



**BOARD OF TRUSTEES
TOWN OF MESILLA
WORK SESSION
MONDAY, JANUARY 27, 2020
5:30 P.M.**

- TRUSTEES:** Nora L. Barraza, Mayor
Stephanie Johnson-Burick, Mayor Pro Tem
Carlos Arzabal, Trustee
Jesus Caro, Trustee
Veronica Garcia, Trustee
- STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
Lawrence Shannon, Community Development Coordinator
- PUBLIC:** Susan Krueger

1. Discussion: Revision to Chapter 18.35 H-R – Residential – Cultural – Historical Zone Ordinances – *Cynthia Stoechner-Hernandez, Clerk/Treasurer.*

Suggested changes discussed:

- Changing setbacks to 7 feet.
- No zero lot lines permitted.
- How to regulate the population density in the Town.

Closed Work Session at 5:53 p.m.

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**BOARD OF TRUSTEES
TOWN OF MESILLA
REGULAR MEETING
MONDAY, JANUARY 27, 2020
6:00 P.M.**

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TRUSTEES: Nora L. Barraza, Mayor
Stephanie Johnson-Burick, Mayor Pro Tem
Carlos Arzabal, Trustee
Jesus Caro, Trustee
Veronica Garcia, Trustee

STAFF: Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
Kevin Hoban, Fire Chief
Rod McGillivray, Public Works Director
Enrique Salas, Lieutenant
Lawrence Shannon, Community Development Coordinator
Dorothy Sellers, Special Events Coordinator

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PUBLIC: Susan Krueger Angela Rael
Rafael Geck Davie Salas
Kelly Salas William McIlvaine
Presciliana Sandoval Charles Madrid

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1. PLEDGE OF ALLEGIANCE

Mayor Barraza led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

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Roll Call.

Present: Mayor Barraza, Mayor Pro Tem Johnson-Burick, Trustee Arzabal, Trustee Caro, Trustee Garcia.

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3. CHANGES TO THE AGENDA & APPROVAL

Motion: To approve agenda, Moved by Trustee Arzabal, Seconded by Trustee Garcia.

Roll Call Vote: Motion passed (summary: Yes =4).

Mayor Pro Tem Johnson-Burick Yes
Trustee Arzabal Yes
Trustee Caro Yes
Trustee Garcia Yes

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4. PUBLIC INPUT – The public is invited to address the Board for up to 3 minutes.

Ms. Krueger voiced concerns regarding a sandwich board sign on Avenida de Mesilla advertising Dr. Schaefer's business. She also noted that whoever cleared Mr. Kane's property took out the community ditch.

Ms. Sandoval voiced concerns regarding the Mercado. Musicians are loud and getting aggressive. The vendors don't mind helping with the proposed increased rates. Requests allowing vendors on the plaza

1 when there is a federal holiday on a Monday.
2

3 **5. CLOSED SESSION** – pursuant to NMSA 1978 Chapter 10-15-1(H)(2): discussion limited
4 to personnel matters in the Marshal’s Department. – *Nora L. Barraza, Mayor.*

5 **Motion: To enter Closed Session – pursuant to NMSA 1978 Chapter 10-15-1(H)(2): discussion**
6 **limited to personnel matters in the Marshal’s Department, Moved by Trustee Arzabal, Seconded by**
7 **Trustee Garcia.**

8
9 **Roll Call Vote:** Motion passed (summary: Yes =4).

10 Mayor Pro Tem Johnson-Burick Yes

11 Trustee Arzabal Yes

12 Trustee Caro Yes

13 Trustee Garcia Yes

14
15 Entered Closed Session at 6:10 p.m.

16
17 **Motion: To enter Regular Meeting after limited discussion to personnel matters in the Marshal’s**
18 **Department - pursuant to NMSA 1978 Chapter 10-15-1(H)(2), Moved by Trustee Arzabal,**
19 **Seconded by Trustee Garcia.**

20
21 **Roll Call Vote:** Motion passed (summary: Yes =4).

22 Mayor Pro Tem Johnson-Burick Yes

23 Trustee Arzabal Yes

24 Trustee Caro Yes

25 Trustee Garcia Yes

26
27 Entered Regular Meeting at 6:30 p.m.

