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**BOARD OF TRUSTEES  
TOWN OF MESILLA  
REGULAR MEETING  
MONDAY, SEPTEMBER 27, 2021  
6:00 P.M.**

**\*\*FOR THE HEALTH & SAFETY OF ALL PUBLIC, MASKS ARE REQUIRED TO ENTER\*\***

- TRUSTEES:** Nora Barraza, Mayor  
Stephanie Johnson-Burick, Mayor Pro Tem (arrived at 6:15 p.m.)  
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, Marshal  
Gloria Maya, Recorder
- PUBLIC:** Ashley Curry                      Eric Liefeld  
Pat Taylor                              Susan Krueger  
Greg Whited                            Mary Helen Ratje  
Trina Witter                            George Olshansky  
I. Thurnhorst                           J. Zapien  
T. Frieze                                Jessie Sainz  
Adam Sainz                              X. Sanchez

- 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 Johnson-Burick, Trustee Arzabal, Trustee Caro, Trustee Garcia
- 3. CHANGES TO THE AGENDA & APPROVAL**  
**Motion: To approve agenda, Moved by Trustee Arzabal, Seconded by Trustee Garcia.**  
Mayor Barraza requested moving items A and C to the end of New Business.  
**Amended Motion: To approve agenda as adjusted, Moved by Trustee Arzabal, Seconded by Trustee Garcia.**  
**Amended Motion Roll Call Vote:** Motion passed (summary: Yes =4).  
Mayor ProTem Johnson-Burick Yes

1 Trustee Arzabal Yes  
2 Trustee Caro Yes  
3 Trustee Garcia Yes  
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

12 **4. PROCLAMATIONS:**

13 a) A Proclamation by the Board of Trustees declaring October 6, 2021, as “International Walk to  
14 School Day” in Mesilla. – **Ashleigh Curry and students.**

15 Ms. Curry read the proclamation declaring October 6, 2021, as “International Walk to School Day” in the  
16 Town of Mesilla. Thanked the town for it’s support and invited everyone to join the students on October 6<sup>th</sup>.

17

18 Mayor Barraza asked her to coordinate with the Fire and Marshal Department for any needs she may have.

19

20 b) A proclamation by the Board of Trustees declaring October 3<sup>rd</sup> – October 9<sup>th</sup>, 2021, as Fire  
21 Prevention Week in the Town of Mesilla. – **Kevin Hoban, Fire Chief.**

22 Fire Chief Hoban read proclamation declaring October 3<sup>rd</sup> – October 9<sup>th</sup>, 2021, as Fire Prevention Week in the  
23 Town of Mesilla. They will not be going into the schools due to the Pandemic. We will have materials  
24 packaged for distribution and provide a video regarding fire prevention. The department has funds to purchase  
25 smoke detectors for residents who need help getting one.

26

27 Mayor Barraza thanked the firefighters for all that they do.

28

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

30 **Space is limited and may require persons giving public input IN PERSON to rotate if capacity of the**  
31 **room is exceeded.**

32

33 Mr. Liefeld handed out correspondence. He stated he was surprised to see the HR Ordinance as an  
34 action item on the agenda when not one trustee moved for the passage of the ordinance at the last  
35 meeting. All the ordinance changes are up for passage. He is opposed to the board acting until they  
36 take the time to fix the problems. The proposed changes clarify but do not change the meaning of the  
37 section. That ordinance says exactly what you want it to say. At the last meeting it was said that they  
38 needed to change the ordinance so the young couple could make changes to their home; that does not  
39 make sense. He is fine with updating the area requirements deemed met in General Provisions. There  
40 is no need to copy that section into all the different zones will cause confusion, i.e., setbacks, non-  
41 conforming, right of entry. Cited letter from Mr. Cervantes.

42

43 Mr. Taylor stated he concurs with Mr. Liefeld. Since we do not have a Community Coordinator  
44 recommends that there be more research done, meet with Cultural Affairs to become certified for  
45 grants. The 2021 period to apply has expired.

