



**BOARD OF TRUSTEES  
TOWN OF MESILLA  
CLOSED SESSION  
MONDAY, OCTOBER 26, 2020  
5:30 P.M.**

**VIA TELECONFERENCE 1-346-248-779**

**MEETING ID 983-7900-0389**

**PASSWORD 971704.**

- 1. CLOSED SESSION** – pursuant to NMSA 1978 Chapter 10-15-1(H)(2): discussion limited to personnel matters in the Public Works Department. – **Requested by Trustee Johnson-Burick and Trustee Garcia.**

Mayor Barraza and trustees went into Closed Session at 5:30 p.m.

**BOARD OF TRUSTEES  
TOWN OF MESILLA  
REGULAR MEETING  
MONDAY, OCTOBER 26, 2020  
6:00 P.M.**

**VIA TELECONFERENCE 1-346-248-7799**

**MEETING ID 983-7900-0389**

**PASSWORD 971704**

**TRUSTEES:** Nora L. Barraza, Mayor  
Carlos Arzabal, Mayor Pro Tem  
Jesus Caro, Trustee (joined meeting at 6:15 p.m. – technical difficulties)  
Veronica Garcia, Trustee  
Stephanie Johnson-Burick, Trustee

**STAFF:** Cynthia Stoechner-Hernandez, Town Clerk  
Kevin Hoban, Fire Chief  
Eddie Lerma, Marshal  
Rod McGillivray, Public Works Director  
Dorothy Sellers, Special Events Coordinator  
Larry Shannon, Community Development Coordinator  
Gloria Maya, Recorder

**1. PLEDGE OF ALLEGIANCE**

Mayor Barraza led the Pledge of Allegiance.

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

**Roll Call.**

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

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

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

**Roll Call Vote: Motion passed (summary: Yes =3).**

Mayor Pro Tem Arzabal Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

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

**Public input in writing shall be received at [cvnthias-h@mesillanm.gov](mailto:cvnthias-h@mesillanm.gov) an hour before the meeting begins on the day of the meeting and will be read into the record. You will also be given an opportunity to speak during this time by pressing \*9 while in the teleconference. You will be prompted when to begin speaking.**

**No Public Input**

**5. STATEMENT REGARDING CLOSED SESSION AND ROLL CALL VOTE – discussion during the closed session was limited to personnel matters in the Public Works Department pursuant to NMSA 1978 Chapter 10-15-1(H)(2). – Board of Trustees.**

**Motion: A Closed Session was held prior to regular meeting to discuss limited personnel matters in the Public Works Department pursuant to NMSA 1978 Chapter 10-15-1(H)(2): no action was taken, Moved by Trustee Johnson-Burick, Seconded by Mayor Pro Tem Arzabal.**

**Roll Call Vote: Motion passed (summary: Yes =3).**

Mayor Pro-Tem Arzabal Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

**6. APPROVAL OF CONSENT AGENDA:**

**(The Board will be asked to approve by one motion the following items of recurring or routine business. The Consent Agenda is marked with an asterisk \*):**

Mayor Barraza stated the date should read 10.13.2020 for approval of Mr. Prieto's application.

Trustee Caro stated he has been in attendance since the beginning of the Closed Session but had technical difficulties.