28
29 **6. For Approval:** action on limited personnel matters following closed session relating to the
30 Marshal’s Department. – *Nora L. Barraza, Mayor.*

31 Mayor Barraza recommended Mr. Edward J. Lerma for the position of Town of Mesilla Marshal, with the
32 condition that his PERA is frozen during his employment, at beginning salary of \$53,000/year.

33
34 **Motion: To approve the hiring of Mr. Edward J. Lerma as Town of Mesilla Marshal with the**
35 **condition that his PERA is frozen during his employment, at beginning salary \$53,000/year, Moved**
36 **by Trustee Arzabal, Seconded by Trustee Caro.**

37
38 **Roll Call Vote:** Motion passed (summary: Yes =4).

39 Mayor Pro Tem Johnson-Burick Yes

40 Trustee Arzabal Yes

41 Trustee Caro Yes

42 Trustee Garcia Yes

43
44 **7. *APPROVAL OF CONSENT AGENDA – (The Board will be asked to approve by one**
45 **motion the following items of recurring or routine business. The Consent Agenda is**
46 **marked with an asterisk *):**

47 **Motion: To approve consent agenda, Moved by Trustee Arzabal, Seconded by Mayor Pro-Tem**
48 **Johnson-Burick.**

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50
51 Trustee Caro requested removing item b from consent agenda for discussion.
52

1 Mayor Pro Tem Johnson-Burick requested removing item h from consent agenda for discussion.

2
3 Trustee Garcia noted a correction to the worksession minutes.

4
5 **Roll Call Vote:** Motion passed (**summary:** Yes =4).

6 Mayor Pro Tem Johnson-Burick Yes

7 Trustee Arzabal Yes

8 Trustee Caro Yes

9 Trustee Garcia Yes

10
11 **Amended Motion: To approve consent agenda as amended, Moved by Mayor Pro-Tem Johnson-**
12 **Burick, Seconded by Trustee Garcia.**

13
14 **Roll Call Vote:** Motion passed (**summary:** Yes =4).

15 Mayor Pro Tem Johnson-Burick Yes

16 Trustee Arzabal Yes

17 Trustee Caro Yes

18 Trustee Garcia Yes

19
20
21 a) * **BOT Minutes** – Minutes of a Work Session & Regular Meeting on January 13, 2020
22 *Approve consent agenda*

23 b) ***PZHAC Case 090681** - Submitted by Dave and Kelly Salas; a request to discuss plans to
24 construct an additional two dwellings on a property located on the north side of Calle del
25 Sur, adjacent to the east side of the property at 2138 Calle del Sur. (Case
26 060981) Zoned: Historic Residential (HR).

27 Trustee Arzabal asked if the Planning and Zoning Commission voted on the case.

28
29 Mayor Barraza responded the vote was 4 to 0 to approve.

30
31 Trustee Caro asked if the application for the additional 2 dwellings came in before the moratorium.

32
33 Mayor Barraza responded the applicant had been approved for 2 dwellings and prior to the moratorium
34 was put in place applied for an additional 2 dwellings.

35
36 **Motion: To approve PZHAC Case #090681 – submitted by Dave and Kelly Salas; a request to**
37 **discuss plans to construct an additional two dwellings on a property located on the north side of**
38 **Calle del Sur, adjacent to the east side of the property at 2138 Calle del Sur. Zoned: Historic**
39 **Residential (HR), Moved by Trustee Arzabal, Seconded by Trustee Caro.**

40
41 **Roll Call Vote:** Motion passed (**summary:** Yes =3, No =1).

