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6 **BOARD OF TRUSTEES AND PLANNING, ZONING AND HISTORICAL**  
7 **APPROPRIATENESS COMMISSION**  
8 **TOWN OF MESILLA**  
9 **JOINT WORK SESSION**  
10 **MONDAY, FEBRUARY 24, 2020**  
11 **5:00 P.M.**

12  
13 **TRUSTEES:** Nora L. Barraza, Mayor  
14 Carlos Arzabal, Mayor Pro Tem  
15 Jesus Caro, Trustee  
16 Veronica Garcia, Trustee  
17 Stephanie Johnson-Burick, Trustee  
18

19 **PLANNING & ZONING:** Gerard Nevarez, Commissioner  
20 Yolanda Lucero, Commissioner  
21 Judy Houston, Commissioner  
22

23 **STAFF:** Cynthia Stoehner-Hernandez, Town Clerk/Treasurer  
24 Larry Shannon, Community Development  
25 Gloria Maya, Recorder  
26

27 **PUBLIC:** Pat Taylor Susan Krueger  
28 P.A. Sandoval Eric Walkinshaw  
29

30  
31 **Discussion:** Revision to Chapter 18.35 Historic Residential (HR) Zone  
32 Ordinance.  
33

34 Mayor Barraza reviewed the changes; deletions, incorporation of sections, definitions.  
35

36 Commissioner Nevarez asked how this would affect home remodeling.  
37

38 Mayor Barraza responded must meet the Development Zone Standards and ordinance.  
39

40 Trustee Caro recommended that instead of doing so much redlining we should add a sub section  
41

42 Mayor Barraza responded we are waiting for interpretation from the attorney. We are not deleting; we are  
43 combining.  
44

45 Commissioner Nevarez stated multi-family dwelling create traffic congestion problem and are built to the  
46 maximum limit. Information needs to be passed on to Planning and Zoning.  
47

48 Mayor Barraza stated the number of units on lots has caused concerned.  
49

50 Trustee Caro stated our streets are too narrow.  
51

52 Mayor Barraza responded major concern was the parking spaces per unit. The requirement will now be  
53 8,000 sq. ft. per unit which is the same requirement for construction of a new home.  
54

1 Commissioner Nevarez stated some vote against it for that reason. Asked if there is still a moratorium  
2 in place for new construction in the Historical Zone. Asked for someone to follow up on  
3 cases/construction.  
4  
5 Mayor Barraza responded yes it was extended until March 21<sup>st</sup>. She will make sure Mr. Shannon takes  
6 care of following through.  
7  
8 Mayor Pro Tem Arzabal stated the attorney indicated dwellings would need to be connected by a  
9 common wall to continue with construction as per ordinance guidelines.  
10  
11 Mayor Barraza responded Planning and Zoning approved the cases without being connected. The  
12 attorney stated the dwellings needed to have a common wall. Felt all four units should have been  
13 connected to be considered a multi-family dwelling. The tattoo shop is higher than 15 ft.  
14  
15 Mr. Shannon stated construction should be limited to one story/15 ft. in height in the Historic District  
16 regardless what is in the Development Zone.  
17  
18 Commissioner Nevarez stated he agrees.  
19  
20 Commissioner Lucero stated the height should be the height of the building. Should not matter if it is  
21 on a hill. When she questioned the height of the tattoo shop, she was told that the building across the  
22 street was higher than a two-story building.  
23  
24 Mayor Barraza stated a previous case had been approved a year and a half ago with conditions. It came  
25 forth during the moratorium; this case should have applied for a new permit if they wanted to make  
26 modifications. The appeal deadline had passed. She cannot believe that Planning and Zoning and the  
27 trustees approved it with the height of the wall; we contradicted ourselves. What we did was wrong.  
28 New Mexico Municipal League attorney, Mr. VanFleck, could not believe we approve that application.  
29  
30 Commissioner Lucero stated she voted against it, but the minutes show I voted for it. We approved the  
31 tattoo shop height at 15 ft., and it is at 17 ft.  
32  
33 Commissioner Houston responded it was questioned.  
34  
35 Commissioner Lucero stated she wanted measured again.  
36  
37 Mayor Barraza stated we should not allow two story buildings in that area. Asked if it was approved by  
38 consent agenda.  
39  
40 Trustee Johnson- Burick responded it was pulled for discussion.  
41  
42 Mr. Shannon responded it was pulled the first time; came back as a Historic Commercial.  
43  
44 Mayor Barraza stated Planning and Zoning is not taking their time reviewing these cases. The new  
45 commercial building has metal windows and doors which is not part of the Development Zone. This  
46 process begins with staff who needs to ensure that the checklist is being followed. Mr. Maese also  
47 needs to spend more time on reviewing the plans to ensure what is being presented is according to the  
48 ordinances.  
49  
50 Trustee Caro stated things are not brought to our attention.  
51  
52 Mayor Pro Tem Arzabal recommended having an Architectural Style Committee.  
53