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

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

Mayor Pro Tem Arzabal Yes

Trustee Caro Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

- a) **\*BOT MINUTES** – Minutes of a Work Session and Regular Meeting on October 13, 2020. *Approved by consent agenda*
- b) **\*PZHAC Case 061120** – 2230 Avenida de Mesilla, submitted by Jesus Lucero; a request to modify a zoning permit to allow a gate to be installed in a section of previously approved fencing on a commercial property at this address. **Zoned: Historical Commercial (HC).** *Approved by consent agenda*
- c) **\*PZHAC Case 061112 W/CONDITIONS** – 2230 Avenida de Mesilla, submitted by Roman Prieto for “Prieto Imports”; a request to modify an existing sign permit to install two wall signs instead of a hanging sign on a business at this address. **Zoned: Historical Commercial (HC).** *Approved by consent agenda*
- d) **\*PZHAC Case 061135 W/CONDITIONS** – 2230 Avenida de Mesilla, submitted by Joshua Prieto for “Merch de Mesilla”; a request for a sign permit to install two wall signs on a business at this address. **Zoned: Historical Commercial (HC).** *Approved by consent agenda*
- e) **\*PZHAC Case 061136**– 2309 Calle de Guadalupe, submitted by Gabriela Gaxiola-Reichel for “Le Boutique, LLC”; a request for a sign permit to allow a wall sign on a business at this address. **Zoned: Historic Commercial (HC).** *Approved by consent agenda*

## 7. OLD BUSINESS

- a) **Resolution 2020-21**: A resolution on an appeal for Case 061079 approving a lot line adjustment at 1780 Calle de El Paso. – **Mesilla Board of Trustees.**

Ms. Stoechner-Hernandez read Resolution 2020-21: A resolution on an appeal for Case 061079 approving a lot line adjustment.

**Motion: To approve Resolution 2020-21: A resolution on an appeal for Case 061079 approving a lot line adjustment at 1780 Calle de El Paso, Moved by Trustee Johnson-Burick, Seconded by Trustee Garcia.**

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

Mayor Pro Tem Arzabal Yes

Trustee Caro Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

- b) **Resolution 2020-22**: A resolution on an appeal for Case 061088 denying the construction of a garage/workshop at 1780 Calle de El Paso. – **Mesilla Board of Trustees.**

Ms. Stoechner-Hernandez read Resolution 2020-22: A resolution on an appeal for Case 061088 denying the construction of a garage/workshop at 1780 Calle de El Paso.

**Motion: To approve Resolution 2020-22: A resolution on an appeal for Case 061088 denying the construction of a garage/workshop at 1780 Calle de El Paso, Moved by Trustee Johnson-Burick, Seconded by Trustee Garcia.**

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

Mayor Pro Tem Arzabal Yes

Trustee Caro No

Trustee Garcia Yes  
Trustee Johnson-Burick Yes

**8. AN APPEAL OF A DECISION OF THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION:**

- a) **A Public Hearing:** on PZHAC Case 061110 –2341 Calle de Arroyo, submitted by Michael R. Taylor; a request for a zoning permit to enclose the front porch on a dwelling at this address. Zoned: Historic Commercial (HC).

**Motion: To close Regular Meeting and open a Public Hearing: on PZHAC Case 061110 – 2341 Calle de Arroyo, submitted by Michael R. Taylor; a request for a zoning permit to enclose the front porch on a dwelling at this address. Zoned: Historic Commercial (HC), Moved by Trustee Johnson-Burick, Seconded by Mayor Pro Tem Arzabal.**

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

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

Public Hearing opened at 5:26 p.m.

Ms. Stoechner-Hernandez read Ms. Krueger's letter.

Mr. Taylor requested his letter of September 28, 2020 be read into the record.

Ms. Stoechner-Hernandez read Mr. Taylor's letter.

Mayor Barraza explained the process.

Ms. Krueger referred to Mr. Taylor's statement as to how the porch enclosure adheres to the Secretary of Interiors guidelines is what she expressed in her letter. The standards allow for changes to structures even if classified as significant. She does not believe it was not the intent of the Secretary of Interior or the Town of Mesilla Codes to limit significant structures to one change. Change is inevitable when there are old properties.

**Motion: To close Public Hearing and open Regular Meeting, Moved by Trustee Johnson-Burick, Seconded by Mayor Pro Tem Arzabal.**

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

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

Opened Regular Meeting at 6:39 p.m.

