



MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, APRIL 12, 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 and Mayor Pro-tem Linde' Schuster. Commissioners: Ronald Chavez and Donald Giacomo. Also present were City Manager Scott Berry, Deputy Clerk Desire'e Trujillo, Clerk/Treasurer Michael Anne Antonucci, and thirty-seven visitors. Commissioner Lori Chatterley arrived at the meeting at 6:10 p.m.

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:

- All City Offices will be closed Friday, April 15, 2022 in Observance of Good Friday
- Notice to public that a potential quorum of the City Commission may attend a public meeting at the Shuler Theater April 20th 1:30p.m. – 3p.m. with Congresswoman Teresa Leger Fernandez concerning the Proposed Closure of the Raton Veterans Clinic
- Next Regular Commission Meeting Tuesday, April 26, 2022 at 6:00 p.m.
- City Commission Workshop 10 a.m., April 30, 2022 at the Raton Readiness Facility, 33808 U.S. Hwy 64 (Agenda will be posted 72 hrs. prior as required by the Open Meetings Act)
- Proclamation: Telecommunicators Week, April 10-16, 2022
- Proclamation: Raton High School Cheer Team Day
- Proclamation: Autism Awareness Month April 2022
- Proclamation: Fair Housing Month April 2022

V. ITEMS FROM CITIZENS PRESENT:

None.

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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 Minutes for Regular Meeting held on March 22, 2022*

A motion was made by Commissioner Ronald Chavez to approve the Minutes for the Regular Commission Meeting held on March 22, 2022. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

B. *DELIBERATE AND ACT on Lodgers' Tax Funding Recommendation for Dawson Reunion Sept. 3-4, 2022 (action postponed at previous meeting pending further information)*

City Manager Scott Berry stated the Commission previously postponed taking any action for the Dawson Reunion Lodgers' Tax request at the March 22, Commission meeting and requested some clarification of the Lodgers' Tax guidelines. The Commission was provided with the Lodgers' Tax Guidance Handbook which City Manager Berry went over and stated that due to the statute being vague it would be left up to the Commission's discretion. After some discussion, a motion was made by Commissioner Ronald Chavez to approve the Lodgers' Tax funding recommendation for the Dawson Reunion Sept. 3-4, 2022 in the amount of \$11,852 requesting a detailed report after the event, excluding the expense requests for meals for special guests, rooms for special guests, and Elk's Lodge deposit. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

C. *DELIBERATE AND ACT on Resolution 2022-18: Support for Raton VA Clinic*

Commissioner Ronald Chavez read aloud Resolution 2022-18: Support for Raton VA Clinic. Mayor Neil Segotta spoke about the significant importance of keeping the clinic open due to the several hundred veterans from Raton as well as the surrounding rural communities that receive their health care at this location. He urged citizens to contact their Congressional delegation, State Senators and State Representatives to express the dire need of this clinic as well as the other clinics around the state that are also facing the same threat of closure. City Manager Berry stated Congresswoman Leger Fernandez will be at the Shuler Theater on April 20th at 1:30 p.m. and urged citizens to attend and express their concern about keeping the clinic open. A motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2022-18: Support for Raton VA Clinic. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

D. *DELIBERATE AND ACT on Event Form for Run for the Wall, May 21, 2022*

City Manager Scott Berry stated this is a familiar event to the City and that all the required City staff has approved and signed off on the event request. He recommended approval stating this is one of the most popular events. Tim Trujillo with the Independent Riders of Raton was present, and he expressed

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his appreciation to the City of Raton and the City Commission for the continued support of the event. A motion was made by Commissioner Lori Chatterley to approve the Event Form for Run for the Wall, May 21, 2022. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

E. *DELIBERATE AND ACT on Public Celebration Permit – Blü Dragonfly Brewing for the High Country Meats Open House Rescheduled for April 23, 2022*

