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# Town of Mesilla, New Mexico

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**BOARD OF TRUSTEES  
TOWN OF MESILLA  
BOARD MEETING  
MONDAY, AUGUST 24, 2015  
6:00 P.M.**

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22  
23

**TRUSTEES:** Nora L. Barraza, Mayor  
Linda L. Flores, Mayor Pro Tem  
Carlos Arzabal, Trustee  
Sam Bernal, Trustee  
Stephanie Johnson-Burick (absent)

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27  
28

**STAFF:** Kevin Hoban, Fire Marshal  
Debbie Lujan, Public Safety Director  
Chris Mangusing, Marshal  
Gloria Maya, Recorder

29  
30

**PUBLIC:** Russell Hernandez

31  
32

## 1. PLEDGE OF ALLEGIANCE

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Mayor Barraza led the Pledge of Allegiance.

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36

## 2. ROLL CALL & DETERMINATION OF A QUORUM

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38

### Roll Call.

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**Present:** Mayor Barraza, Mayor Pro Tem Flores, Trustee Bernal, Trustee Arzabal.

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## 3. CHANGES/APPROVAL OF THE AGENDA

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Mayor Barraza requested removing Item 4 until Mr. Evans can attend.

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46

**Motion:** To remove Item 4, **Moved by** Mayor Pro Tem Flores, **Seconded by** Trustee Arzabal.

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

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Mayor Pro Tem Flores Yes

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Trustee Arzabal Yes

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Trustee Bernal Yes

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56

**Motion:** To approve agenda as amended, **Moved by** Trustee Arzabal, **Seconded by** Trustee Bernal.

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58

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

1 Mayor Pro Tem Flores Yes  
2 Trustee Arzabal Yes  
3 Trustee Bernal Yes  
4

5 **4. PRESENTATION:**

6 **a.** A presentation by Chief Hoban and the Board of Trustees to Assistant Chief Harry Evans  
7 for his 21 years of dedication and service to the Town of Mesilla. **Postponed**  
8

9 **5. PUBLIC INPUT –** The public is invited to address the Board for up to 3 minutes.  
10

11 No Public Input  
12

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

16 Trustee Arzabal requested placing Item 6b and 6e on the consent agenda.  
17

18 **Motion:** To approve the consent agenda as amended, **Moved by** Trustee Arzabal, **Seconded by**  
19 Trustee Bernal.  
20

21 Mayor Pro Tem Flores stated we just paid off vehicles. She is concerned and asked if there would  
22 be a longer life on the vehicles if they would not be taken home. She indicated she may be asking  
23 for that concern to be placed on an agenda for discussion. She wants to be responsible to the tax  
24 payers.  
25

26 Marshal Mangusing responded the 2009 Crown Victorias are all old vehicles with over 90,000 miles.  
27 A lot of money is being spent in maintenance. It has been found that when a vehicle is assigned to  
28 only one officer they take ownership and are better maintained which extends the longevity. The  
29 Dona Ana County Sheriff's Department and the City of Las Cruces Police Department taken vehicles  
30 home. We are putting more mileage on the new vehicles due to the maintenance on the older  
31 vehicles.  
32

33 Mayor Pro Tem Flores stated she recalls Marshal Gray using that argument. He also said he could  
34 do it within his budget so she went along with it. She did tell him that if came back to request funds  
35 she would say no. She found out after the fact that money was shifted around to pay for gas  
36 expenses and she was not happy about that. She did speak to Ms. Stoechner-Hernandez regarding

1 this. She may ask for this to place on the agenda for further discussion; will take him for his word for  
2 right now.

3  
4 Marshal Mangusing indicated general purpose is replaced every 5 years; these vehicles are over  
5 that. Some entities replace vehicles every 2 years.

6  
7 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

8 Mayor Pro Tem Flores Yes

9 Trustee Arzabal Yes

10 Trustee Bernal Yes

11  
12 a. **\*BOT MINUTES** – Work Session minutes of August 10, 2015 **Approved by consent**  
13 **agenda**

14 b. **\*BOT MINUTES** – Regular Meeting minutes of August 10, 2015. **Approved by**  
15 **consent agenda**

16  
17 **6. NEW BUSINESS:**

18 a. Selection of a Voting Delegate and Alternate for the 2015 New Mexico Municipal League  
19 Annual Conference to be held in Albuquerque September 2 – September 4 – **Nora L.**  
20 **Barraza, Mayor.**

21  
22 Mayor Barraza stated she and Mayor Pro Tem Flores will be attending the conference and would  
23 like to be the voting delegate with Mayor Pro Tem Flores as alternate.