- b) **For Approval/Disapproval:** on PZHAC Case 061110 –2341 Calle de Arroyo, submitted by Michael R. Taylor; a request for a zoning permit to enclose the front porch on a dwelling

at this address. Zoned: Historic Commercial (HC). **\*\*After approval/disapproval of the above appeal, a resolution stating the board's decision and reasoning shall be approved at the next Board of Trustee meeting\*\***

Mayor Barraza read the appeal of the PZHAC denial of Case 061110.

Mr. Taylor stated request is for the side porch which is barely visible from Calle de Arroyo and Calle Parian. The porch was built in 1972 and connects to 2 buildings that were built in 1985. The fabric of the buildings will not be impacted at all. The proposed porch meets the Secretary of Interiors guidelines for historic preservation. He urges the town to work with SHPO and other entities in updating their survey.

Commissioner Salas stated he believes Mr. Taylor can do what SHPO needs to be done to that building. Mr. Taylor stated that in 1972 it was a change to the original structure and a continuation of changes being done to a historical structure. He is not saying alterations are not allowable but how would we feel if La Posta started making changes to their historical structure. As a retired fireman he looks at what could happen when doors are removed.

Trustee Caro stated after hearing both sides he feels there is no reason for not approving this case. The historical integrity will not be affected considering where the porch will be constructed as it will not be visible to the street.

**Motion: To approve PZHAC Case 061110 – 2341 Calle de Arroyo, submitted by Michael R. Taylor; a request for a zoning permit to enclose the front porch on a dwelling at this address. Zoned: Historic Commercial (HC), Moved by Trustee Caro, Seconded by Trustee Johnson-Burick.**

Mayor Pro Tem Arzabal asked if we have anything from SHPO regarding this case.

Mayor Barraza responded this was not sent to SHPO.

Trustee Johnson-Burick stated she takes all cases seriously. When they purchased their property, they were told by the Taylors and SHPO since there had been so many changes and add-ons were done to the historical property, they would not be eligible for those type of grants. Read 18.08.22. It has been said tonight that the porch is barely visible. CID indicated the doors would have to be removed; this would be changing the historical integrity of the property. Ms. Krueger has stated she is concerned with rehabilitating her property. Rehabilitation is different (terminology) in terms of when you are preserving the historical aspect.

Mayor Pro Tem Arzabal recommended postponing the case until we receive something from SHPO.

Mayor Barraza responded staff would request the information from SHPO; needs to be in form of a motion.

Trustee Johnson-Burick stated if we approve this after receiving information from SHPO, we would be violating our ordinance.

Mr. Taylor stated the doors are not historic as they were installed in 1970. He is not looking at expanding; this is an existing porch that will be enclosed. There would not be an impact to the historic fabric of the building. He believes this follows the guidelines of the Town of Mesilla and disagrees with the trustees who have spoken against approving this case. He would give his word to not reinstall the doors. He reiterated this is in accordance with the zoning of Mesilla and SHPO standards.

Mayor Barraza asked if the vigas would be replaced.

Mr. Taylor responded some will need to be replaced as well as some of the posts due to terminate damage.

Mayor Barraza asked what material will be used to replace the vigas, is the building made of adobe and if the doors and windows will stay intact. She asked what his intention for the roof is.

Mr. Taylor responded it will be with like material. The building is made of adobe and the windows and doors will remain. They would leave the roof as it.

Commission Salas stated nothing is permanent; he is building a wall, and everything is reversible.

Mr. Taylor responded he has no intention of removing the wall.

Trustee Johnson-Burick stated PZHAC did state that the enclosure would change the exterior of the historic structure. We are bound by the ordinance.

Chairperson Lucero stated there was discussion where the PZHAC did state that it would change the appearance of the structure. We do not want to change Mesilla especially around the plaza. We are trying to preserve what we have and hope the board of trustees follow suits.

Trustee Johnson-Burick state just because something is barely noticeable does not give us the right to violate our ordinances.

