



Town of Mesilla, New Mexico

**BOARD OF TRUSTEES
TOWN OF MESILLA
WORK SESSION
MONDAY, JUNE 26, 2017
5:00 P.M.
BOARD ROOM**

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

STAFF: Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
K.C. Alberg, Marshal
Kevin Hoban, Fire Chief
Debbie Lujan, Public Works Director
Larry Shannon, Community Development Coordinator
Gloria Maya, Recorder

PUBLIC:

Mayor Barraza Opened Worksession at 5:04 p.m. Mr. Shannon will review the draft.

1. Discussion on Ordinance 2017-04 developing a Special Events Licensing ordinance.
Mr. Shannon indicated the suggestions made at the last meeting were incorporated into this ordinance.

Reviewed sections 5.26

-continue to ensure welfare of the people

-allowing food truck vendors

-what is going to be allowed will promote compliance safety and is for the benefit of the community

-section 5.20.030, definitions, breaks down words and phrases which might be different from definitions elsewhere

-read definition for food truck vendors which differ from brick and mortar business owners

-anyone doing business in Mesilla are subject to the ordinance

He asked that there be clarification on lemonade stands.

Trustee Flores asked about garage sales.

1 Mayor Barraza responded garage sales are addressed in our ordinances.

2
3 Trustee Flores stated we may limit it on money or the number of times per year.

4
5 Mr. Shannon stated this amendment does not address lemonade stands unless they fall under this
6 vendor definition. He is talking about kids having lemonade stands. He feels there should be
7 better wording and definitions regarding this.

8 -fruit/vegetable stands are not covered under this ordinance

9 -distribution of food will not be covered under this ordinance

10 -distribution by nonprofit will not be covered under this ordinance

11 -other permits will not be covered by this but will fall under another ordinance

12 -this would apply when we have a fiesta when there is a businesses located off the plaza

13 -reviewed the requirements

14 -deadline is fifteen (15) working days prior to the event and reviewed

15 -Special Events vendors must meet the requirements of this ordinance

16 -will not be allowed in residential areas

17 -will be limited to two (2) or three (3) per quarter and limited to three (3) consecutive days on
18 private property, includes food trucks

19 -will be in addition to town sponsored events

20 -will need to provide proof of insurance

21 -number of allowed food trucks on private property will be limited to three (3)

22
23 Trustee Flores stated we should think of allowing one (1) truck per so many feet. If the space is
24 small they will try to cram three (3) trucks since that is what is going to be allowed.

25
26 Mayor Barraza stated she agrees they do not want them on top of each other and then the parking
27 issue comes up. For example, Ristramn has his regular business and if he allows three (3)
28 trucks they will probably be set up in the parking lot. Ms. Chavez who either rents or is allowed
29 to use his parking lot for her customers will lose parking spaces. She feels the max should be
30 two (2) vendors.

31
32 Trustee Flores recommends one (1) per so many feet.

33
34 Mayor Pro Tem Arzabal stated Mr. Armijo and Mr. Lujan are the only ones in the core who have
35 the space to allow food trucks.

36
37 Trustee Flores stated we need to think in terms in how much space is need for parking and traffic
38 is safe.

39
40 Mr. Shannon stated to allow per square footage will work.

41
42 Mayor Barraza responded zoning has something to do with it also. The Commercial Zone has
43 wider streets and more open space. The Historical Commercial Zone is packed. Her other
44 concern is that by allowing food trucks on a property such as Ristramn, it would put Ms.
45 Chavez out of compliance since it would cause her to not have enough parking as is happening
46 with the firework stand.

47
48 Mr. Shannon stated it is unencumbered space that does not affect parking.

