



**BOARD OF TRUSTEES
TOWN OF MESILLA
REGULAR MEETING
MONDAY, FEBRUARY 11, 2019
6:00 P.M.**

TRUSTEES: Nora L. Barraza, Mayor
Jesus Caro, Mayor Pro Tem
Carlos Arzabal, Trustee
Veronica S. Garcia, Trustee
Stephanie Johnson-Burick, Trustee

STAFF: Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
K.C. Alberg, Marshal
Kevin Hoban, Fire Chief
Rodney McGillivray, Public Works Director
Gloria Maya, Recorder

PUBLIC: Joe Foster Marshal McGinley
Morgan McGinley Susan Krueger

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 Caro, Trustee Arzabal, Trustee Garcia, Trustee Johnson-Burick

3. CHANGES TO THE AGENDA & APPROVAL

Mayor Barraza requested removing New Business item b from agenda.

Motion: To approve the agenda as amended Moved by Trustee Arzabal, Seconded by Mayor Pro Tem Caro.

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

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

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

2
3 Ms. Krueger expressed her concerns and observations of the Open Meetings Act and the board decision
4 making process.

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

9 Trustee Arzabal requested placing New Business item c on the consent agenda.

10
11 **Motion: To approve the consent agenda as amended, Moved by Trustee Arzabal, Seconded by**
12 **Trustee Johnson-Burick.**

13
14 **Roll Call Vote: Motion passed (summary: Yes = 4).**

15 **Mayor Pro Tem Caro Yes**

16 **Trustee Arzabal Yes**

17 **Trustee Garcia Yes**

18 **Trustee Johnson-Burick Yes**

19
20 **A. *BOT Minutes** – Minutes of a Work Session and a Regular meeting of January 28, 2019.
21 *Approved by consent agenda*

22 **B. *PZHAC Case 060841 W/CONDITIONS** – 2551 Calle Principal, submitted by Burt
23 McClure, a request for a zoning permit to allow the repair and repainting of window trim;
24 and the construction of a small fence and shed on a residential property at this address.
25 Zoned: Historical Residential (HR). *Approved by consent agenda*

26 **C. *PZHAC Case 060842** – 2551 Calle Principal, submitted by Burt McClure, a request for a
27 zoning permit to allow the repair of plaster and the repainting of a dwelling on a residential
28 property at this address. Zoned: Historical Residential (HR). *Approved by consent agenda*

29 **D. *PZHAC Case 060843** – 1750 Calle de Mercado, submitted by Anna Biad for “Blue Door
30 Venue”; a request for a zoning permit to allow the applicant to set up one of the buildings
31 and an outdoor garden area at this address for a catering operation, and to build a rock wall
32 at the rear of the building. Zoned: General Commercial (C). *Approved by consent agenda*

33 **E. *PZHAC Case 060844** – 1750 Calle de Mercado, submitted by Anna Biad for “Blue Door
34 Venue”; a request for a sign permit to allow the applicant to erect a wall sign on the
35 building used for the catering operation. Zoned: General Commercial (C). *Approved by*
36 *consent agenda*

37 **F. *PZHAC Case 060845** – 1750 Calle de Mercado, submitted by Anna Biad for “Acton
38 Academy”; a request for a sign permit to allow the applicant to erect a wall sign on the
39 building used for the school operation. Zoned: General Commercial (C). *Approved by*
40 *consent agenda*

41
42 **6. NEW BUSINESS:**

43 **A. For 1st Reading/Public Input: Ordinance 2018-03** – amending Chapter 6.05 Animal
44 Control – **K.C. Alberg, Marshal.**

45 Ms. Stohner-Hernandez stated Mr. Darden, upon review, made recommendations for changes to
46 Ordinance 2018-03; Marshal Alberg made the recommended changes.

1
2 Mayor Barraza stated Mr. Darden recommended if an animal had to be put down it had to be concurred
3 with a licensed veterinarian; town staff could not make that decision on their own.

4
5 Mayor Barraza opened public input regarding the Animal Control Ordinance.

6
7 Ms. Krueger reviewed her concerns with the ordinance regarding compatibility, the impossibility of
8 enforcing, definitions, responsibility of the Marshal's Department and Board of Trustees. She stated
9 changes made should be available to the public since they will be the ones using and following the
10 ordinance.

