



**MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, MARCH 22, 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, 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, and 15 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:

- **Advance Notice of a Potential Quorum was posted to alert the public that a quorum of the Raton Water Board and Raton Public Service Board of Directors may attend the March 22, 2022 Commission Meeting for the presentation of the FY21 Approved Audit Reports by Carr, Riggs & Ingram**
- **Next Regular Commission Meeting Tuesday, April 12, 2022 at 6:00 p.m.**
- **All City Offices will be closed Friday, April 15, 2022 in Observance of Good Friday**

V. COMMITTEE REPORTS FROM COMMISSIONERS:

Commissioner Lori Chatterley attended the New Mexico Municipal League Legislative Recap meeting on March 10th. She noted all the information is on their website.

Commissioner Donald Giacomo attended the Arthur Johnson Memorial Library Board meeting on March 15th, and he reported nine new computers have been installed, the donations received, fines collected, copies made, memorials purchased, and programs held. He also attended the Raton Public Service Board meeting on February 23rd where they approved financials, the FY21 Audit and discussed the last few months average of purchase power.

Commissioner Ronald Chavez attended the Raton Water Works Board meeting on March 15th, along with Mayor Pro-tem Schuster, and he reported Lake Maloya is one foot below the spillway, they discussed Lake Dorothy's Lease and approved

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the February Financials. He also attended the Financial Advisory Committee meeting held on March 17th where they approved the February Financials.

Mayor Pro-tem Linde' Schuster attended the March 16th Lodgers' Tax Advisory Board meeting, which the board's recommendations are on tonight's agenda. Mayor Pro-tem Schuster, City Manager Berry, and some members of the Raton School Board met with Cabinet Secretary Elizabeth Groginsky and Representative Roger Montoya's Chief of Staff Isaac Casados to discuss the community's needs.

Mayor Neil Segotta attended the New Mexico Municipal League Legislative Recap meeting on March 10th. He attended the National League of Cities, Congressional City Conference last week and President Biden spoke about the one year anniversary of ARPA, the Infrastructure Bill for the next decade, and workforce training. Mayor Segotta noted there is an Infrastructure Insights Dashboard available for community access. The group also met with Senator Ben Lujan, Senator Martin Heinrich, Congresswoman Theresa Leger Fernandez, and Senator Nancy Rodriguez to discuss more affordable broadband which is expected to happen in the next few years. Mayor Segotta and City Manager Berry met with Field Representative Jennifer Sanchez to discuss the Kearney Film School Project and Sugarite Canyon State Park. Mayor Segotta will attend the NMSIF meeting in Santa Fe on March 24th & 25th and the RPS Board meeting on March 23rd.

VI. ITEMS FROM CITIZENS PRESENT:

Leslie Fernandez and JP Duran with the Raton Pickleball Club were present. They stated that their club has grown very quickly with 60 current members. They proposed a joint effort with the City of Raton in seeking grant funding to construct some outdoor pickleball courts due to the grants only being available to Municipalities. Mayor Segotta and City Manager Berry stated this is something they have discussed previously due to the growing trend of pickleball. City Manager Berry welcomed a meeting to further discuss the possibilities.

Jessica Atwater was present to address her concern of the possible closing of the local Veterans' Outpatient Clinic. The facility currently serves about 868 vets from Raton and the surrounding communities. The Commission stated that they were aware of this and encouraged anyone capable to reach out to the State Representatives and they also noted that there will be a community meeting held on May 20th at the Raton Convention Center at which time everyone could voice their concern.

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 Minutes for Regular Meeting held on March 8, 2022*

A motion was made by Commissioner Ronald Chavez to approve the Minutes for Regular Meeting held on March 8, 2022. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

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B. *Presentation FY21 Approved Audit Reports by Carr, Riggs & Ingram, LLC (via zoom)*

City Manager Scott Berry proposed an amendment to the agenda moving items B & C to before the Commission Committee reports due to Carr, Riggs & Ingram, LLC presenting via zoom. Commissioner Ronald Chavez made a motion to amend the agenda as proposed. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye". Alan D. Bowers CPA, CTIP went over the FY21 Audit Reports for Raton Waterworks, Raton Public Service Co. and the City of Raton. He went over the audit timeline, auditor's reports, financial statement highlights and the value-added suggestions. City Manager Berry noted that there will be a link on the City website making the audit available to the public and that an RFP will be issued for FY22 auditing services. No action was taken.