1 Trustee Caro stated a chimney was put at the top of the pitch on a home in Mesilla.  
2  
3 Fire Chief Hoban stated those are fire code issues.  
4  
5 Mayor Pro Tem Arzabal asked can a variance be requested if they want to build to the property line.  
6  
7 Mayor Barraza responded we have been told that we need to go by the ordinances and avoid giving  
8 variances which becomes a domino effect and creates issues.  
9  
10 Commissioner Lucero stated it is not a good idea to build to the property line.  
11  
12 Commission Nevarez stated it can become a privacy issue.  
13  
14 Trustee Caro stated there are utilities poles on the right of way. He sees where the Iguado Plan, which is  
15 like our bible, was taken out.  
16  
17 Trustee Johnson-Burick responded the Iguado Plan remains in 18.33.  
18  
19 Mayor Barraza responded the Iguado Plan is in section 18.33 and referenced throughout the ordinance.  
20 Setbacks was before the Iguado Plan.  
21  
22 Commissioner Nevarez stated this will help us make hard decisions.  
23  
24 Mayor Barraza stated we value the Planning and Zoning Commissioners opinions. More time needs to  
25 be taken when reviewing and approving these cases. She asked commissioners and trustees to review  
26 the comments from the residents. We will be addressing the Flagpole lots.  
27  
28  
29 Worksession ended at 5:59 p.m.  
30  
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**BOARD OF TRUSTEES  
TOWN OF MESILLA  
REGULAR MEETING  
MONDAY, FEBRUARY 24, 2020  
6:00 P.M.**

8     **TRUSTEES:**       Nora L. Barraza, Mayor  
9                        Carlos Arzabal, Mayor Pro Tem  
10                       Jesus Caro, Trustee  
11                       Veronica Garcia, Trustee  
12                       Stephanie Johnson-Burick, Trustee

14     **STAFF:**           Cynthia Stoechner-Hernandez, Town Clerk/Treasurer  
15                       Kevin Hoban, Fire Chief  
16                       Rod McGillivray, Public Works Director  
17  
18                       Gloria Maya, Recorder

20     **PUBLIC:**           Eric Walkinshaw                       Susan Krueger  
21                       P.A. Sandoval                         Pat Taylor  
22                       M.H. Ratje                             Jeremy J  
23                       Dr. Ned Rubin                         Dr. Francine Fernandez  
24                       Paul Blevins                           Kathleen Albers  
25                       Alyssa Myrick                         Alexis Brandt

28                       **1. PLEDGE OF ALLEGIANCE**

29     Mayor Barraza led the Pledge of Allegiance.

31                       **2. ROLL CALL & DETERMINATION OF A QUORUM**

32     **Roll Call.**

33     **Present:** Mayor Nora L. Barraza, Mayor Pro Tem Arzabal, Trustee Jesus Caro, Trustee Garcia.

35                       **3. CHANGES TO THE AGENDA & APPROVAL**

36     Mayor Barraza removed PZHAC case #061017 from agenda.

38     **Motion: To approve agenda as amended, Moved by Mayor Pro-Tem Arzabal, Seconded by Trustee Garcia.**

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

42     Mayor Pro-Tem Arzabal   Yes

43     Trustee Caro            Yes

44     Trustee Garcia         Yes

45     Trustee Johnson-Burick   Yes

47                       **4. PROCLAMATIONS:**

48                       a) A Proclamation for the 10<sup>th</sup> Annual Las Cruces Arts Fair Weekend, March 7 – 9<sup>th</sup>, 2020 at  
49                       the Las Cruces Convention Center. – **Nora L. Barraza, Mayor.**

50     Ms. Kathleen Albers read proclamation for the 10<sup>th</sup> Annual Las Cruces Arts Fair Weekend, March 7<sup>th</sup>-9<sup>th</sup>,  
51     2020 at the Las Cruces Convention Center.

