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**BOARD OF TRUSTEES  
TOWN OF MESILLA  
BOARD MEETING  
MONDAY, AUGUST 8, 2016  
6:00 P.M.**

**TRUSTEES:** Nora L. Barraza, Mayor  
Stephanie Johnson-Burick, Mayor Pro Tem  
Carlos Arzabal, Trustee  
Jesus Caro, Trustee  
Linda L. Flores, Trustee

**STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer  
Kevin Hoban, Fire Chief  
Debbie Lujan, Public Works Director  
Chris Mangusing, Marshal  
Irene Parra, Special Events Coordinator  
Gloria Maya, Recorder

**PUBLIC:** Davie Salas Pat Taylor

**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 Flores.

**3. CHANGES/APPROVAL OF THE AGENDA**

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

3  
4 **Roll Call Vote: Motion passed (summary: Yes = 4).**

5 **Mayor Pro Tem Johnson-Burick Yes**

6 **Trustee Arzabal Yes**

7 **Trustee Caro Yes**

8 **Trustee Flores Yes**

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

11 Mr. Taylor stated he is concerned with the sign being proposed and what is to keep the next business from  
12 requesting the same. We have a lot of signs in Mesilla especially on the Plaza. There is a nice sign near  
13 the park welcoming people to the Town of Mesilla. He is concerned with precedence being set; having to  
14 compete for signs and what it is going to look like. He would like for public input to be allowed during  
15 discussion of a case. He feels as it is now, it stifles public input. Along with public input it would be  
16 better served to the public to allow them to speak during discussion of the case and people will be  
17 encouraged to stay for the meeting. People want to be able to make comments on particular cases.  
18 Reiterated we are stifling public input and does not feel it is good for Mesilla.

19  
20 **5. \*APPROVAL OF CONSENT AGENDA** – The Board will be asked to approve by one  
21 **motion the following items of recurring or routine business. The Consent Agenda is marked**  
22 **with an asterisk \*:**

23  
24 Trustee Flores stated the applicant for Case #012408 will try to save 70 ft. to 75 ft. but it will depend on  
25 how strong the structure is.

26  
27 **Motion: To approve the consent agenda with the conditions and commitments, Moved by Trustee**  
28 **Arzabal, Seconded by Trustee Flores.**

29  
30 **Roll Call Vote: Motion passed (summary: Yes = 4).**

31 **Mayor Pro Tem Johnson-Burick Yes**

32 **Trustee Arzabal Yes**

33 **Trustee Caro Yes**

34 **Trustee Flores Yes**

- 1 a. **\*BOT MINUTES** – Regular Meeting minutes of July 11, 2016. *Approved by consent*  
2 *agenda*
- 3 b. **\*BOT MINUTES** – Regular Meeting & Worksession minutes of July 25, 2016. *Approved*  
4 *by consent agenda*
- 5 c. **\*PZHAC Case #060389** – 2293 Calle de Segunda, submitted by Adam Perez on behalf of  
6 Josie Perez; a request to paint their shop, Ironworks, a light brown. Zoned: Historic  
7 Residential (HR). *Approved by consent agenda*
- 8 d. **\*PZHAC Case #012408** – 2417 Calle de Parian, submitted by Davie and Kelly Salas; a  
9 request for a demolition permit. Zoned: Historic Residential (HR). *Approved by consent*  
10 *agenda commitment recommended – 70 to 75 feet. Approved by consent agenda*
- 11 e. **\*PZHAC Case #012409 w/conditions** – 2417 Calle de Parian, submitted by Davie and Kelly  
12 Salas; a request for a building permit to construct a new dwelling at this address. Zoned:  
13 Historic Residential (HR). *Approved by consent agenda with condition: applicant install a*  
14 *plaque. Approved by consent agenda*

15  
16 **6. OLD BUSINESS:**

- 17 a. For reconsideration PZHAC Case # 012565 – 1891 Avenida de Mesilla, submitted by Cali  
18 Szczawinski for Mesilla Grill, a request for a building permit to construct a pillar to be placed  
19 at the front of her property. Zoned: General Commercial (C).

20 Mayor Barraza stated this case was denied at the last Board of Trustee meeting. One of the trustees  
21 requested that it brought back for consideration. All the pertinent information has been made available to  
22 the board.

23  
24 Trustee Caro asked how deep will the pillar be set into the ground.

25  
26 Mr. Shannon responded he believes it will be 2 ft. and will have to be inspected by C.I.D.

27  
28 Trustee Caro stated he believes it needs to be 3 ft. He asked how far it is into the property.

29  
30 Mr. Shannon responded it is at the edge of the property outside of the DOT right of way; 10 ft. setback.

31  
32 Trustee Caro stated he feels it does not go with the area and will be hard to distinguish what is on the  
33 sign. He feels there is a saturation of signs coming up in Mesilla and this will not do anything for the  
34 interest of Mesilla.

35  
36 Mayor Barraza referenced page 43.