46

47 Ms. Ratje stated she was surprised after all the comments made to see the ordinance on the agenda as  
48 an action item. The board was not in favor of it. She agrees with Mr. Liefeld’s research and Mr.  
49 Taylor’s expertise. She yields her time to Mr. Liefeld.

50

51 Mr. Liefeld stated he shared the letter from Mr. Cervantes that he received upon his mother’s permit  
52 application denial.

53

54 Ms. Krueger stated she urges the town to find common ground so that residents can move forward.

1 Ms. Witter stated she was surprised to see the ordinance back on the agenda. It seems like no one  
2 heard the comments or concerns made by residents. She did not see where open space or setback was  
3 mentioned in the minutes. There were some good points made. She asked that they slow down;  
4 review and take public comments into consideration.  
5

6 Ms. Sainz thanked the board for their hard work. She understands if this passes it will allow them to  
7 add to their home.  
8

9 Mr. Whitted stated the old ordinance is cruel. If there is a fire on my property he would not be  
10 allowed to rebuild. Listen to the residents; find a compromise, people need to move on.  
11

12 Mayor Barraza stated the board received copies of any correspondence that has been submitted  
13 (attached).  
14

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

18 Trustee Arzabal requested placing New Business items 7d, 7e, and 7f on the consent agenda.  
19

20 **Motion: To approve consent agenda as amended, Moved by Trustee Arzabal, Seconded by Trustee**  
21 **Garcia.**  
22

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

24 Mayor ProTem Johnson-Burick Yes

25 Trustee Arzabal Yes

26 Trustee Caro Yes

27 Trustee Garcia Yes  
28

29 a) **\*BOT MINUTES** – Minutes of a Joint Work Session and regular meeting September 13, 2021.  
30 *Approved by consent agenda*

31 b) **\*PZHAC Case #061277** – 2322 Calle Principal, submitted by Pat Taylor for the installation of  
32 a new half round gutter (galvanized aluminum) and the installation of a rain barrel with  
33 screening behind Del Sol. **Zoned: Historic Commercial (HC).** *Approved by consent agenda*

34 c) **\*PZHAC Case #061278** – 1912 Calle de Santiago, submitted by Pat Taylor on behalf of Robert  
35 Tustin, for the installation of a new gutter (aluminum) on the north side of the roof at overhang.  
36 **Zoned: Historic Commercial (HC).** *Approved by consent agenda*

37 d) **\*PZHAC Case #061279** – 2220 Calle de Parian A, submitted by Glenn Cutter for a wall sign, a  
38 freestanding sign and parking signs. **Zoned: Historic Commercial (HC).** *Approved by*  
39 *consent agenda*

40 e) **\*PZHAC Case #061282** – 2391 Calle de Parian, submitted by Robert Reynolds for the  
41 installation of a 4-foot gate and fence between his properties. **Zoned: Historic Residential**  
42 **(HR).** *Approved by consent agenda*  
43  
44

45  
46 **7. NEW BUSINESS:**

47 a) **For Approval:** Ordinance 2021-01: Revising Chapters 18.35 Historic Residential Zone and  
48 18.60.180 Area Requirements Deemed Met. – **Requested by Mayor Pro-Tem Johnson-Burick**  
49 **and Trustee Garcia.**

50 Mayor Barraza stated Commissioner Nevarez, who is present, served on the committee with Mayor Pro Tem  
51 Johnson-Burick, Trustee Garcia, Commissioner Salas, and Ms. Stoenner-Hernandez. There were 13 meetings  
52 held along with public input.  
53

54 **Motion: To approve Ordinance 2021-01: Revising Chapters 18.35 Historic Residential Zone and**

1 **18.60.180 Area Requirements Deemed Met, Moved by Mayor Pro Tem Johnson-Burick, Seconded by**  
2 **Trustee Garcia.**

3  
4 Trustee Arzabal asked if there was public input during those meetings.

5  
6 Mayor Barraza responded the committee met separately. Public Input was allowed at the meetings that were  
7 advertised.

8  
9 Trustee Garcia stated the last meeting there was public input.

10  
11 Mayor Barraza stated this is a result of this committee working together since October 13, 2020.