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2 Mayor Barraza responded those are things that we need to consider.
3
4 Mr. Shannon reviewed paragraph E.
5 -needs clarification that they cannot park on narrow roads during events
6
7 Mayor Pro Tem Arzabal stated food trucks will be allowed on the plaza if it is a sponsored event.
8
9 Mr. Shannon responded that is covered under the Special Events license.
10
11 Trustee Flores recommends changing the wording.
12
13 Mr. Shannon stated if they park under a different ordinance; referred to section 5.20.50 which
14 exempt from this portion of the ordinance.
15
16 Mayor Barraza stated the proper application must be fill out and approved.
17
18 Mr. Shannon stated the purpose of the paragraph was to allow the food trucks in that would be
19 allowed under something else but do not follow this part of the ordinance.
20
21 Mayor Barraza responded it may not be need since it is addressed in the Special Event ordinance.
22 She recommends eliminating that section to avoid confusion.
23
24 Mr. Shannon agreed it just adds confusion. Reviewed the road closures
25 -people crossing the right of way
26
27 Mayor Barraza stated she believes it is only during the 5K races that roads are closed.
28
29 Mr. Shannon responded they are under Ms. Parra's application.
30
31 Mayor Barraza stated we are side tracking; losing our focus. We are here to discuss food truck
32 vendors.
33
34 Mr. Shannon stated the purpose of this section is to not rule out vendors that are not on the plaza;
35 to allow them with certain conditions. We do not want to be involved in the liability if someone
36 gets hurt while crossing a street. That should fall on the property owner and food truck vendor.
37
38 Mayor Barraza recommended eliminating this section as well. Reiterated we are losing our
39 focus.
40
41 Mr. Shannon stated it is redundant to paragraph F.
42
43 Mayor Barraza recommended eliminating the section.
44
45 Trustee Flores asked if it will be limited to one (1).
46
47 Mayor Barraza responded it will be limited to two (2) depending on the space.
48

1 Mr. Shannon responded we will need to address the number of times as well.

2
3 Mayor Barraza asked Mr. Shannon to add the wording of number that they are limited to.

4
5 Trustee Flores responded she feels it should be separate. One deals with how many are allowed
6 and the other deals with how often they are allowed.

7
8 Trustee Caro stated if it is limited to two (2) it may be the same ones; we do not want to be
9 discriminating.

10
11 Mayor Barraza responded these are private property owners so it is at their discretion as who
12 they want and who they do not. There will be a rotation basis when it is on town property.

13
14 Mayor Pro Tem Arzabal stated we worked very hard on the parking ordinance. If a business is
15 allowed to rent out spaces and have food trucks they will be in non-compliance with the parking
16 ordinance.

17
18 Trustee Flores asked is that his problem is it our problem. He will need to figure out if he can do
19 it based on our ordinance.

20
21 Mayor Barraza responded they would have to comply with the ordinance. This all came about
22 because of the drinking establishments requesting food trucks be allowed next to their business.
23 We do not want intoxicating people crossing the road way especially on Highway 28. Most of
24 the businesses will be closed during the hours of operation. They will need to be in compliance
25 and provide parking.

26
27 Mr. Shannon stated food trucks are under this part of the ordinance, firework stands under
28 another part of the ordinance. Special Events should be together.

29
30 Trustee Flores stated the owners of the properties need to see if they are in compliance. They
31 will have to choose; we cannot create more parking.

32
33 Mayor Barraza stated they can open up their private property to accommodate.

34
35 Fire Chief Hoban stated he would have to look at those businesses very closely under the fire
36 code. Firework stands require 150 feet separation from a display area. He will need to see if
37 there is a separation required for food trucks. That will be in the International Fire Code. It is in
38 reference by State Law.

39
40 Trustee Flores stated this is can be enforced for safety.

41
42 Mayor Barraza stated that will be applicable to Mr. Rogers. These are things that we need to
43 look at.

44
45 Mayor Pro Tem Arzabal stated he has never seen a food truck vendor attend a meeting. If they
46 really want to be in Mesilla they should attend the meeting. He does not see why we have to
47 accommodate them.

1 Trustee Flores stated second line on page 7 should read amount set by the state.

2
3 Mr. Shannon stated this is reviewed by the Fire Marshal.

4 -all food trucks must comply with requirements

5 -certification by the Town's Fire Marshal

6 -written authorization by property owner

7
8 Mayor Barraza stated that needs to be part of the application. Mobile Unites cannot be left
9 overnight needs to be included.

10
11 Mr. Shannon asked about temporary set ups such as tents.

12
13 Mayor Barraza responded Food Trucks are mobile. We are not going to allow anyone to set up
14 sheds in Commercial or Historical Commercial Zones. This needs to be addressed as well as no
15 overnight parking.

16
17 Mr. Shannon stated since we limited the hours....

18
19 Trustee Flores stated it should also include they must clear out within an hour of closure.

20
21 Mayor Barraza stated she feels midnight is a good time to close; Palacio's closes at midnight.

22
23 Fire Chief Hoban stated business closing times will drive the hours of the food trucks.

24
25 Mr. Shannon

26 -property owner must sign application

27 -sign cannot be on right of ways

28 -truck/sign should not obstruct traffic

29 -trash is disposed by vendor

30 -site plan required

31 -description of event

32 -ways of evacuation of property

33 -estimated attendance

34 -see where they are getting their power from

35 -detail of what equipment will be used

36 -signs limit to two (2) and location of signs

37
38 Mayor Barraza stated they must abide by the Night Sky Ordinance.