1  
2 Mayor Pro Tem Johnson-Burick stated this case was tabled a month ago for lack of information and two  
3 weeks ago it was brought forth for approval which at the time she was concerned with precedent being  
4 set. The drawing gave them nothing to go on, it was not enough information. She supports businesses  
5 that want to have a relationship with the town. We, as a board, have a responsibility and an obligation to  
6 the community to make sure that it fits with the character and historical integrity which Mesilla was  
7 founded on so therefore, she did not feel comfortable voting in favor. She visited with the business owner  
8 who provided more information; this is art work. She wishes it was not 14 ft. tall but it will help her  
9 make a founded decision.

10  
11 Mayor Barraza stated she is a visual person and having everything before you helps make a good sound  
12 decision.

13  
14 Trustee Arzabal asked if it is the town's obligation to place a sign welcoming tourist instead of a business  
15 owner.

16  
17 Mayor Barraza responded the town is under no obligation to install a sign. The town has purchases signs  
18 welcoming people to Mesilla which are on University, at the cotton gin on Highway 28, Glass Rd/292,  
19 and on South Fairacres.

20  
21 Mayor Pro Tem Johnson-Burick indicated she understands the sign will not say welcome to Mesilla; it  
22 will just read Mesilla.

23  
24 Mayor Barraza responded the sign will just say Mesilla.

25  
26 Trustee Flores stated she is torn on this case as she sees Trustee Caro's point. When she goes to Santa Fe  
27 it is so historical in some places. She understands the proliferation of signs which makes it look tacky  
28 and degrading. At the same time, she wants to respect the Planning and Zoning who put in a lot of time  
29 in making decisions. She has been second guessing herself.

30  
31 Mayor Barraza responded in looking at the picture she feels it is definitely art. We pass our community  
32 off as an art and cultural district as we invite the tourist to enjoy the art and culture of our community.  
33 The town had looked at Main Street USA funding which promotes art and culture but within a year we  
34 would have to hire a person to do fundraising and we do not have the resources for that. She feels it is  
35 nicely done and will be pleasant to look at.

1 **Motion: To approve PZHAC Case # 012565 – 1891 Avenida de Mesilla, submitted by Cali**  
2 **Szczawinski for Mesilla Grill, a request for a building permit to construct a pillar to be placed at**  
3 **the front of her property. Zoned: General Commercial (C), Moved by Mayor Pro Tem Johnson-**  
4 **Burick, Seconded by Trustee Flores.**

5  
6 Mayor Pro Tem Johnson-Burick asked if there something in the ordinances or conditions so that we do  
7 not start seeing more permits coming in for this sort of art work.

8  
9 Mayor Barraza responded everyone has the right to go through the application process; the board can then  
10 place conditions per ordinance.

11  
12 Trustee Caro reiterated this will open up the flood gates for these types of permits. The board had  
13 previously addressed the sign issue but now signs are popping up all over.

14  
15 **Roll Call Vote: Motion passed (summary: Yes = 3; No=2).**

16 **Mayor Pro Tem Johnson-Burick Yes**

17 **Trustee Arzabal Yes**

18 **Trustee Caro No**

19 **Trustee Flores No**

20 **Mayor Barraza Yes**

21  
22 **7. NEW BUSINESS:**

- 23 **a. For approval: the hiring of a full-time Utility Clerk. – Cynthia Stoechner-Hernandez,**  
24 **Clerk/Treasurer.**

25 Mayor Barraza stated interviews were done today for item a and b. She would like to visit with the  
26 committee's recommendations prior to approving.

27  
28 **Motion: To postpone the approval of the hiring of a full-time Utility Clerk, Moved by Trustee**  
29 **Arzabal, Seconded by Trustee Flores.**

30  
31 **Roll Call Vote: Motion passed (summary: Yes =4).**

32 **Mayor Pro Tem Johnson-Burick Yes**

33 **Trustee Arzabal Yes**

34 **Trustee Caro Yes**

35 **Trustee Flores Yes**



1 Mayor Barraza stated Ms. Stoechner-Hernandez is very good at getting the packets out on Wednesdays,  
2 before the 72 hours. It is the trustee's responsibility to pick up their packet or to check their email.

3  
4 Ms. Stoechner-Hernandez stated the agenda is posted at the same time the packets are sent.

5  
6 Trustee Caro stated last time we received it on Friday. He would appreciate that as a rule it be sent out  
7 Wednesday.

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 Flores Yes**

- 14  
15 **d. Resolution 2016-13 – A resolution authorizing the Town of Mesilla to enter into a Grant**  
16 **agreement with the State of New Mexico Environment Department Project number 16-**  
17 **A2259-STB for construction of wastewater collection system improvements on McDowell**  
18 **Road in the amount of \$150,000. – **Debbie Lujan, Public Works Director.****

19 Ms. Lujan stated last year Mesilla received \$250,000 for Phase I which was not enough. The legislators  
20 have awarded us another \$150K for the construction on McDowell.