11
12 Trustee Johnson-Burick thanked Ms. Krueger for being so passionate and diligent with this ordinance.
13 She reviewed her notes to see if things were considered; some were, and some weren't. She would have
14 like to have seen the documentation from attorney. Due to the size of the ordinance we need to take our
15 time to get as close to right as we can. She reviewed her concerns of the document regarding
16 consistency, definitions, responsibilities.

17
18 Trustee Arzabal recommended emailing Ms. Stoechner-Hernandez and the Mayor with concerns or
19 recommendations so that they can be forwarded to the attorney for review.

20
21 Mayor Pro Tem Caro stated we need to keep it to the Town of Mesilla and not create overkill.

22
23 Mayor Barraza stated we will not change the ordinance due to the recommendations to accommodate
24 any one person. The ordinance needs to be applicable to the Town of Mesilla. She has shared her notes
25 with the Marshal. Mr. Darden did not change anything in the ordinance. He made recommendations
26 regarding the consistency, verbiage, definitions and responsibilities. She asked the board to review the
27 ordinance and to submit changes or recommendations to herself or Ms. Stoechner-Hernandez. It will
28 then be brought back to the board.

29
30 Mayor Barraza stated February 20th at 5:00 p.m. will be the deadline to submit recommendations. This
31 will allow time for review by Marshal Alberg and Mr. Darden before bringing it back to the board for
32 the March 11th Board of Trustees meeting. She asked if they want to vote on March 11th or would they
33 like a worksession and a second reading prior?

34
35 Trustee Arzabal responded he feels they would be able to vote on March 11th.

36
37 Trustee Garcia recommended a worksession on March 11th with a Second Reading and approval on
38 March 25th.

39
40 Mayor Barraza stated a 5:30 p.m. worksession on March 11th will be held. Approval and Second
41 Reading will be held at the March 28th meeting. We will look at any changes submitted on March 11th.

42
43 Trustee Johnson-Burick stated she supports the proposed plan.

44
45 **B. Resolution 2019-01** – a Resolution enabling the Town of Mesilla, New Mexico, to
46 establish an Animal Control Ordinance schedule of fines, fees and penalties. – **K.C.**
47 **Alberg, Marshal. *Removed from agenda***

1
2 **C. For renewal:** Of contract MES2016-07 - An Agreement with Dr. Baker, DO for Medical
3 Director. – Kevin Hoban, Fire Chief. *Approved by consent agenda*
4

5 **7. *STAFF REPORTS:**

6 Community Development
7 Community Programs
8 Finance Department
9 Fire Department
10 Marshal's Department
11 Public Works Department
12

13 **8. BOARD OF TRUSTEE COMMITTEE REPORTS**

14 Trustee Johnson-Burick stated MPO Meeting on Wednesday at 1:00 p.m. at the Commission Chambers.
15 She will not be making the trip to Santa Fe.

16 Mayor Barraza stated they met with the Department of Transportation who expressed appreciation for the
17 great working relationship. Discussed concerns with Calle de Norte, Ave de Mesilla, University Avenue,
18 Multi-use Trail and other Local Government Road Funds we are working on. They will be attending
19 Municipal Day in Santa Fe next week. They will also be meeting with Lieutenant Governor Morales;
20 hoping to meet with legislators as well.
21

22 **9. BOARD OF TRUSTEE/STAFF COMMENTS**

23 Fire Chief Hoban stated all emergency calls were covered from the Fire Station in January; we had staff
24 on duty. He complimented everyone on the amount of work that has been put into the Animal Control
25 Ordinance.
26

27 Mr. McGillivray stated the length of the trail has been adjusted to end at Paisano Road instead of the
28 Mesilla Lateral. A request has been sent to the MPO through TAP to change the terminology. A
29 drainage study will now be required. We are working on an NMED violation from 2017. There were
30 three deficiencies; Operations and Maintenance manual and lack of Emergency Response Plan. NM
31 Rural Water Association will be helping us work through this and on the inspection of our other tanks.
32

33 Mayor Barraza stated Calle de Picacho and Calle de Norte has a drainage problem. We are asking
34 NMDOT for assistance to channel the water through their bar ditch. The flooding issue needs to be
35 addressed prior to moving forward on the Multi-Use Trail from Paisano to Calle de Picacho.
36