**Amended Motion: To postpone PZHAC Case 061110 until information has been received from SHPO, Moved by Mayor Pro Tem Arzabal; Seconded None.**

**Amended Motion failed: No Second.**

**Original Motion Roll Call Vote:** Motion denied (summary: Yes =1; No=3).

Mayor Pro Tem Arzabal No - *not in compliance with ordinance*

Trustee Caro Yes - *there is good justification*

Trustee Garcia No - *due to ordinance*

Trustee Johnson-Burick No – *based on the ordinance; change the appearance of structure. Supports the PZHAC, will set precedent and would not benefit the Town of Mesilla.*

Mr. Taylor stated he respects the decision made even though he does disagree. He thanked the board for their time and consideration on this matter.

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

Trustee Johnson-Burick: MPO meeting on October 14<sup>th</sup>; several presentations, approval of resolutions  
MPO meeting will be held on November 12<sup>th</sup>

Mayor Pro Tem Arzabal: CEO meeting in December, 2020

Trustee Garcia: MPO meeting

Mayor Barraza: MPO meeting, RTD meeting this week, weekly Mayor Caucus, OEM update, Care Act Grant presentation

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

Ms. Sellers stated 10 applications have been submitted. She is serving as a liaison between the businesses and the Chamber of Commerce. The Halloween Drive-Thru has been cancelled.

Mayor Barraza stated that reflects the good job Ms. Sellers has done in communicating that information to our businesses.

Fire Chief Hoban asked that due to the cold weather people keep up on maintenance of their furnace, fireplaces, etc.

Mr. McGillivray stated Calle de Norte project will be completed on Friday. The parks, plaza and public restrooms have been closed due to the rise in COVID19.

Mayor Barraza stated read a letter from Health Care Professionals. Her family has been affected by COVID as well as other families in Mesilla as the numbers have gone up in our community. The Fire and Marshall Departments are at risk as they respond to calls. She pleaded that everyone does their part during this pandemic. The Town Hall is closed to the public; appointments can be made by calling the office. The court will continue to be open Mondays, Wednesdays, and Fridays. We all need to take the necessary steps to protect our community as this is not going to go away. Businesses are concerned now with the plaza being closed. Another Mesilla business closed its doors for a week due to an employee testing positive to COVID19. We are working in trying to protect our Mesilleros. El Paso has imposed a curfew which means more people will be coming to our community. We received the attorney's interpretation on Ordinance 18.35.35; a joint session, PZHAC and trustees, will be scheduled for further discussion. She is glad that businesses are taking advantage of the Cares Act Fund. Ms. Stoechner-Hernandez will be out his week and ask that everyone pray for her and her family.

Mayor Pro Tem Arzabal stated Mr. Damacio Bernal, brother to former trustee Mr. Sam Bernal, is fighting for his life as well as his daughter due to COVID19; asked for everyone to keep them in their prayers. He read a text from a nurse regarding the hospital situation.

Trustee Johnson-Burick stated regarding Mr. Taylor, these decisions are not easy. We need to follow the platform we ran on to follow the ordinances. She can emphasize enough that Mr. Taylor thanked us and respected our decision. She thanked Mr. Taylor for understanding we are doing our job.

Trustee Caro reminded everyone to vote.

Trustee Garcia stated she would like staff to be tested weekly. She had COVID19 and it was not fun.

Mayor Barraza responded she has spoken to Ms. Stoechner-Hernandez regarding testing. The Basilica de San Albino will be having testing on Wednesday starting at 6:30 a.m.; interested staff may go get tested.

## **11. ADJOURNMENT**

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

**MEETING ADJOURNED AT 7:29 P.M.**

**APPROVED THIS 9th DAY OF NOVEMBER, 2020.**

*Nora L. Barraza*

Nora L. Barraza  
Mayor

**ATTEST:**

*Cynthia Stochner-Hernandez*

Cynthia Stochner-Hernandez  
Town Clerk/Treasurer