12  
13 Trustee Garcia asked if this is passed, the areas mentioned by Ms. Stoechner-Hernandez would still be non-  
14 compliant.

15  
16 Mayor Barraza responded non-conforming lots, prior to 1972, would now be conforming lots.

17  
18 Trustee Garcia asked if the setback section can be taken out and have it at zero lot line.

19  
20 Mayor Pro Tem Johnson-Burick stated that if that is done, we will experience the same situation as Mr. Geck  
21 brought forth last time.

22  
23 Ms. Stoechner-Hernandez stated the HR ordinance, prior to changes in 2020, setbacks were at 3 ft. if built of  
24 fire resistive materials and if not, it had to be at 7 ft.

25  
26 Trustee Garcia stated we could go back to zero lot line.

27  
28 Mayor Barraza stated if we go back as to the original version, the setback would be 3 ft. with fire resistant  
29 material; 7 ft. without.

30  
31 Ms. Stoechner-Hernandez stated we were never at zero lot line.

32  
33 Trustee Garcia stated she feels by changing the lot line it would change the historical part. She does not feel  
34 the town should get involved with requiring permission to build a fence. It should be removed even though it  
35 was recommended by Mr. Cervantes.

36  
37 Mayor Barraza stated Mr. Cervantes clarified that the applicant does not have to provide an agreement, but the  
38 town will not issue a permit until one is provided. If the applicant chooses not to submit an agreement, then  
39 they must follow the setback requirements as written.

40  
41 Trustee Arzabal asked if the committee agreed to the setback regulations.

42  
43 Trustee Garcia stated if we are meeting halfway, let's put the lot line back to 3 ft.

44  
45 Mayor Pro Tem Johnson-Burick stated a lot of work done on this ordinance by the PZHAC and the committee.  
46 The public was aware of what was going on with updates at every public meeting. She takes offense with  
47 people saying there was no transparency. She does what is best for the residents and is honest and forth right.  
48 The board did not act at the last meeting because they were listening to the residents. She put the full  
49 ordinance back on the agenda so there would not be any picking and choosing. This is for everyone's benefit;  
50 to protect and keep the historical integrity of this community.

51  
52 Ms. Stoechner-Hernandez stated she has asked Mr. Campos, Dona Ana County, to review the ordinance, but  
53 has not heard back.

1  
2 Trustee Caro stated there have been good points and this is based on interpretation. He feels the attorney was  
3 on the fence post. He does not feel it is ready to be voted on.

4  
5 Trustee Arzabal asked why the setback is at the 7 ft. instead of 3 ft.

6  
7 Commissioner Nevarez responded the 7 ft. eliminates the closeness where people hear what is going on in the  
8 neighbor's yard. There are also safety and privacy issues.

9  
10 Mayor Pro Tem Johnson-Burick stated there are not many undeveloped lots.

11  
12 **Amended Motion: To approve Ordinance 2021-01: Revising Chapters 18.35 Historic Residential Zone**  
13 **and 18.60.180 Area Requirements Deemed Met w/recommendation to move lot line to 3 ft., Moved by**  
14 **Trustee Garcia, Seconded by None.**

15  
16 **Motion Died.**

17  
18 **Motion: To approve Ordinance 2021-01: Revising Chapters 18.35 Historic Residential Zone Moved by**  
19 **Mayor Pro-Tem Johnson-Burick, Seconded by Trustee Arzabal.**

20  
21 **Roll Call Vote:** Motion passed (summary: Yes =3, No=2).

22 Mayor Pro Tem Johnson-Burick Yes

23 Trustee Arzabal Yes

24 Trustee Caro No

25 Trustee Garcia No

26 Mayor Barraza Yes

27  
28 b) Update on the budget for the 2021 Dies y Séis de Septiembre Fiesta. – **Dorothy Sellers,**  
29 **Special Events Coordinator.**

30 Ms. Sellers gave an update on the Dies y Seis de Septiembre Fiesta.

31  
32 Mayor Barraza stated Ms. Sellers put in a lot of time and effort toward the fiesta. She did a great job. The  
33 parade was cancelled due to the lack of participants.