21  
22 **Motion: To approve Resolution 2016-13 – a resolution authorizing the Town of Mesilla to enter into**  
23 **a Grant agreement with the State of New Mexico Environment Department Project number 16-**  
24 **A2259-STB for construction of wastewater collection system improvements on McDowell Road in**  
25 **the amount of \$150,000, Moved by Trustee Arzabal, Seconded by Mayor Pro Tem Johnson-Burick.**

26  
27 Trustee Caro asked if there are any matching funds that will be required.

28  
29 Mayor Barraza responded this project is completely funded through Capital Outlay; there is no match.

30  
31 **Roll Call Vote: Motion passed (summary: Yes =4).**

32 **Mayor Pro Tem Johnson-Burick Yes**

33 **Trustee Arzabal Yes**

34 **Trustee Caro Yes**

35 **Trustee Flores Yes**

1       **8. \*STAFF REPORTS:**

2           Community Development

3           Community Programs

4           Finance Department

5           Fire Department

6           Marshal's Department

7           Public Works Department

8  
9       **9. BOARD OF TRUSTEE COMMENTS**

10       Trustee Caro stated he is really serious on looking at the signs in Mesilla. More sign permits are being  
11       requested. We need to keep an eye on what is being approved.

12  
13       Mayor Pro Tem Johnson-Burick stated she echoes what Trustee Caro said. She hopes this one piece of  
14       art work does not lead to other more serious concerns for the community. She requested an update on  
15       how we are attacking the mosquitoes.

16  
17       Mayor Barraza responded we usually have them earlier in the season. Ms. Lujan has spoken to Mr. Lee  
18       regarding our residents' concerns.

19  
20       Ms. Lujan responded she spoke to Mr. Lee; the GIS radius is 1 mile to 1.5 mile around Mesilla. He will  
21       be working on controlling the issue; will be treating those areas tonight and tomorrow night. Permission  
22       will be needed if the problem is on private property. These types of species have a 5-mile flight range.

23  
24       Mayor Barraza indicated the weather condition needs to be just right for him to spray.

25  
26       Ms. Lujan responded there should be a 2 to 5-mile wind for the spraying to be affective.

27  
28       Mayor Barraza stated we cannot go into private property to spray.

29  
30       Trustee Arzabal stated there is a lot of work that goes into Planning and Zoning. We sit up here asking if  
31       there is an ordinance, it is our job we are a policy making board. So if we want to amend an ordinance it  
32       is our job to do that to prevent them from coming to the board for signs and things. It is hard when it has  
33       gone through the process; it is on their property and passed unanimously. It is not the staff's job it is our  
34       job to amend and regulate ordinances. He knows the chairman runs the agenda. He asked if Mayor  
35       Barraza would entertain the request change for public comments.

1 Trustee Flores stated the pot holes on Bowman are bad and dangerous. She invites the board to go on  
2 Bowman. She knows the board gets upset when a position is filled before coming for approval. She also  
3 knows staff has been working overtime trying to ensure the work is done for those vacancies. She is  
4 comfortable with the recommendation. It is going to be another two weeks before they are approved; also  
5 the new hires will need to be trained. As per Ms. Lujan's report the Public Safety Building has been  
6 approved which adds extra work. She thanked Ms. Parra for bringing another Food Truck Fiesta. She  
7 understands the mayor's position regarding false information being given before we vote. She would like  
8 to have the opportunity to hear people's comment before a vote is taken.

9  
10 Trustee Caro stated the Mesilla drain has been completely dry for the past 8 years; this year it has a lot of  
11 water. This may contribute to the mosquito issue; recommends informing Mr. Lee.

12  
13 Mayor Barraza stated Mr. Lee does treat the drainage ditches. She has the Public Comments at the  
14 beginning of the meeting so residents are given the opportunity to voice their concerns before a vote is  
15 made. The agendas are posted and if anyone wants more information they can visit with staff. We do  
16 have the option of bringing in a temporary hire until the board approves the recommendation. She has  
17 been speaking to Mr. Greg Smith, City of Las Cruces Mayor Pro Tem and Senator Papen regarding the  
18 pot holes on Bowman. Senator Papen has indicated she will get funding for repaving. The City of Las  
19 Cruces has indicated they pay their share. The Public Work staff will continue to fill the pot holes. She  
20 stated that when trustees begin calling each other and three are involved to discuss a case you are  
21 violation of the Open Meeting Act; you do not want to know the consequences of the violation. It has  
22 been brought to her attention that it is occurring and it has to stop; there are consequences. If anyone has  
23 a concern or question, call her or Ms. Stoechner-Hernandez and we will get the answer. The MPO meeting  
24 will be on Wednesday, the New Mexico Municipal League Conference will be held in Hobbs. Trustee  
25 Flores, Trustee Caro and herself will be attending.

26  
27  
28 **ADJOURNMENT**

29 The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (**Summary:** Yes – 3)

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31 **MEETING ADJOURNED AT 6:49 P.M.**

32  
33 **APPROVED THIS 22<sup>nd</sup> DAY OF AUGUST, 2016.**

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Nora L. Barraza  
Mayor

**ATTEST:**

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Cynthia Stoechner-Hernandez  
Town Clerk/Treasurer