C. *DELIBERATE AND ACT on Resolution 2022-13: Acceptance and Approval of FY21 Audits*

After a brief discussion a motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2022-13 Acceptance and Approval of FY21 Audits. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with a unanimous roll call vote of "yes". City Clerk/Treasurer Michael Anne Antonucci brought to the Commissions attention that the memorandum from the NM Department of Finance & Administration states the audit resolution should include acknowledgment, not acceptance, of the audit report. A motion to rescind the initial motion was made by Mayor Pro-tem Linde' Schuster, seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye". A motion was made by Mayor Neil Segotta to change the language on Resolution 2022-13 from acceptance to acknowledgement. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

D. *DELIBERATE AND ACT on Lodgers' Tax Funding Recommendations*

- **Dawson Reunion September 3-4, 2022**
- **Raton Supercross Event May 21, 2022**
- **World Journal Summer Guide**

City Manager Scott Berry stated the Lodgers' Tax Advisory Board met on March 16th and recommended the Commission award \$12,578 to the Dawson, NM Association for the Dawson Picnic Reunion, \$2,200 be awarded to the Center for Community Innovation for the advertisement of the Raton Supercross, and \$1,200 be awarded to the World Journal Summer Guide for a full page ad designed by Center for Community Innovation Executive Director, Patricia Duran. Mayor Pro-tem Linde' Schuster noted that the Lodgers' Tax Board discussed some possible ways to make a profit at the Reunion and Supercross so the events can become self-sustained. The Commission expressed some concern about the funding request for the Dawson Reunion. They were unclear if the Lodgers' Tax funding could be used towards the meals for the special guests as requested. A motion was made by Commissioner Lori Chatterley to approve the Lodgers Tax requests for the Raton Supercross and World Journal Summer Guide but postponed

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taking any action on the Dawson Reunion until the next Commission meeting. The motion was seconded by Mayor Pro-tem Linde” Schuster and carried 5-0 with all voting “aye”.

E. *DELIBERATE AND ACT on Parkhill Proposal for 2022 Monitoring and Reporting*

City Manager Scott Berry stated Parkhill was formerly known as Gordon Environmental and has monitored the City of Raton Landfill for potential environmental impacts of the groundwater in order to comply with the NMED requirements. He noted that Armstrong Lane has had poor water but never due to the closed City Landfill. Parkhill provided the City of Raton with a 2022 Proposal for Environmental Monitoring/Reporting Services with a proposed lump fee of \$29,000 with monthly progress payments plus NMGR of \$2,229.38 (@7.6875%) for a total fee of \$31,229.38. A motion was made by Commissioner Donald Giacomo to approve the Parkhill Proposal for 2022 Monitoring and Reporting. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting “aye”.

F. *DELIBERATE AND ACT on Resolution 2022-14 Authorizing the City of Raton to Utilize the Houston-Galveston Area Council (H-GAC) Contract for the Purchase of One (1) Ladder Truck Contingent Upon NMFA Board of Finance Loan Approval*

City Clerk/Treasurer Michael Anne Antonucci stated the City of Raton Fire Department was awarded \$1,100,000 from the 2021 Legislative Capital Outlay Appropriation (Grant #21F2700) specifically for the purchase of a ladder truck. She stated upon Commission approval the remaining balance will be financed through the NM Finance Authority, contingent upon loan approval, pledging fire funds for repayment of that debt. Clerk/Treasurer Antonucci stated the total unit purchase price from Siddons-Martin Emergency Group is \$1,338,780. RFD Chief Anthony Burk stated the current quote is good through March 31st, but the quotes have previously gone up from one quote to the next. He noted there is no guarantee on receiving the ladder truck in twenty-four months after it’s ordered. A motion was made by Commissioner Ronald Chavez to approve Resolution 2022-14 Authorizing the City of Raton to Utilize the Houston-Galveston Area Council (H-GAC) Contract for the Purchase of One (1) Ladder Truck Contingent Upon NMFA Board of Finance Loan Approval. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