42 Mayor Pro Tem Johnson-Burick Yes

43 Trustee Arzabal Yes

44 Trustee Caro No

45 Trustee Garcia Yes

46
47 c) ***PZHAC Case 060997** – 2685 Calle de Parian, submitted by William McIlvaine, a request
48 to install three new gates and privacy panels on an existing rock wall around a residential
49 property at this address. Zoned: Historical Residential (HR). *Approve consent agenda*

50 d) ***PZHAC Case 060999** - 2488 Calle de Guadalupe submitted by Joseph W. Foster, a
51 request for a zoning permit to paint a 5-foot-wide by 3-foot-high mural on a wall around the
52 commercial courtyard at this address. Zoned: Historical Commercial (HC). *Approve*

1 *consent agenda*

- 2 e) ***PZHAC Case 060995** – 1922 Calle de Cura, submitted by Nia Rucker; a request
3 for a zoning permit to allow the replacement of a bathroom window on a dwelling at
4 this address. Zoned: Historical Residential (HR). *Approve consent agenda*
- 5 f) ***PZHAC Case 060996** – 2424 Calle de Parian, submitted by Cecilia Quintana; a request
6 for a zoning permit to install five-foot high sections of “coyote” fencing at three locations
7 on the property for privacy. Zoned: Historical Residential (HR). *Approve consent agenda*
- 8 g) ***PZHAC Case 061000** – 2160 Calle del Norte, submitted by Gary Bell: a request for a
9 zoning permit to allow the installation of a horse fence for security along the west property
10 line abutting a ditch bank adjacent to the property. Zoned: Historical Residential (HR).
11 *Approve consent agenda*
- 12 h) ***PZHAC Case 060989** – 2930 La Mesilla Circle, submitted by William and Amy Abruzzi;
13 a request for a zoning permit to allow the construction of a 16-foot by 18-foot (224 square
14 foot) storage shed on a residential property at this address. Zoned: Historical Residential
15 (HR).

16 **Motion: To approve PZHAC Case 090689 – 2930 La Mesilla Circle, submitted by William and Amy**
17 **Abruzzi; a request for a zoning permit to allow the construction of a 16-foot by 18-foot (224 square**
18 **foot) storage shed on a residential property at this address. Zoned: Historical Residential (HR),**
19 **Moved by Mayor Pro-Tem Johnson-Burick, Seconded by Trustee Garcia.**

20
21 Mayor Pro Tem Johnson-Burick referred to the BOT action form.

22
23 Mr. Shannon responded the Planning and Zoning approved the construction size at 16 foot by 18 foot.

24
25 Trustee Caro asked about the height limitation.

26
27 Mr. Shannon responded the height is at 30 feet which is allowable in the area.

28
29 Mayor Barraza stated the board can decide if they want to change the height if they feel it is too high.

30
31 Trustee Arzabal stated they are asking for a 12 foot.

32
33 Trustee Garcia stated it would be 12 foot in the front and 11 foot in the back.

34
35 Mr. Shannon stated the highest 12 foot 6 inches.

36
37 **Roll Call Vote:** Motion passed (**summary:** Yes =4).

38 Mayor Pro Tem Johnson-Burick Yes

39 Trustee Arzabal Yes

40 Trustee Caro Yes

41 Trustee Garcia Yes

- 42
43 i) ***PZHAC Case 061001** – 2250 Calle de San Albino, submitted by Wendy Weir for “Agave
44 Artists”; a request for a sign permit to allow a hanging sign for an art gallery at this address.
45 Zoned: General Historical Commercial (HC). *Approve consent agenda*
- 46 j) ***PZHAC Case 061002** – 1701 Calle de Mercado #6, submitted by Jenna Emerick for
47 “Salon de Mesilla LLC”; a request for sign permit to allow a wall sign for beauty salon at
48 this address. Zoned: General Commercial (C). *Approved by consent agenda*

49
50 **8. NEW BUSINESS:**

1 a) **Input from residents** on changes you would like us to consider for the Historic Residential
2 Zone.

3 Ms. Krueger handed out her discussion points [attached].
4

5 b) **For Approval: Ordinance 2020-01:** An ordinance to be called chapter 10.15 – adopting
6 regulations for off-highway motor vehicles.

7 **Motion: To approve Ordinance 2020-01: An ordinance to be called Chapter 10.15 – adopting**
8 **regulations for off-highway motor vehicles, Moved by Trustee Arzabal, Seconded by Trustee Caro.**
9

10 **Roll Call Vote:** Motion passed (summary: Yes =4).

