MINUTES OF THE REGULAR RATON CITY COMMISSION MEETING HELD ON TUESDAY, AUGUST 9, 2022 AT 6 PM

I. CALL TO ORDER:

Mayor Pro-tem Linde’ Schuster 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 (via conference call) and Mayor Pro-tem Linde’ Schuster. Commissioners: Ronald Chavez, Donald Giacomo and Commissioner Lori Chatterley (via conference call). Also present were City Manager Scott Berry, Deputy Clerk Desire’e Trujillo, Clerk/Treasurer Michael Anne Antonucci, and 4 visitors.

III. MAYOR PRO-TEM LINDE’ SCHUSTER 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, August 23, 2022 at 6:00 p.m.
- Notice of Potential Quorum: A quorum of the Raton City Commission may attend the 65th annual New Mexico Municipal League Conference August 31 – September 2, 2022 at the Albuquerque Convention Center.

V. ITEMS FROM CITIZENS PRESENT:

Mr. Joel Sanderson was present to express his discontent with not being able to hold a customer appreciation day to sell fireworks the week before the Commission meeting. He also addressed the City’s vacant building ordinance in which he felt he shouldn’t have to pay any fees due to not being able to sell fireworks throughout the year. City Manager Scott Berry made clear that the sale of fireworks is governed by State Statute and is only allowed by law on specific dates or by a tourism-based business. No action was taken.

VI. 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 July 26, 2022 Regular Meeting Minutes**

A motion was made by Commissioner Ronald Chavez to approve the July 26, 2022 Regular Meeting Minutes. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

B. **DELIBERATE AND ACT on Resolution 2022-41: Adopting the FY 2024-2028 Infrastructure Capital Improvement Plan (ICIP)**

City Manager Scott Berry went over some of the top drafted priorities of the Infrastructure Capital Improvement Plan and spoke on the importance of this plan for federal and capital outlay funding requests. The top five ranked projects were RWW-Lake Maloya Dam Safety Improvements, Bartlett Mesa Ranch Acquisition, an Evidence Storage Building, Drainage and Storm Drain System Improvements, and City Public Works – Equipment Purchases. After a brief discussion the Commission stated that they were in agreement with the ICIP project summary. A motion was made by Commissioner Ronald Chavez to approve Resolution 2022-41: Adopting the FY 2024-2028 Infrastructure Capital Improvement Plan. The motion was seconded by Mayor Neil Segotta and carried 5-0 with all voting “aye”.

C. **DELIBERATE AND ACT on Voting Delegate and Alternate for Annual State Conference**

After a brief discussion Commissioner Lori Chatterley made a motion to approve Mayor Pro-tem Linde’ Schuster as Voting Delegate and Commissioner Lori Chatterley as the Alternate. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting “aye”.

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

- **1st Baptist Church Block Party August 24th**
- **Gate City Music Festival September 3rd-4th**

City Manager Scott Berry stated the 1st Baptist Church is proposing a block party on August 24th closing 3rd Street between Rio Grande and Cook Street. City Manager Berry pointed out that the City staff had already reviewed and approved the event request. Co-chair Jolene Pafford from the 1st Baptist Church was present, and she went over the plans to have water activities, food, school supplies and registration for their Awana’s program. A motion was made by Mayor Neil Segotta to approve the 1st Baptist Church Block Party August 24th. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

City Manager Scott Berry stated Raton MainStreet’s Gate City Music Festival is an iconic annual event. He pointed out that the City staff had already reviewed and approved the event request. A motion was made by Commissioner Donald Giacomo to approve the Gate City Music Festival September 3rd – 4th. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting “aye”.
E. DELIBERATE AND ACT on Public Celebration Permits for Gate City Music Festival
   • Blü Dragonfly Brewing
   • Colfax Ale Cellar

City Manager Scott Berry stated there were three public celebration permits for Gate City Music Festival. Two from Blü Dragonfly Brewery, one for September 3rd and one for September 4th, and one from Colfax Ale Cellar for September 3rd. He noted that the Alcoholic Beverage Control Division requires the Commission to take action on the permits. A motion was made by Commissioner Ronald Chavez to approve the Public Celebration Permits for Gate City Music Festival. The motion was seconded by Mayor Neil Segotta and carried 5-0 with all voting “aye”.

F. DELIBERATE AND ACT on TriWest Quote for Fencing Project Utilizing State Price Agreement #20-00000-21-00028

City Manager Scott Berry stated the cost proposal is for additional fencing at the City Armex building that is pursuant to the state price agreement. The quote from TriWest is to furnish and install approximately 564’ of 6’ tall chain link fence and one 16’ wide double swing gate with three strands of barbed wire on top for the amount of $30,056.14 with tax included. He noted that the construction of the greenhouse is close to completion but has had some delays in receiving the required materials. A motion was made by Commissioner Ronald Chavez to approve the TriWest Quote for Fencing Project Utilizing State Price Agreement #20-00000-21-00028. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