G. *DELIBERATE AND ACT on Resolution 2022-15 Authorizing the City of Raton to Utilize the Houston-Galveston Area Council (H-GAC) Contract for the Purchase of One (1) Type One Engine Contingent Upon NMFA Board of Finance Loan Approval*

City Clerk/Treasurer Michael Anne Antonucci stated that in order to purchase the type one engine it would require utilization of the loan funds as well as the fire funds to make up the difference. The total unit price from Siddons-Martin Emergency Group is \$780,135. A motion was made by Commissioner Ronald Chavez to approve Resolution 2022-15 Authorizing the City of Raton to Utilize the Houston-Galveston Area Council (H-GAC) Contract for the Purchase of One (1) Type One Engine Contingent Upon NMFA Board of

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Finance Loan Approval. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

H. *DELIBERATE AND ACT on Alpha Design Proposal to Provide Architectural Services for Proposed Replacement of Raton Convention Center Doors*

City Manager Scott Berry stated the Lodgers' Tax Non-Promotional Funds can be used towards structures or facilities dedicated towards tourism. He stated there is currently no debt associated with the non-promotional funds. City Manager Berry stated the City of Raton has been experiencing some problems with the doors at the Convention Center when hosting conferences and events. He noted that due to different people having the entry codes the City has also experienced some vandalism. The new hardware for the exterior doors is planned to be some form of electronic access control that will allow one or more designated staff at City Hall to program the system from City Hall to determine who has access at any time and will record who accesses the doors. The means of access will likely be cards or a code. Alpha Design's Proposal for Architectural Professional Services is \$6,800 plus NMGR. Commissioner Lori Chatterley made a motion to approve the Alpha Design Proposal to Provide Architectural Services for Proposed Replacement of Raton Convention Center Doors. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

I. *DELIBERATE AND ACT on Juvenile Justice Grant Budget Adjustment Request*

City Clerk/Treasurer Michael Anne Antonucci stated the City of Raton Continuum has had no mandatory traveling in Fiscal Year 2022 and would like to move the budgeted \$500 to the Youth Board due to an increased number of members for the month of March 2022. The Youth Board members will receive a \$25 stipend for every meeting they attend to include the City of Raton Continuum Advisory Board and for every two week scheduled Youth Board meeting. Attendance is taken every meeting to track participation. A motion was made by Mayor Pro-tem Linde' Schuster to approve the Juvenile Justice Grant Budget Adjustment Request. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

J. *OVERVIEW AND DISCUSSION of FY23 Budget Preparation and Submission Guidelines*

City Manager Scott Berry stated the new Fiscal Year begins July 1st and the interim budget has to be reported to the NM Department of Finance & Administration before the final budget is submitted. City Clerk/Treasurer Michael Anne Antonucci went over the Fiscal Year 2022-23 Budget Preparation & Submission Guidelines from the NM Department of Finance & Administration and noted that many costs have been rising due to inflation which needs to be taken into consideration. The Final Draft Budget will need to be submitted by June 1st so it will be brought to Commission for approval the 2nd meeting in May. City Manager Berry suggested a workshop on April 30th at the Armory and encouraged the citizens to attend. No action was taken.