37 Trustee Johnson-Burick stated she is concerned with the budget shortfalls and inconsistencies that were
38 discussed at prior meetings; wants to clear up any wrong perceptions. She addressed the No Parking Sign
39 and the yellow paint that were placed at the corner of Calle de Santiago and Ave de Mesilla in front of the
40 McGinley's business. We talk about supporting our businesses because if businesses are successful then
41 we are successful. Understands about the safety issue but it has not been an issue in the past why now?
42 She asked if we will be doing yellow painting everywhere since there are parking issues throughout the
43 town. Mayor Barraza met with the Dahlstrom's; the McGinley's were not aware of it. She would like to
44 treat the businesses better and apologized to the McGinley's for the way it was done.
45

46 Trustee Arzabal asked if the sign could be moved slightly as not to block the store signage. Reviewed the
47 process when applying with the Alcohol and Gaming Division.

1
2 Trustee Garcia asked why the trucks have not been auctioned off. The board approved for them to be
3 auctioned in August. There will be an auction at the fairgrounds in two weeks. She asked Mayor
4 Barraza for the process to place an item on the agenda or to request a Closed Session.
5
6 Mayor Pro Tem Caro thanked Mr. McGillivray and his crew for taking care of the potholes.
7
8 Mayor Barraza stated she does not know why no one calls her with issues. We can have a Closed Session
9 for litigation and personnel only. The trustees can call her to place something on the agenda, sometimes
10 she may be able to answer their questions and concerns. If she says no then two trustees can submit a
11 memo requesting placing something on the agenda. She has nothing to hide and will be happy to place an
12 item on the agenda.
13
14 Ms. Stoechner-Hernandez stated once the logos are removed off the old vehicles, they will be put up for
15 sale on PublicSurplus.Com.
16
17 Trustee Garcia asked if the vehicles are being used.

18 Mayor Barraza indicated the truck Ms. Villa has been using has been serviced. We will be one truck
19 short anyway. She just received the letter from Las Cruces Public School regarding liquor licenses, and
20 she will be responding. It is up to the business owner to follow the process required by the State of New
21 Mexico in getting a liquor license. She feels business owners are treated fairly. By State Statute there
22 needs to be 30 ft. from a stop sign at an intersection. What we are doing is giving them the tools they
23 need to abide by the law and avoid a citation. The judge will drop a citation if the area is not clearly
24 marked. We will need to sit down with the judge to see what does not give him cause to drop a citation.

25 Trustee Garcia asked if all of Ave de Mesilla is going to have a No Parking signs? She asked if a No
26 Parking sign will be installed near Chala's?
27
28 Mayor Barraza responded our roads are very narrow which create safety issues. We will be looking at all
29 the different areas. We need to address the complaints that come forth and still be tourist and business
30 friendly. There will be more No Parking signs and yellow stripping added where needed. We need to
31 follow the law.
32
33 Trustee Johnson-Burick stated she understands the law; it is the method we notify or do not notify
34 individuals.
35
36 Mayor Barraza responded Trustee Garcia told her she heard that it was going to be a no parking area from
37 Ave de Mesilla to the end of Calle de Santiago; people were aware that something was going to take
38 place.
39
40 Trustee Garcia stated Silver Assets knew since December and the McGinley's knew about less than 24
41 hours.
42
43 Mayor Barraza stated we will do a better job in notifying our business owners of changes taking place.
44
45 Trustee Arzabal stated businesses are not notified when the plaza is going to be closed. We need to do a
46 better job in notifying them; not everyone reads emails.
47

1 Mayor Barraza responded Ms. Parra does send an eblast to all the businesses. Ms. Parra is a one-person
2 department making it difficult for her to go to each business.

3
4 Trustee Garcia stated she is willing to go to the businesses, door to door, to deliver flyers.

5
6 Mayor Barraza stated so that we comply with the Open Meeting Act, these items will be place on the
7 agenda for discussion at the next meeting.

8

9 **10. ADJOURNMENT**

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

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12 **MEETING ADJOURNED AT 7:30 P.M.**

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14 **APPROVED THIS 25th DAY OF FEBRUARY, 2019.**

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Nora L. Barraza
Mayor

ATTEST:



Cynthia Stoechner-Hernandez
Town Clerk/Treasurer