City Manager Scott Berry stated the Commission already approved this event at a prior meeting but due to the event date being rescheduled it requires the Commissions consideration. A motion was made by Commissioner Lori Chatterley to approve the Public Celebration Permit – Blü Dragonfly Brewing for the High Country Meats Open House Rescheduled for April 23, 2022. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

F. *INTRODUCTION OF ORDINANCE Establishing Formula for Emergency Water Rates*

City Manager Scott Berry stated this ordinance is to establish a formula for water rates during times of shortage, in order to encourage conservation in the event of an emergency. Mayor Pro-tem Schuster and Commissioner Chavez currently reside on the Raton Water Works Board where this has been discussed for the last few months. Raton Water Works General Manager, Terry Sykes stated the rates in Ordinance No. 644 are outdated due to the ordinance being adopted on January 19, 1978. City Manager Berry stated there will be a public meeting scheduled prior to the Commission taking any action. A motion was made by Mayor Pro-tem Linde' Schuster to approve the Introduction of Ordinance Establishing Formula for Emergency Water Rates. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

G. *INTRODUCTION OF ORDINANCE Establishing Rates for Water and Sewer Use*

Raton Water Works General Manager, Terry Sykes stated there are two components in this ordinance, the current monthly water rates and tap fees that have not been changed in sixteen years. He stated due to that, the cost of materials is barely covered when connecting regular taps and is not covered when connecting larger taps. He also noted that does not factor in the excavations and installations. General Manager Sykes stated the second component is a 5% annual increase in rates which would add an additional dollar per month on water rates and on sewage rates. He noted that the increase in rates would go towards water works projects and equipment. After some discussion Mayor Neil Segotta stated there will be a public meeting held prior to the Commission taking any action and all citizens are invited to voice any questions or concerns. A motion was made by Commissioner Don Giacomo to approve the Introduction of the Ordinance Establishing Rates for Water and Sewer Use. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

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H. *DELIBERATE AND ACT on Lake Dorothy Lease Agreement Between the City of Raton and Colorado Division of Wildlife*

City Manager Scott Berry stated Lake Dorothy sits on six-thousand acres in the state of Colorado which is owned by the City of Raton and is currently leased by the Colorado Division of Wildlife. The current agreement entered into by the City of Raton and the Colorado Division of Wildlife covered a twenty-year period which is soon to expire. He noted that due to some concerns and desires of some additional outdoor activities, a committee has been formed to review and negotiate the new lease. City Manager Berry stated the new lease is not fully complete and requested the item be postponed until the April 26th Commission meeting. Mr. & Mrs. Fernandez were present, and they expressed their disappointment with the expensive required fee permitting access to anyone not possessing a Colorado fishing or hunting license. They also expressed their disappointment on not being allowed to ride mountain bikes on the property. Mr. Stafford was also present, and he addressed the possibility of business development that could stem from additional outdoor activities being permitted. A motion was made by Commissioner Lori Chatterley to postpone the Lake Dorothy Lease Agreement Between the City of Raton and the Colorado Division of Wildlife until the April 26th meeting. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

I. *DELIBERATE AND ACT on Appointment to the Library Board*

City Manager Scott Berry stated this is a reappointment of Joe Rodman to the library board. A motion was made by Mayor Pro-tem Linde' Schuster to approve the appointment of Joe Rodman to the Library Board. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

J. *DELIBERATE AND ACT on Bid Award for LED Lighting Retrofit Project at Tourist Information Center*

City Manager Scott Berry stated the City of Raton solicited bids for the Tourist Information Center Lighting System Retro Fit Project with a bid opening held on April 7th at 2:00 p.m. in the City Commission Chambers. One bid was received from N & K Electric with a total bid amount of \$6,792.53. City Manager Berry recommended approval using funds from the lodgers' tax non-promotional line item. A motion was made by Commissioner Lori Chatterley to approve the Bid Award for LED Lighting Retrofit Project at the Tourist Information Center. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