24  
25 **Motion:** To approve the selection of a Voting Delegate and alternate for the 2015 New Mexico  
26 Municipal League Annual Conference to be held in Albuquerque September 2 – September 4, 2015,

27 **Moved by** Trustee Arzabal, **Seconded by** Trustee Bernal.

28  
29 **Roll Call Vote:** Motion passed (**summary:** Yes = 3).

30 Mayor Pro Tem Flores Yes

31 Trustee Arzabal Yes

32 Trustee Bernal Yes

33  
34 b. Appointment of Larry Shannon as a representative to the MPO Technical Advisory  
35 Committee to replace John Knopp. – **Nora L. Barraza, Mayor. Approved by consent**  
36 **agenda**

1           **c. Decision to proceed on proposed food vendor ordinance. – Nora L. Barraza, Mayor.**

2 Mayor Barraza asked the board if they would like to proceed with the food vendor ordinance before  
3 staff spends more time on this ordinance.

4  
5 Mayor Pro Tem Flores stated she agrees with Commissioner Apodaca that we cannot exclude  
6 businesses. The best that we can do is that there are safety precautions. She sees them bringing  
7 people in which we can benefit from it.

8  
9 Trustee Arzabal stated we do not have to allow these food vendors in the plaza. We have eight  
10 restaurants in the town. The Gross Receipts Taxes is the hand that feeds this town. He indicated  
11 there needs to be a time on it. Some restaurants have money to publicize, and there are some that  
12 are barely making it. He would like to set a 9:00 p.m. hour so the local restaurants are not  
13 competing against them. He recommends be very cautious. Commissioner McLeod brought forth a  
14 possible ordinance on where to allow the food vendors.

15  
16 Trustee Bernal asked if we chose to move forward on this, will the Mayor be voting.

17  
18 Mayor Barraza responded she will vote if there is a tie.

19  
20 Trustee Bernal stated there has been a lot of discussion on this subject. He is concerned since we  
21 are understaffed and who is going to supervise these type of businesses, i.e. trash, parking. He is  
22 not trying to stop anyone from making a dollar but does not feel we are not ready for this. There is  
23 no one coming to the meetings in support of these vendors.

24  
25 Trustee Arzabal stated if we move forward can a stipulation be added.

26  
27 Mayor Barraza responded we can create the ordinance as we wish. She shares everyone's  
28 concerns. She also has concerns with who is going to enforce the rules and regulations. She  
29 agrees there is no support for these vendors and we do not want to hold back businesses in Mesilla.

30  
31 Mayor Pro Tem Flores stated she does not feel we can legally be picky about what businesses come  
32 into Mesilla; we are inviting a law suit. If they want to come we cannot hold other businesses back.  
33 This should be taken to the town attorney. She understands the safety concern. We need to be  
34 prepared and deal with these vendors at some time; we need to be smart about this.

1 Mayor Barraza stated this will be discussed at the Planning and Zoning on Monday to see if they  
2 want to move forward. We will sit down with the attorney to bring forth the concerns and ask for  
3 guidance.

4  
5 Mayor Pro Tem Flores stated a resident approached her indicated they in favor of food vendors.

6  
7 Trustee Arzabal stated he was confronted by a restaurant owner indicated she supports them as  
8 long as they operate after her restaurant is closed.

9  
10 **d. Resolution 2015-15:** A resolution adopting an infrastructure capital improvements plan  
11 (ICIP) for 2016-2020. – **Debbie Lujan, Public Works Director.**

12 Ms. Lujan reviewed the 2017-2021 ICIP.

13  
14 Mayor Barraza stated she presented this to the MPO. Mr. Murphy indicated that most of the funding  
15 would be through NMDOT but there will be a match. Jolene will be working with us to apply for grant  
16 money to cover the match. She is hoping that while working with the City of Las Cruces, Las Cruces  
17 Public Schools and NMSU there will not be cost to Mesilla. She has noticed there is quite a bit of  
18 foot traffic and is concerned since they do not have a place to walk. From our past experience, as  
19 long as the project is on the ICIP the legislators will look into that. A lot depends on the legislators.  
20 We are going to move forward and ask for more than what we have been receiving. Ms. Lujan is  
21 going to move forward full force. The town has many infrastructure needs; trying to address the  
22 most severe infrastructure needs.

23  
24 Ms. Lujan stated the water loop which is 100% funded will cost \$767k.

25  
26 Mayor Barraza indicated the water loop project came in at \$500k five years ago; cost has increased.  
27 A Public Hearing was held for the ICIP; only one Las Cruces resident came in so that he could bid  
28 for the projects.