11 Mayor Pro Tem Johnson-Burick Yes

12 Trustee Arzabal Yes

13 Trustee Caro Yes

14 Trustee Garcia Yes
15

16 c) **For Discussion:** An ordinance revision to amend the rates for the Town of Mesilla Mercado
17 Vendors. – *Dorothy Sellers, Community Programs Coordinator.*

18 Ms. Sellers stated that vendors are currently paying \$100 for the space and \$35 for the licensing. She is
19 proposing it be increased a \$100 for the cost of the space making it \$235 annually.
20

21 Mayor Barraza stated Ms. Sellers looked at the City of Las Cruces Farmer’s Market fees which are \$130
22 per quarter and a \$25 membership fee in addition to the business license. We need to offset our expenses.
23

24 Trustee Arzabal stated it means a lot to have Ms. Sandoval come to the board with her support and
25 recommendations as she was one of the first to participate in the Mercado. He is concerned with vendors
26 violating parking regulations.
27

28 Ms. Sellers stated she is currently working on the rules and regulations so vendors are aware of what is in
29 place and will comply.
30

31 Mayor Barraza and Ms. Sellers met with the vendor captain to discuss issues a few weeks ago. We need
32 to make ensure rules and regulations are followed. She relies on the officers to ensure that the rules and
33 regulations are enforced. She will speak to staff regarding the federal holidays and see what is best for
34 the community.
35

36 Trustee Garcia mentioned there are vendors that are showing up on Sunday that have not paid for a
37 license. When would this go into effect?
38

39 Ms. Sellers responded our target date is for renewal of business licenses on March 15th.
40

41 Mayor Barraza stated staff will meet to discuss these issues. She is also concerned with how many
42 vendors park around the plaza.
43

44 Trustee Caro stated he is willing to go with the rate increase and look at Ms. Sandoval’s request.
45

1 Mayor Pro-Tem Johnson-Burick stated she does not support doubling the fees. She recommends doing it
2 in implements.

3

4 Mayor Barraza responded Harold, Mercado Captain, stated the vendors will support the increase.

5

6 **d) For Appointment:** A Mayor Pro-Tem to serve for one year pursuant to MTC 2.15.060. -
7 ***Nora L. Barraza, Mayor.***

8 Trustee Caro nominated Trustee Arzabal as Mayor Pro-Tem for the Town of Mesilla.

9

10 Mayor Barraza stated due to the revision to the election act; this will be done in January from now on.

11

12 Mayor Pro-Tem Johnson-Burick stated she was going to nominate Trustee Garcia to continue the rotating
13 so that everyone gets the opportunity to serve.

14

15 **Motion: To approve Trustee Arzabal as Mayor Pro-Tem for the Town of Mesilla, Moved by**
16 **Trustee Caro, Seconded by Trustee Garcia.**

17

18 **Roll Call Vote:** Motion passed (summary: Yes =4).

19 Mayor Pro Tem Johnson-Burick Yes

20 Trustee Arzabal Yes

21 Trustee Caro Yes

22 Trustee Garcia Yes

23

24 **e) For Appointment:** a representative to serve on each of the following committees:

25 • Southwestern Area Workforce Development Board

26 • South Central Council of Governments, Inc.

27 • Lower Rio Grande Water Users Organization

28 • Metropolitan Planning Organization (MPO)

29 • South Central Regional Transit District (RTD)

30 • MPO Technical Advisory Committee

31 • MPO Bicycle Committee

32 See the attached appointment listing.

33

34 **Motion: To approve the appointment listing, Moved by Trustee Arzabal, Seconded by Trustee**
35 **Garcia.**

36

37 **Roll Call Vote:** Motion passed (summary: Yes =4).

38 Mayor Pro Tem Johnson-Burick Yes

39 Trustee Arzabal Yes

40 Trustee Caro Yes

41 Trustee Garcia Yes

42

43 **9. BOARD OF TRUSTEE COMMITTEE REPORTS**

44 Trustee Arzabal stated that the next CEO meeting will be in March in Elephant Butte.

45

46 **10. BOARD OF TRUSTEE/STAFF COMMENTS**

47 Chief Hoban stated there are several firefighters graduating from the Las Cruces Fire Academy on
48 January 31st at 2:00 p.m. at the Dona Ana Community College East Mesa campus.

