines collected. The Commission also expressed concerns about local control and how much of a priority it will be for the magistrate court to interpret city ordinances. A motion was made by Commissioner Ronald Chavez to postpone Resolution 2023-47: Intent to Designate Raton Magistrate Court Having Jurisdiction Over Municipal Ordinance and Designation of Municipal Ordinance Jurisdiction Advisory Committee until the August 8<sup>th</sup> meeting. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**M. *DELIBERATE AND ACT on Appointment of Municipal Ordinance Jurisdiction Advisory Committee***

Due to Item L. being postponed until the August 8<sup>th</sup> meeting, Commissioner Lori Chatterley made a motion to postpone the Appointment of Municipal Ordinance Jurisdiction Advisory Committee also. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

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**N. *DELIBERATE AND ACT on Resolution 2023-48: A Resolution Concerning a Dangerous Building and Requiring Removal***

City Manager Scott Berry stated the property located at 805 North Fourth Street, Raton, New Mexico has been inspected and determined, after due consideration, to be a dangerous building pursuant to section 151.20 of the Raton City Ordinances and the City Fire Code, UFC 2015. Due to a fire, the structure is deemed unsafe and a hazard to safety, health and public welfare. A motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2023-48: A Resolution Concerning a Dangerous Building and Requiring Removal. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**O. *DELIBERATE AND ACT on Resolution 2023-49: Application for Outdoor Recreation Trails+ Grant to New Mexico Outdoor Recreation Division and Commitment of Matching Funds***

City Manager Scott Berry stated this is an application for funding to renovate the tunnel currently located on 1<sup>st</sup> Street that runs under the railroad tracks to Roundhouse Park. He stated that due to the difficulty in constructing a surface crossing which would have to cross over ten sets of railroad tracks, it has been determined that with regulated access and cameras, renovation of the tunnel would be very beneficial to pedestrians. The estimated project cost for construction is \$100,000.36, with a required match in funding by the City of Raton in the amount of \$33,333. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-49: Application for Outdoor Recreation Trail+ Grant to New Mexico Outdoor Recreation Division and Commitment of Matching Funds. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**P. *CITY MANAGER REPORT***

- City Manager Berry reported the Senior Center Kitchen Improvements are complete which consisted of installation of a new freezer, cooler and dish washer.
- City Manager Berry reported the refresh taking place in the City Hall lobby is close to completion and thanked the City of Raton Building Department for their hard work.
- City Manager Berry reported the City of Raton Concrete Contractor has completed several projects consisting of curb & gutter replacement, a ramp at South 3<sup>rd</sup> St. & Park Avenue, a concrete pad at Romero Park, the Conestoga Wagon Steel Sculpture and is currently working on the patio slab at the Tourist Information Center.
- City Manager Berry reported the City of Raton has received the Certificate of Occupancy from the State Building Inspector for the hangar at the Raton Airport.
- City Manager Berry reported receiving a call from Senator Ben Ray Lujan's staff notifying him the Congressionally Directed funding request for the East 10<sup>th</sup> Street Bridge Replacement was approved by the U.S. Senate Committee of Appropriations.
- City Manager Berry reported Senator Heinrich carried a request for \$1,600,000 by the Town of Clayton, Village of Des Moines, City of Raton, and Union and Colfax County to fund interstate highway

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planning on U.S. Highway 64/87. The NMDOT has committed \$400,000 for this project.

- City Manager Berry reported the NMML Annual Conference will be held in Farmington August 31- September 1, 2023.



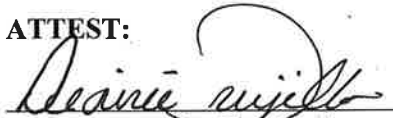
**VIII. ADJOURNMENT:**

The meeting adjourned at 7:52 p.m.

**CITY OF RATON**

  
James Neil Segotta Jr., Mayor

**ATTEST:**

  
Desire'e Trujillo, City Clerk