G. DELIBERATE AND ACT on Planning & Zoning Commission Appointments

City Manager Scott Berry stated the Planning & Zoning Commission will be meeting Thursday to consider a preliminary subdivision plat and the City ordinance states it is up to the City Commission to appoint the Planning & Zoning Commission. He recommended reappointment of all five acting members if the members are willing. The applications presented to the City Commission for approval were Randy Madison, Richard Gertler, and Dee Burks. Due to the requirement of staggered terms City Manager Berry recommended approving the three applications presented for a two-year term and the two that will be brought to Commission for approval at the next meeting be for a one-year term. A motion was made by Commissioner Donald Giacomo to approve the Planning and Zoning Commission Appointments for a two-year term. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting “aye”.
H. DELIBERATE AND ACT on Lamar Billboard Lease 532-1 on City Property Located at I-25 E/L.NMP450.5

City Manager Scott Berry stated the billboard is located on City property north bound on I-25. The proposed lease extension amendment is for a five-year term at $600 per year with a termination date of September 30, 2027. A motion was made by Commissioner Donald Giacomo to approve the Lamar Billboard Lease 532-1 on City Property Located at I-25 E/L.NMP450.5. The motion was seconded by Mayor Neil Segotta and carried 5-0 with all voting “aye”.

I. DELIBERATE AND ACT on Rocky Road Gravel & Well Drilling Change Order No. 2 for Byron/Whittier Project

City Manager Scott Berry stated the Byron/Whittier Project that is funded by the New Mexico Department of Transportation Municipal Arterial Grant has experienced some cost changes to the contracted price agreement. The installed culvert pipe materials were an exception to the specifications approved therefore, a cost reduction is requested of $5,746. There has also been a 15% cost increase for oil and hot mix asphalt since the bid opening therefore, an additional $10,808 has been requested. With the reduction and addition to the contract, the change order requested is for an additional $5,062. A motion was made by Commissioner Ronald Chavez to approve Rocky Road Gravel & Well Drilling Change Order No. 2 for Byron/Whittier Project. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

J. DELIBERATE AND ACT on Rocky Road Gravel & Well Drilling Change Order No. 5 for Downtown Infrastructure Project

City Manager Scott Berry stated the Downtown Infrastructure Project that is funded by the Community Development Block Grant experienced some additional quantities of materials during the construction process. The concrete pavement patch (Item 2B) was estimated at 10 square yards; however, after milling the existing surface, it was inspected and determined that 72 square yards of concrete needed to be removed and replaced to ensure an adequate driving surface. The manhole and water valve cover (items 5 and 6) increased (by 1 and 5, respectively) due to a utility project which was completed after design and prior to construction of this project. The quantities of curb and gutter and sidewalk (items 10 and 11) increased (by 52.5 LF and 21 SY, respectively) in order to create smoother transitions to existing curb and gutter and sidewalk. The total amount for the change order request is $21,218.30. A motion was made by Commissioner Donald Giacomo to approve the Rocky Road Gravel & Well Drilling Change Order No. 5 for Downtown Infrastructure Project. The motion was seconded by Mayor Neil Segotta and carried 5-0 with all voting “aye”.
K. DELIBERATE AND ACT on CDBG Downtown Infrastructure Proj. No. 19-C-NR-I-01-G-16 Grant Amendment No. 3

City Manager Scott Berry stated the City of Raton has a grant agreement with the State of New Mexico Department of Finance and Administration for funding on the CDBG Infrastructure Project which is substantially complete and at the closeout phase. Due to inflation some price adjustments are required which would affect the City of Raton’s leverage amount. The change order amount requested is $80,896.19 including NMGRT, raising the City of Raton’s total leverage amount to $108,343.91. A motion was made by Commissioner Donald Giacomo to approve CDBG Downtown Infrastructure Proj, No. 19-C-NR-I-31-G-16 Grant Amendment No.3. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting “aye”.

L. DELIBERATE AND ACT on Recycling and Illegal Dumping Fund Grant Agreement Between the City of Raton and NMED Project #RAID-FY23-NT06

City Manager Scott Berry stated this grant agreement is from the New Mexico Environment Department Solid Waste Bureau submitted by Public Works Director Jason Phillips to the Recycling and Illegal Dumping (RAID) Program. The funding amount is $10,268 which would be used to purchase four hoppers for the new transfer station and recycling center which would be used for the waste streams and recycling materials. A motion was made by Mayor Neil Segotta to approve the Recycling and Illegal Dumping Fund Grant Agreement Between the City of Raton and NMED Project #RAID-FY23-NT06. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting “aye”.

M. CITY MANAGER REPORT

- City Manager Berry reported he attended a meeting of the NM Transportation Commission in Las Vegas, NM on July 21st where he made a presentation requesting support and prioritization for the development of Interstate 27. He stated he has also sent a presentation to all the members of the Transportation Commission as well as Cabinet Secretary Ricky Serna. He also noted having conversation with the Town of Clayton, Union County and Colfax County about the same intent.
- City Manager Berry reported he and City Clerk/Treasurer Michael Anne Antonucci participated in a conference call about a five-year Capital Improvement Plan along with Federal Aviation Administration, NM State Aviation and Molzen Corbin where they discussed the five-year priorities for the City of Raton Airport as well as the potential funding opportunities.
- Commissioner Lori Chatterley reported a resident of Raton mentioned some property near the ARF building that is for sale and requested Commissioner Chatterley suggest a park be put in that area if at all possible.
VII. ADJOURNMENT:

The meeting adjourned at 7:01 p.m.

CITY OF RATON

[Signature]
James Neil Segovia, Mayor

ATTEST:

[Signature]
Michael Anne Antonucci, City Clerk