49

1 Trustee Arzabal stated we are doing the right thing in soliciting public input for the Historic Zone.

2

3 Trustee Garcia stated the Mercado vendors are very pleased with Ms. Sellers.

4

5 Mayor Barraza congratulated Trustee Arzabal as Mayor Pro-Tem and thanked Trustee Johnson-Burick for
6 all her help this past year as Mayor Pro-Tem. She attended an amazing presentation at Rio Grande Prep
7 School on Rachel's Challenge on Friday. Thanked Lieutenant Salas for stepping up to the plate. She and
8 others will be going to the legislative session next week. Next Board of Trustees meeting will be on
9 February 10th; a worksession will be held prior to meeting to discuss the Historical Residential Ordinance.

10

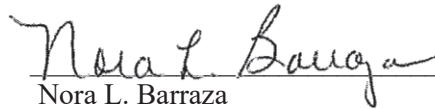
11 **11. ADJOURNMENT**

12

13 Unanimously voted to end the meeting at 7:10 p.m. (summary: Yes =4).


13

APPROVED THIS 10th DAY OF FEBRUARY, 2020.



Nora L. Barraza
Mayor

ATTEST:


Cynthia Stochner-Hernandez
Town Clerk/Treasurer

2020 LISTING OF APPOINTMENTS & COMMITTEES

	Term (yrs.)	Expires
MAYOR PRO TEM		
	1	1/31/2021
Southwestern Area Workforce Development Board		
Chief Elected Officials		
Nora L. Barraza	2	1/31/2022
Carlos Arzabal (Alternate)	2	1/31/2022
SCCOG		
Nora L. Barraza	2	1/31/2022
Carlos Arzabal (Alternate)	2	1/31/2022
Lower Rio Grande Water Users Org.		
Jesus Caro	2	1/31/2022
Rod McGillivray	2	1/31/2022
Metropolitan Planning Organization		
Nora L. Barraza	2	1/31/2022
Stephanie Johnson-Burick	2	1/31/2022
Veronica Garcia	2	1/31/2022
South Central RTD		
Nora Barraza	2	1/31/2022
Veronica Garcia (Alternate)	2	1/31/2022
MPO Technical Advisory Committee		
Larry Shannon	2	1/31/2022
Rod McGillivray	2	1/31/2022
Sean Lucero	2	1/31/2022
MVMPO Bicycle Committee		
Ashleigh Curry	2	1/31/2022
Lance Shepan	2	1/31/2022
Board of Adjustments		
Stephanie Johnson-Burick	2	1/31/2022
Cesario Alvillar	1	1/31/2021
Yolanda Lucero	1	1/31/2021

BOT Meeting, 1/27/2020, suggestions for item 8 (a) , Thanks, Susan Krueger 1/27/2020

18.35 HR zone, Residential- Cultural-Historical Zone

First, I suggest removing all references to “Guidelines and Criteria for Preservation and Development” manual and replacing it with “Chapter 18.33 The Historic Preservation Ordinance.”

Second, I suggest providing additional, specific “Development Standards,” all in one place, regarding all construction in the HR zone.

There is a reference to a “development plan” at 18.35.020 Uses permitted. “Residential and related uses approved by the commission. . .and approval of a “development plan” (see MTC 18.50.030, which I couldn’t find).

Suggested specific development standards include:

Sidewalks. See code at 12.05.020;

Off street parking. See code at 18.60.170 C. 2. Parking Space Standards Residential Uses, HR Zone, Dwellings—Multifamily, two bedrooms or larger, requires three, 10 x20, off-street parking spaces per unit.

Lighting, see Code at...

Ponding, see Code at...

Screening of outdoor storage, see Code at....

Walls, fencing, hedges, see Coder at.....

Installation of Utility wires..

Inspections by Town of Mesilla: identify what are required and when

Third, other suggested considerations:

Re. Height limitations, reduce it below 30’ .

Heights of walls in the front yard setback in the HR zone, reduce from 6 to 4..what it used to be so that Architectural Style is visible.....use blinds, shutters, curtains for privacy.

Put side and rear yard setbacks at 5-7 feet regardless of building material to allow space to clean weeds, etc.

Note that adjustments to standards may be required in order to protect and promote the health, safety and welfare of the public