K. *DELIBERATE AND ACT on GM Emulsion Quote for Parking Lot Seal Coat Projects at City Hall, Raton Senior Center and Multi Modal*

City Manager Scott Berry stated this is a spring cleaning type of project that the staff has been working on. GM Emulsion provided a quote for the resurfacing and restriping of pavement markings at City Hall in the amount of \$20,456.25 excluding NMGRT. City Manager Berry also requested the authority to use the extension of the statewide price agreement. A motion was made by Commissioner Lori Chatterley to approve the GM Emulsion Quote for Parking

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Lot Seal Coat Projects at City Hall, Raton Senior Center and Multi Modal. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

L. *DELIBERATE AND ACT on Resolution 2022-19 for Transportation Project Fund (TPF) Application for Chip Seal Project and Request for Match Waiver*

City Manager Scott Berry stated this is the time of year the City of Raton receives invitations to submit requests for grant funding. He stated that this program is a relatively new source of funding through the NMDOT and that the City of Raton has had success in receiving funding for the Frontage Road Project and the Sugarite Avenue Project. City Manager Berry proposed a City-Wide Chip Seal Pavement Preservation Project consisting of twenty-eight City streets requesting \$1,000,000 from the NMDOT Transportation Project Fund committing to the 5% match if the match waiver is not available. A motion was made by Commissioner Donald Giacomo to approve Resolution 2022-19 for Transportation Project Fund (TPF) Application for Chip Seal Project and Request for Match Waiver. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

M. *DELIBERATE AND ACT on Resolution 2022-20: Budget Adjustment #10 FY22*

City Clerk/Treasurer Michael Anne Antonucci went over some budget adjustments in the general fund, special revenue fund, EMS fund, capital projects fund, and the sanitation fund. With no questions from the Commission a motion was made by Commissioner Lori Chatterley to approve Resolution 2022-20: Budget Adjustment #10 FY22. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

N. *CITY MANAGER REPORT*

- City Manager Berry reported he attended the monthly meeting of the Shuler Restoration Committee with Liaison Jolene Greene on April 11th and that they discussed potential improvements and reviewed the MOU.
- City Manager Berry reported he spoke with RFD Chief Anthony Burk about the concerns of the current dangerous fire conditions through the area and that a burn ban has been implemented on certain parts of the County including the area around the City of Raton which the City of Raton is in agreement with.
- City Manager Berry reported Representative Roger Montoya has organized a Bipartisan Rural Summit to take place on May 12th & 13th at the Roundhouse in Santa Fe regarding infrastructure, education, public safety, and economic development which he plans to attend.

O. *CLOSED EXECUTIVE SESSION Pursuant to Section 10-15-1 H(2) Pending Litigation City of Raton v. Mark and Lori Van Buskirk Cause No. D-809-CV-2013-00245*

A motion was made by Mayor Pro-tem Linde' Schuster to go into Closed Executive Session Pursuant to Section 10-15-1 H(2) Pending Litigation City

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of Raton v. Mark and Lori Van Buskirk Cause No. D-809-CV-2013-00245
The motion was seconded by Commissioner Lori Chatterley 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
7:29 p.m.

P. *CERTIFICATION OF CLOSED SESSION*

The City Commission returned from closed session at 7:56 p.m. and City
Clerk/Treasurer Michael Anne Antonucci read the Certification of Closed
Session stating the only business discussed was Pending Litigation City of
Raton v. Mark and Lori Van Buskirk Cause No. D-809-CV-2013-00245 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".

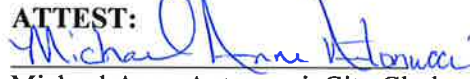
VII. ADJOURNMENT:

The meeting adjourned at 7:56 p.m.

CITY OF RATON



James Neil Segotta Jr., Mayor

ATTEST:


Michael Anne Antonucci, City Clerk