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**BOARD OF TRUSTEES
TOWN OF MESILLA
WORK SESSION
MONDAY, MARCH 11, 2019
5:30 P.M.
BOARD ROOM**

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

STAFF: Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
K.C. Alberg, Marshal
Gloria Maya, Recorder

PUBLIC: Susan Krueger

1. Discussion regarding **Ordinance 2018-03** amending Chapter 6.05 Animal Control.

Mayor Pro Tem Caro opened the Work Session at 5:30 p.m.

Trustee Arzabal asked Ms. Stoechner-Hernandez if she received any feedback from the Trustees.

Ms. Stoechner-Hernandez responded she did not receive anything.

Trustee Johnson-Burick asked if the recommended revisions were made to the ordinance.

Marshal Alberg responded everything that he was aware of was incorporated into the new draft.

Trustee Garcia stated Officer Rivera will be educated regarding bees by the Garcia family; the town will not be charged any fees.

Marshal Alberg stated he wants to make sure there is provision that provides public safety and a mechanism to address the abatement for nuisance. The ordinance is as close to the City of Las Cruces' while blending in the things that are allowed in the Town of Mesilla.

Mayor Pro Tem Caro stated he is comfortable with the proposed ordinance.

Ms. Stoechner- Hernandez stated it will be up for approval at the next meeting.

Mayor Pro Tem Caro asked for comments from the public.

1 Ms. Krueger expressed her concerns regarding the proposed ordinance; recommends getting staff
2 educated. She asked if the Town of Mesilla is capable in caring for cats in any capacity. Felt the
3 ordinance should have been developed with public involvement. It is not a good idea to have it written
4 by an individual who may not have the time or experience to write a solid ordinance. The old
5 ordinance was brought forth by the Marshal at the time.
6

7 Trustee Arzabal stated it was not thrown at them. We did take public input; Trustees were asked to
8 submit questions and concerns. We've been working on this since December.
9

10 Marshal Alberg responded the community cat initiative was written by him. He has 34 years of
11 experience writing ordinances and in law enforcement.
12

13 Mayor Pro Tem Caro stated the public was invited to give input. People do not care to make comments.
14

15 Marshal Alberg responded there was good attendance at the Community Meeting that was held. We
16 wanted an ordinance that would reflect the communities' passion for community cats and the Mesilleros
17 that wanted their personal property respected.
18

19 Trustee Garcia asked if there is a designated area for cats.
20

21 Marshal Alberg responded yes; we have a partnership with several groups as well as a memorandum
22 with the county for both cats and dogs. The Town of Mesilla will foot the bill if immediate action needs
23 to be taken until we do cost recovery through the court. We are spending less money in Animal Control
24 than in years past. Officer Rivera is doing a fine job; making good decisions.
25

26 Closed Work Session at 5:49 p.m.
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3 **BOARD OF TRUSTEES**
4 **TOWN OF MESILLA**
5 **REGULAR MEETING**
6 **MONDAY, MARCH 11, 2019**
7 **6:00 P.M.**
8 **BOARD ROOM**
9

10 **TRUSTEES:** Nora L. Barraza, Mayor (absent)
11 Jesus Caro, Mayor Pro Tem
12 Carlos Arzabal, Trustee
13 Veronica Garcia, Trustee
14 Stephanie Johnson-Burick, Trustee
15
16 **STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
17 K.C. Alberg, Marshal
18 Rod McGillivray, Public Works Director
19 Gloria Maya, Recorder
20
21 **PUBLIC:** Susan Krueger
22

23 **1. PLEDGE OF ALLEGIANCE**

24 Mayor Pro Tem Caro led the Pledge of Allegiance.
25

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

27 **Roll Call.**

28 **Present:** Mayor Pro-Tem Caro, Trustee Arzabal, Trustee Garcia, Trustee Johnson-Burick.
29

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

31 **Motion:** To approve agenda, **Moved by** Trustee Johnson-Burick, **Seconded by** Trustee Arzabal.
32

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

34 Trustee Arzabal Yes

35 Trustee Garcia Yes

36 Trustee Johnson-Burick Yes
37

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

39 Ms. Krueger stated the resolution adopts the Open Meeting Act which is done every year. The board
40 cannot pick and choose in the Open Meeting Act. The board frequently discusses items that are not on
41 the agenda. People do not come to meetings because they feel they have a voice or a voice to participate.
42 Items to be discussed should be on the agenda. She hopes the board takes the Open Meeting Act to heart
43 and reads it.
44

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

1 Trustee Arzabal requested moving new business, item A to the consent agenda.

2
3 Trustee Johnson-Burick requested removing Case #060848 from consent agenda and holding a separate
4 vote.

5
6 **Motion:** To approve consent agenda as amended, **Moved by** Trustee Arzabal, **Seconded by** Trustee
7 Garcia.

8
9 Trustee Johnson-Burick stated she does not understand how this case was approved as the area is zoned
10 HC. They are asking for a “casita” which means house. She referred to the Planning and Zoning notes of
11 March 4th. She does not have a problem with the commercial use of the property but has serious concerns
12 with the residential part and will not support something residential in a Commercial Zone.

13
14 Trustee Arzabal requested postponing item B Case #060848. Requested more research on the case and
15 referred to Air B&B status.

16
17 Trustee Johnson-Burick stated we would be setting a precedent. Reiterated she is not in support of
18 housing in a Commercial Zone.

19
20 **Motion:** To postpone item B Case #060848, **Moved by** Trustee Arzabal, **Seconded by** Johnson-Burick.

21
22 **Roll Call Vote:** Motion passed (**summary:** Yes =3).

23 Trustee Arzabal Yes

24 Trustee Garcia Yes

25 Trustee Johnson-Burick Yes

26
27 **Roll Cal Vote on original motion**

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

30 Trustee Arzabal Yes

31 Trustee Garcia Yes

32 Trustee Johnson-Burick Yes

33
34 **A. *BOT Minutes** – Minutes of a Regular meeting of February 25, 2019. *Approved by*
35 *consent agenda*

36 **B. *PZHAC Case 060848** – Southwest corner of Calle de Correo and Avenida de Mesilla,
37 submitted by Ruben Contreras for Brittany Bloch (“Black Rat Tattoo”), a request for a
38 zoning permit to construct a small commercial building and a casita on a vacant property at
39 this location. Zoned: Historical Commercial (HC). *Postponed*

40 **C. *PZHAC Case 060850** – 2590 Calle de Colon, submitted by Daniel and Maxine
41 Bustamantes; a request for a zoning permit to allow a stuccoed cinder block wall to be
42 constructed at this address. Zoned: Historical Residential (HR). *Approved by consent*
43 *agenda*

44 **D. *PZHAC Case 060856** – 2755 Boldt Street, submitted by Daniel J Jones and Teresa
45 Griffith; a request for a zoning permit to allow the repainting of the trim on a dwelling at
46 this address. Zoned: Historical Residential (HR). *Approved by consent agenda*

47
48 **6. NEW BUSINESS:**