52  
53                       b) A Proclamation declaring March 2020 “Athletic Training Month” in the Town of Mesilla. –

1 **Nora L. Barraza, Mayor.**

2 Ms. Stoechner-Hernandez read proclamation declaring March 2020 “Athletic Training Month” in the  
3 Town of Mesilla.

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

6 Mr. Blevins stated he is concerned that the noise section, which the attorney worked on, of the Plaza Use  
7 Ordinance was deleted. The music and noise on the plaza need to be controlled and enforced by  
8 ordinance.

9  
10 Ms. Krueger recommended that mistakes are identified and learned from them. Careful mistakes do not  
11 become the norm. Architectural Style is about what is predominant and prevailing.

12  
13 Mr. Taylor stated zero lot line can meet the code from adjoining structures. What will keep them from  
14 building zero lot life if they have permission from the neighbor. Recommended there could be a potential  
15 compromise.

16  
17 Ms. Sandoval stated it is too noisy on the plaza. Ms. Moreno lives 3 ft. from the restaurant on Ave de  
18 Mesilla, 3 ft. from the carnival lights, the noise and the smoke. Why do we have to rewrite all the  
19 ordinances for little things that come up.

20  
21 Mr. Salas stated new construction on an empty lot should abide by the ordinances not by what is in the  
22 area. An easement is sometimes needed for underground utilities.

23  
24 Dr. Rubin congratulated the board for approving the Social Host Ordinance. This will be providing the  
25 Marshal’s Department with additional tools and is a prevention effort.

26  
27 **6. \*APPROVAL OF CONSENT AGENDA – (The Board will be asked to approve by one**  
28 **motion the following items of recurring or routine business. The Consent Agenda is**  
29 **marked with an asterisk \*):**

30 Mayor Pro-Tem Arzabal requested placing item a under New Business.

31  
32 **Motion: To approve consent agenda as amended, Moved by Mayor Pro Tem Arzabal, Seconded by**  
33 **Trustee Johnson-Burick.**

34  
35 Ms. Myrick congratulated and thanked the board for their efforts. This will affect the entire county as  
36 well.

37  
38 Trustee Johnson-Burick stated she will get with Ms. Maya regarding minutes. Requested adding date,  
39 time and location to public input notes.

40  
41 Trustee Caro stated the town needs to set the example for zero tolerance with regards to alcohol.

42  
43 **Roll Call Vote:** Motion passed (**summary:** Yes =4).

44 Mayor Pro-Tem Arzabal Yes

45 Trustee Caro Yes

46 Trustee Garcia Yes

47 Trustee Johnson-Burick Yes

48  
49  
50 a) **\* BOT Minutes** – Minutes of a Work Session & Regular Meeting on February 10, 2020.  
51 *Approved by consent agenda*

52 b) **\*PZHAC Case 061017** - 1940 Calle Pecana, submitted by Henry Newman and Lisa  
53 Belvito, a request for a zoning permit to construct an inground swim spa behind a dwelling

1 that is under construction at this address. Zoned: Historic Residential (HR). *Removed from*  
2 *agenda*

3  
4 **7. NEW BUSINESS:**

5 a) **For Approval - Ordinance 2020-03:** An Ordinance to be named Chapter 10.20 – Adopting  
6 a Social Host Ordinance. *Approved by consent agenda*

7  
8 b) **For Approval - Ordinance 2020-04:** An ordinance revising Chapter 12.15 – Use of Town  
9 Facilities and the Plaza (currently named Use of Plaza).

10 Mayor Pro Tem Arzabal requested placing the music part of the ordinance under Unlawful Act.

11  
12 Ms. Stoechner-Hernandez responded by placing it under Unlawful Act it can be enforced by law  
13 enforcement. This will also be in the Mesilla Rules and Regulations which will come forth for approval.

14  
15 **Motion: To approve Ordinance 2020-02: An Ordinance revising Chapter 12.15 – Use of Town**  
16 **Facilities and the Plaza (currently named Use of Plaza) with condition, Moved by Mayor Pro-Tem**  
17 **Arzabal, Seconded by Trustee Johnson-Burick.**

18  
19 Trustee Johnson-Burick correction to section 12.15.060 Penalty: Dona Ana County Jail should read Dona  
20 Ana County Detention Center.

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

23 Mayor Pro-Tem Arzabal Yes

24 Trustee Caro Yes

25 Trustee Garcia Yes

26 Trustee Johnson-Burick Yes

27  
28 c) **Resolution 2020-02:** A Resolution repealing and enacting new rates for the Town of  
29 Mesilla Use of Facilities and Plaza.