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K. *DELIBERATE AND ACT on Resolution 2022-16 Approval of February 2022 Financial Reports*

City Clerk/Treasurer Michael Anne Antonucci stated the City of Raton general fund is 13.18% above the year-to-date budgeted projection due to an increase in gross receipt revenue. Which is mainly attributed to construction projects, the economy opening back up due to a decline in COVID cases and the new online sales tax. She stated she is trying to be cautiously optimistic with the price escalations on recurring expenses. She noted the City has also seen an increase in bid prices on various projects including equipment and vehicle purchases in addition to supply chain issues that have increased delivery times as well. Clerk/Treasurer Antonucci also went over the lodgers' tax comparison, gas tax comparison, state report, municipal local option gross receipts taxes, and the unaudited financial statement. A motion was made by Commissioner Lori Chatterley to approve Resolution 2022-16 Approval of February 2022 Financial Reports. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

L. *DELIBERATE AND ACT on Resolution 2022-17 Budget Adjustment #9 FY22*

City Clerk/Treasurer Michael Anne Antonucci stated the City of Raton received \$135,911 more than budgeted from the Small Cities Assistance. She stated the budget adjustment is to offset some of the vehicle fuel purchases as well as various other line items. The budget adjustment request consisted of adjustments in the executive fund, buildings fund, police fund, fire fund, library fund, public works fund, general fund, special revenue fund, economic development fund, juvenile justice grant fund, capital projects fund, and sanitation fund. There were also adjustments in the lodgers' tax promo fund and the non-promo fund utilizing reserves to increase the line items due to a couple new requests as well as traditional requests. A motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2022-17 Budget Adjustment #9 FY22. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

M. *DELIBERATE AND ACT on Funding Request to Utilize Economic Development Funds for the Regional Economic Development Conference in Raton May 11, 2022*

City Manager Scott Berry stated he anticipates partnership with Raton MainStreet and GrowRaton for a Regional Economic Development Conference to bring the State Delegation, NM Economic Development, and Federal Delegation to town. He recommended postponing this item until the next Commission meeting due to not having the opportunity to formalize the plans. A motion was made by Commissioner Lori Chatterley to postpone the funding request to Utilize Economic Development Funds for the Regional Economic Development Conference in Raton May 11, 2022. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

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N. CITY MANAGER REPORT

- City Manager Berry reported he has submitted a grant application for the resurfacing of residential streets in the 2nd Subdivision to the NMDOT.
- City Manager Berry reported the NM Arterial Program grant application has been submitted to the NMDOT.
- City Manager Berry reported the grant application for reconstruction on Brilliant Street and Kearney Avenue has been submitted to the NMDOT.
- City Manager Berry reported he and Public Works Director Jason Phillips are putting together a large request to submit to the Transportation Project Fund from the NERPO program.
- City Manager Berry reported he received acknowledgement about an application submitted for 2022 Water Resources Development Act (WRDA) for the Wastewater Treatment Plant and he will provide the Commission with updates as he receives them.
- City Manager Berry reported he submitted an application for funding to the Historical Records Advisory Board for document imaging organization and storage.
- City Manager Berry reported he has gotten notice from the Federal Delegation regarding Congressionally Directed Spending Requests which he is recommending the Kearney School Project, Bartlett Mesa Ranch and Lake Maloya Dam Improvements be the focus on that.

O. CLOSED EXECUTIVE SESSION PURSUANT TO SECTION 10-15-1 H(2) PERSONNEL – City Manager

A motion was made by Commissioner Lori Chatterley to go into Closed Executive Session Pursuant to Section 10-15-1 H(2) Personnel – City Manager. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with a unanimous roll call vote of “yes” by each Commissioner. The Commission took a 5-minute recess and then entered into closed session at 8:14 p.m.

P. CERTIFICATION OF CLOSED SESSION

The City Commission returned from closed session at 8:42 p.m. and City Clerk/Treasurer Michael Anne Antonucci read the Certification of Closed Session stating the only business discussed was Personnel – City Manager and that no action was taken. Mayor Neil Segotta, Mayor Pro-tem Linde’ Schuster, Commissioner Ronald Chavez, Commissioner Donald Giacomo, and Commissioner Lori Chatterley all agreed with the statement by signifying “yes”.

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VIII. ADJOURNMENT:

The meeting adjourned at 8:45 p.m.

CITY OF RATON


James Neil Segotta, Jr., Mayor

ATTEST:

Michael Anne Antonucci, City Clerk