



MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, AUGUST 13, 2019 AT 6PM

I. CALL TO ORDER:

Mayor Pro-tem 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 Pro-tem Linde' Schuster, Commissioners: Lori Chatterley, Ron Chavez and Don Giacomo. Mayor Neil Segotta was absent. 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:

- There will be a Special City Commission Meeting on Thursday, August 22, 2019 at 6 p.m.
- The regular meeting scheduled for August 27th will be cancelled due to conflict with the NMML Conference in Las Cruces.
- Notice of Potential Quorum: a quorum of City Commissioners will attend the NM Municipal League Annual Conference in Las Cruces, NM August 28-30.
- You Rock Award - Presented to local graduating senior, Donavin Mendez, honoring him for his academic achievements and service to the community. Mr. Mendez was selected to be a 2019 U.S. Presidential Scholar and recently traveled to Washington D.C. to be honored along with 160 other scholars from around the United States.

V. COMMENTS FROM THE GENERAL PUBLIC:

Carl Hickman, a resident who lives in close proximity to the proposed Sober House, voiced concerns and questioned whether the proposed use is allowed under the current RM-1 zoning district or would require a zoning change if classified as a drug addiction care facility. City Manager Berry stated that he has asked the City Attorney to review and provide a legal opinion. City Manager Scott Berry reported that he has also met with the neighbors and organizers regarding concerns with the location and use of the property. He stated that the result would be issuance of a zoning permit or denial and that there are provisions to appeal to

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the Planning & Zoning Commission. He further noted that the City Commission could ultimately serve as the board of appeal thus limiting their ability to engage in conversation with those present this evening.

Jessica Barfield was present and voiced her support of the project. She stated that she also lives nearby and hopes that everyone can come together and work together.

Virginia Duran, owner of Creative Cuts Hair Salon located next door to the proposed site, stated that she has customers that have already voiced concerns and that some have already stopped going to her business. She is concerned about losing more business and the safety of her clients.

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. Approval of the August 6, 2019 Special Commission Meeting Minutes.

Commissioner Chavez made a motion to approve minutes for the August 6, 2019 Special Commission Meeting. Commissioner Giacomo seconded the motion. No further discussion took place and the motion passed with 3 "ayes". Commissioner Chatterley abstained because she was not present at the meeting.

B. Public Hearing on FY2021-2025 Infrastructure Capital Improvement Plan.

City Manager Berry provided background information on the importance of the ICIP. He stated that this is an annual process and that this year's plan must be submitted to DFA by September 6th. He also discussed the importance of the plan when seeking legislative capital outlay funding and that projects that are eligible to receive funding must be listed on the ICIP. He then gave a summary of the top five infrastructure priorities and noted that there may be other programs that the City will seek funding from that do not require a project to be on the ICIP. City Manager Berry stated that public input is important and that citizens can view last years plan on the City website and can contact City Hall by phone or email with comments. The final ICIP will be presented to the City Commission for approval at the Special Meeting on August 22, 2019.

C. Public Hearing on Proposed Ordinance Enacting a (0.23750%) Municipal Gross Receipts Tax Dedicated for Economic Development.

City Manager Berry stated that the proposed ordinance was approved by NM Tax and Revenue and that it will be presented to the City Commission for a final public hearing and approval at a Special Meeting to be held on August 22, 2019 at 6 p.m. City Manager Berry stated that the City is looking for public input and that this is a big decision that could set the course for the City over the next 20 years. City Manager Berry stated that section 4 of the ordinance stipulates that the proceeds generated from the tax will be dedicated for the economic development purposes specifically described. He also

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briefly discussed the recent legislation passed as a result of HB 479 that de-earmarked a portion of Municipal Gross Receipts tax that is available for an unrestricted purpose without voter approval. City Manager Berry stated that NM Tax and Revenue analyzed the percentage available for the City of Raton to adopt without voter approval which is slightly less than a ¼%. Joe Rodman with Hi-Bay Enterprises stated that he normally is not supportive of new taxes but that he is in full support because our community needs it. He also asked that the City have continual forums to get community input on the needs and how the money should be spent. There were no further comments from the public. Mayor Pro-tem Schuster urged citizens to contact a Commissioner or City Hall if they have any questions regarding the proposed tax increase.

D. Deliberate and Act on Event Forms: Raton MainStreet Gate City Music Festival First Street Closures, August 30-Sep 1 and Raton Homecoming Parade First Street Closures on September 20th

City Manager Berry stated that the City is very familiar with both of the events and that they have been reviewed by staff. City Manager Berry recommended approval of both event forms. A motion was made by Commissioner Chatterley to approve the Event Forms for Raton MainStreet Gate City Music Festival First Street Closures and the Raton Homecoming Parade. The motion was seconded by Commissioner Giacomo and carried 4-0 with all voting “aye”.