34  
35 Trustee Garcia asked if the parade was advertised; she did not see anything.

36  
37 Ms. Sellers responded she reached out to the regulars, and many had different concerns.

38  
39 Mayor Pro Tem Johnson-Burick stated it was a good call; nice fiesta.

40  
41 Ms. Sellers stated she is working on the Halloween Carnival. The Haunted House will be moved outside to  
42 have the open space. She stated that she needs volunteers.

43  
44 **\*\*If board decides to recommend approval of Ordinance 2021-01, must act on 6(C)\*\***

45 c) **Resolution 2021-26:** a resolution repealing Resolution 2021-25: placing an additional three-  
46 month moratorium on the expansions of non-conforming lots. - **Board of Trustees.**

47 **Motion: To approve Resolution 2021-26: A resolution repealing Resolution 2021-25: placing an**  
48 **additional three-month moratorium on the expansions of non-conforming lots, Moved by Mayor Pro**  
49 **Tem Johnson-Burick, Seconded by Trustee Arzabal.**

50  
51 **Roll Call Vote:** Motion passed (summary: Yes =4).

52 Mayor Pro Tem Johnson-Burick Yes

53 Trustee Arzabal Yes

1 Trustee Caro Yes  
2 Trustee Garcia Yes

- 3  
4 d) **Resolution 2021-27:** a resolution authorizing the participation in Capital Outlay program  
5 administered by the New Mexico Department of Transportation in the amount of \$180,000 for  
6 Calle de Picacho drainage improvements. – **Rod McGillivray, Public Works Director.**  
7 *Approved by consent agenda*  
8  
9 e) **Resolution 2021-28:** A resolution authorizing the participation in Capital Outlay program  
10 administered by the New Mexico Department of Transportation in the amount of \$125,000 for  
11 lighting improvements. – **Rod McGillivray, Public Works Director.** *Approved by consent*  
12 *agenda*  
13  
14 f) **Resolution 2021-29:** A resolution adopting the FY 2023-2027 Infrastructure Capital  
15 Improvements Plan (ICIP) for the Senior Citizen’s facility at the Community Center. – **Rod**  
16 **McGillivray, Public Works Director.** *Approved by consent agenda*  
17

18  
19 **8. BOARD OF TRUSTEE COMMITTEE REPORTS**

20 Trustee Garcia: MPO meeting on October 6<sup>th</sup> she thinks.

21  
22 Mayor Barraza: SCCOG update meeting; RTD meeting; Homeland Security meeting (Wednesdays for 8  
23 weeks)

24  
25 **9. BOARD OF TRUSTEE/STAFF COMMENTS**

26 Trustee Garcia asked for an update on Las Colonia funding. She will be following up with Mr. Campos’  
27 review.

28  
29 Mayor Barraza responded Mr. McGillivray is working on that. Deadline for applications is in March. She  
30 asked if there is anything special the departments can do for the October 6<sup>th</sup> Walk to School Day.

31  
32 Fire Chief Hoban responded we have a Sparky costume. Ms. Curry wants this to be a regular event and not a  
33 special event.

34  
35 Mayor Barraza thanked Mr. Whitted for his involvement and interest in helping the town. We are working on  
36 moving forward and following guidelines for community development. Next meeting is Tuesday, October  
37 12<sup>th</sup>.

38  
39 Mayor Pro Tem Johnson-Burick stated she may not be in attendance.

40  
41 Mayor Barraza stated the American Recovery Act allocations will be brought forth soon at a meeting.

42  
43  
44 **10. ADJOURNMENT**

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

46  
47 **MEETING ADJOURNED AT 7:15 P.M.**  
48  
49

1 APPROVED THIS 12<sup>th</sup> DAY OF OCTOBER, 2021.

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*Nora L. Barraza*

\_\_\_\_\_  
Nora L. Barraza  
Mayor

9 ATTEST:

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12  
13  
14

*Cynthia Stoechner-Hernandez*

\_\_\_\_\_  
Cynthia Stoechner-Hernandez  
Town Clerk/Treasurer

#