30 Ms. Stoechner-Hernandez reviewed the new rates.

31  
32 Mayor Barraza stated she would it to read 50% off for Mesilla residents; not to reflect number of hours.

33  
34 **Motion: To approve Resolution 2020-02: A resolution repealing and enacting new rates for the**  
35 **Town of Mesilla Use of Facilities and Plaza as amended, Moved by Mayor Pro-Tem Arzabal,**  
36 **Seconded by Trustee Garcia.**

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

39 Mayor Pro-Tem Arzabal Yes

40 Trustee Caro Yes

41 Trustee Garcia Yes

42 Trustee Johnson-Burick Yes

43  
44 Mayor Barraza held a Moment of Silence for Mr. Isaac Orona, Judge Lionel Frieze, Mr. Raymond Reyes  
45 (Monos), Mr. Gambrell.

46  
47 **8. BOARD OF TRUSTEE COMMITTEE REPORTS**

48 Mayor Pro Tem Arzabal: CEO meeting March 13<sup>th</sup> in Albuquerque.

1 Trustee Johnson-Burick: MPO meeting held on February 12<sup>th</sup> – informational & updates

2  
3 Mayor Barraza: RTD meeting Wednesday; Department of Transportation (DOT) meeting on February  
4 27<sup>th</sup>; DOT Open House on March 3<sup>rd</sup> from 5:30-7:00 at the Community Center regarding University Ave  
5 Project.

6  
7 **9. BOARD OF TRUSTEE/STAFF COMMENTS**

8 Fire Chief Hoban stated he participated in a training at the UMC in Albuquerque. Encourage everyone to  
9 take precautions regarding coronavirus. Asked everyone to practice good hygiene, make sound decisions  
10 and stay home if you are ill. This is not going away anytime soon.

11  
12 Trustee Johnson-Burick stated she will not be in attendance for the March 9<sup>th</sup> Board of Trustees. She  
13 asked if we have received an update on the letter of interest submitted to Paseo de Norte Foundation.

14  
15 Mayor Pro Tem Arzabal inquired about providing a stipend for attending a meeting to the Planning and  
16 Zoning Commissioners as there never seems to be a full quorum. Recommends Planning and Zoning  
17 Commissioner attend New Mexico Municipal League training.

18  
19 Trustee Garcia asked for the schedule for the Census event

20  
21 Ms. Sellers responded it will be March 21<sup>st</sup> from 1-3 at the Community Center.

22  
23 Trustee Garcia asked when will the lights on the plaza be worked on. Asked what the school district pays  
24 for Resource Officers.

25  
26 Mayor Barraza responded we are paid 1.75 FTE.

27  
28 Mayor Barraza stated we did not get the Paseo del Norte Grant. The New Mexico Municipal League has  
29 training twice a year for Planning and Zoning. That information is offered to the commissioners.  
30 Compensation will be looked at. We have received a letter of resignation from Mr. Russell Hernandez;  
31 she will advertise.

32  
33 Mr. McGillivray stated the lighting project is under review; looking at saving engineering costs.

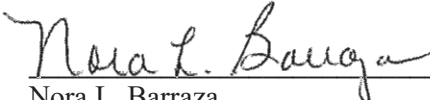
34  
35 Mayor Barraza stated Mr. Lerma was administered the Oath of Office this afternoon by Judge Perea. He  
36 begins Monday if he does not have to serve on jury duty. She thanked Lieutenant Salas for doing an  
37 awesome job and moving the department forward. We will be starting the budget process soon. The  
38 Gross Receipts Taxes are up, but other projections are not coming in as expected. The town received  
39 \$320K for Water Booster Pump, requested \$110K may receive \$220K for two marshal vehicles;  
40 requested \$75K may receive \$100K for playground equipment. From different monies Calle de Picacho  
41 and our match for the Southwestern Trail. Public Safety improvement did not come through.

42  
43 **10. ADJOURNMENT**

44 **The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4)**

45  
46 **MEETING ADJOURNED AT 6:59 P.M.**

47  
48 **APPROVED THIS 9th DAY OF MARCH, 2020.**

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51 \_\_\_\_\_  
52 Nora L. Barraza  
53 Mayor

1 ATTEST:

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4

*Cynthia Stoeher-Hernandez*

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Cynthia Stoeher-Hernandez

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Town Clerk/Treasurer

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