E. Deliberate and Act on Colfax Ale Cellar Public Celebration Permit for Gate City Music Festival Concert at Shuler Theater.

Clerk/Treasurer Antonucci reported that she recently attended a session in Santa Fe regarding legislative changes that went into effect July 1, 2019. She reported that the name of the agency was changed to Alcoholic Beverage Control (ABC) and that several changes have gone into effect with regards to the various permits this agency approves. She reported that the form for these permits no longer requires certification or a waiver with regards to alcohol being served within 300 ft of an active school or church since it is for a temporary event and not a permanent licensed location. She also reported that licensed alcohol servers can also now provide security as long as they are not also serving and that this event will have a combination of security that also includes law enforcement officers. Clerk/Treasurer Antonucci stated that she met with an individual from this agency afterwards and had them review the Colfax Ale Cellar permit to serve in the Shuler Theater during the concert and they said it would be fine as long as the floor plan is highlighted showing the areas where the alcohol will be served and where patrons are allowed to have it within the building including the balcony. Clerk/Treasurer Antonucci stated that anyone consuming alcohol must show ID and wear a wristband and that MainStreet members will also assist during the concert to watch and make sure there is no under-age drinking.

A motion was made by Commissioner Chatterley to approve the Public Celebration Permit for the Gate City Music Festival Concert at Shuler Theater. The motion was seconded by Commissioner Chavez and carried 4-0 with all voting “aye”.

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F. Deliberate and Act on Contract Between the City of Raton and the Center for Community Innovation for Google AdWords and Digital Marketing Services for Exploratoron.com

Jessica Barfield was present and stated that the contract for the previous fiscal year has expired and that this was being brought directly to the Commission for consideration because the Lodgers' Tax Board has not had a quorum. She then gave a PowerPoint presentation and provided statistics showing an increase in website traffic as a result of the Google grant and that the site has an 11.2% click through rate which is more than the amount required by the grant. She then discussed the rebranding of the exploratoron.com website and noted that there are new photos, articles and road trip itineraries on the site. She also noted that people are looking for affordable living and that there is a new relocation page with home listings and a new Google job search feature. Ms. Barfield reported that the film crew here during the Run to Raton event filmed over 200 hours and did over 30 interviews. She stated that all of this is working but takes time and that Raton finally has the data to support its efforts. She also reported that she and JP Rodman did an interview with KRDO in Colorado Springs and that the response as a result of the KRDO coverage has been positive. City Manager Berry stated that this proposal comes to the Commission without a recommendation from the Lodgers' Tax Board but that he recommends approval which is a one year renewal of an existing agreement. A brief discussion followed regarding the new look of the site and valuable relocation and job search tools that have been added. A motion was made on by Commissioner Giacomo to approve the Contract Between the City of Raton and the Center for Community Innovation for Google AdWords and Digital Marketing Services for Exploratoron.com. The motion was seconded by Commissioner Chavez and carried 4-0 with a unanimous roll call vote of "yes" by each commissioner.

G. Deliberate and Act on Appointment to Lodgers' Tax Advisory Board.

City Manager Berry reported that one application was submitted by Barbara Riley, owner of the Heart's Desire Bed and Breakfast, to fill the vacant board position for a lodging owner/operator. City Manager Berry stated that he recommends approval of her appointment. A motion was made by Commissioner Chatterley, seconded by Commissioner Giacomo to appoint Barbara Riley to the Lodgers' Tax Advisory Board. The motion carried 4-0 with all voting "aye".

H. City Manager's Report

City Manager Berry reported the following: (1) He attended the NERPO meeting in Las Vegas and met with the new District 4 Engineer, James Gallegos, and discussed the I-25 traffic bottleneck at the intersection of Highway 64. The NMDOT stated that they are aware of the issue and will provide funds for the planning and design. City Manager Berry stated that the public will have a chance to comment on the project when the time comes. He also discussed conditions on 2nd Street (ie. heaving sidewalks & concrete) with the NMDOT and that agreements will need to be reviewed. (2) He


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attended the Energy Summit with Mayor Segotta and they also met with NMEDD to discuss Raton's Economic Development Plan, business expansion and outdoor recreation. (3) Reported that Raton Water Works is the recipient of a Water Treatment Plant award which will be awarded in Keystone Colorado. He then acknowledged the dedication of Dan Campbell and the Raton Water Works staff.

ADJOURNMENT: The meeting adjourned at 7:10 p.m.

ATTEST:


Michael Anne Antonucci, City Clerk

CITY OF RATON

Linde' Schuster, Mayor Pro-tem