29  
30 Mayor Pro Tem Flores asked for clarification of SCADA.

31  
32 Ms. Lujan responded it is a system to monitor the wells.

33  
34 Mayor Pro Tem Flores asked what needs to be done in the board room.

35  
36 Ms. Lujan responded it is one of phases for this building.

37  
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39 **Motion:** To approve resolution 2015-15 adopting an infrastructure capital improvements plan (ICIP)  
40 for 2016-2020, **Moved by** Trustee Arzabal, **Seconded by** Mayor Pro Tem Flores.

41  
42 **Roll Call Vote:** Motion passed (**summary:** Yes = 3).

43 Mayor Pro Tem Flores Yes

44 Trustee Arzabal Yes

45 Trustee Bernal Yes

- 1  
2 e. Resolution 2015-16: A resolution authorizing and approving submission of a complete  
3 application for financial assistance and project approve to the New Mexico Finance  
4 Authority (NMFA) for the purchase of new police cars. – **Chris Mangusing, Marshal.**  
5 ***Approved by consent agenda***  
6

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

8 No Board of Trustee Committee Reports  
9

## 10 **8. BOARD OF TRUSTEE COMMENTS**

11 Mayor Pro Tem Flores stated the county will hold meetings to review their projects.  
12

13 Mayor Barraza asked Mayor Pro Tem Flores to forward the information to Ms. Parra so we can get it  
14 out to the public.  
15

16 Trustee Arzabal stated we have discussed the take home vehicles and agrees it needs to be looked  
17 at. He has spoken to the Marshal regarding that concern and asked that it be placed on an agenda.  
18

19 Mayor Barraza asked Trustee Arzabal to submit in writing with the reasons why it should be placed  
20 on the agenda.  
21

22 Mayor Barraza stated Congressman Pierce will be at the Public Safety Building on Tuesday at 6:00  
23 p.m. to recognize the volunteer firefighters for giving up their stipend to purchase a new fire truck for  
24 the department. It is an honor to have a congressman do this type of recognition. Ms. Lujan will  
25 have hard hats available for those wishing to tour the building.  
26

27 Trustee Bernal asked when the public safety will be completed.  
28

29 Mayor Barraza responded they are looking at the end of September or early October. The New  
30 Mexico Municipal League Conference will be held next week in Albuquerque; let Cynthia or office  
31 know if you would like to attend. The Public Hearing attendance has been very disappointing.  
32 People complain but do not attend. She hopes the trustees attend the Public Hearings to be aware  
33 of what is going on. She would like to see more participation from the trustees. The money is  
34 coming in terms of Ms. Lujan working so hard. The people providing the money would like to see  
35 the residents who will be benefiting from these projects. It is the resident's responsibility to take the  
36 initiative to see what is going on in the community. If they do not want to participate then I do not  
37 want to hear complaints or criticism. She asks that if anyone sees a unit from the Marshal  
38 Department out of the jurisdiction to call Marshal Mangusing or herself and/or take pictures. We

1 cannot address the problem if it is not brought to their attention. We cannot do a lot if we hear by  
2 third or fourth person; gossip. There is a process that needs to be followed. She will bring forth  
3 building inspections to the next meeting on whether we want to go with Dona Ana County who have  
4 indicated they are willing to oversee inspections or stay with Ms. Gentile. She asked that the  
5 trustee's project be completed by the end of this year and brought forth to the board for approval.  
6 The fiesta will be held September 12<sup>th</sup> and 13<sup>th</sup>. She would like the trustees to participate in the  
7 parade and to be at the opening ceremonies. The town hall will be closed on Monday, September  
8 7<sup>th</sup>.

9  
10 Ms. Lujan gave an update on the vector control.

11  
12 Mayor Barraza asked if it rains will it undo what he has done.

13  
14 Ms. Lujan responded she does not think so.

15  
16 Mayor Barraza indicated Mr. Shannon is addressing the weeds; we are making progress

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19 **9. ADJOURNMENT**

20 **Motion:** To adjourn, **Moved by** Trustee Arzabal, **Seconded by** Trustee Bernal.

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

23 Mayor Pro Tem Flores Yes

24 Trustee Arzabal Yes

25 Trustee Bernal Yes

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28 **APPROVED THIS 14<sup>TH</sup> DAY OF SEPTEMBER, 2015.**

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31 \_\_\_\_\_  
32 Nora L. Barraza

33 Mayor

34  
35 **ATTEST:**

- 1 \_\_\_\_\_
- 2 Cynthia Stoeher-Hernandez
- 3 Town Clerk/Treasurer

DRAFT