39
40 Mr. Shannon stated that will be addressed more directly.

41
42
43
44 **2. Discussion on Ordinance 2017-05 amending Mesilla Town Code Chapter 10.05 NM**
45 **Uniform Traffic Ordinance.**

46 Ms. Stohner-Hernandez stated Judge Frietze has requested changing the fine schedule. She has
47 adjusted the format. Trustee Flores had a question regarding administration. The Town
48 Clerk/Treasure is responsible for all signage in the town. We can put Town Clerk or Designee.

1 Trustee Flores stated she was concerned with driving on street that is laned for traffic.
2
3 Ms. Stoechner-Hernandez responded she will look at the UTO.
4
5 Trustee Flores stated there is a typo on page 16; should read “within” the required time period.
6
7 Marshal Alberg stated there is a State Statute, named Driving on Roadway That Is Laned for
8 Traffic, which regulates how one drives on a street.
9
10 Trustee Caro stated the fines and penalties should stay the same; leave it alone.
11
12 Trustee Flores asked about the * on some of the penalties.
13
14 Mayor Barraza responded page 14 explains what the *’s mean.
15
16 Trustee Flores stated she does not understand why there is not a penalty. Feels there should be a
17 max.
18
19 Ms. Stoechner-Hernandez responded it is left up to the judge’s discretion. She will get more
20 clarification. The Uniform Traffic ordinance has not been updated in several years so if they see
21 anything that needs to be changed now is the time to do it. The first reading will be July 10th at
22 the regular meeting and approval will be July 24th meeting.
23
24 Mayor Barraza asked if there will be a Public Hearing.
25
26 Ms. Stoechner-Hernandez responded the Public Hearing will be held at the July 10th meeting.
27
28 Mayor Barraza closed the Work Session at 5:56 p.m.
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3 **BOARD OF TRUSTEES**
4 **TOWN OF MESILLA**
5 **REGULAR BOARD MEETING**
6 **MONDAY, JUNE 26, 2017**
7 **6:00 P.M.**
8 **BOARD ROOM**

9 **TRUSTEES:** Nora L. Barraza, Mayor
10 Carlos Arzabal, Mayor Pro Tem
11 Jesus Caro, Trustee
12 Linda L. Flores, Trustee
13 Stephanie Johnson-Burick, Trustee (absent)

14 **STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
15 K.C. Alberg, Marshal
16 Kevin Hoban, Fire Chief
17 Debbie Lujan, Public Works Director
18 Larry Shannon, Community Development Coordinator
19 Gloria Maya, Recorder

20
21 **PUBLIC:** Susan Krueger
22

23
24 **1. PLEDGE OF ALLEGIANCE**

25 Mayor Barraza led the Pledge of Allegiance.

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

27 **Roll Call.**

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

29
30 Mayor Barraza held a Moment of Silence for Mr. John Cammack and Mr. Stuart Meerscheidt,
31 Mr. Donte Berkowitz.

32
33 **3. CHANGES/APPROVAL OF THE AGENDA**

34 **Motion: To approve agenda, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee**
35 **Caro.**

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

37 **Mayor Pro Tem Arzabal Yes**

38 **Trustee Caro Yes**

39 **Trustee Flores Yes**
40

1 **4. PRESENTATIONS:**

- 2 **a.** Presentation of a Certificate of Achievement to Larry Limon for his work in aiding in
3 preserving Mesilla’s Cultural Heritage.

4 Mr. Limon was unable to attend.

- 5
6
7 **b.** Presentation to Chief Kevin Hoban on behalf of the U.S. Border Patrol.
8 U.S. Border Patrol presented a plaque to Fire Chief Hoban for his dedication, motivation, and
9 leadership. Thanked him for allow us to use the Town of Mesilla’s facilities.

10
11
12 **5. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.

13 No Pubic Input

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

18
19 **Motion: To approve the consent agenda, Moved by Mayor Pro Tem Arzabal, Seconded by**
20 **Trustee Caro.**

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

22 **Mayor Pro Tem Arzabal Yes**

23 **Trustee Caro Yes**

24 **Trustee Flores Yes**

- 25
26
27 **a. *BOT MINUTES – Regular Meeting and Work Session** minutes of Monday, June
28 12, 2017. *Approved by consent agenda*

- 29
30 **b. *PZHAC CASE 060568 - 2557 Calle de Parian**, submitted by Andrea Bryan; a
31 request for a building permit to allow the installation of a wooden fence along the rear
32 property line, and two gates at the west side of a property at this address. Zoned:
33 Historical Residential (HR). *Approved by consent agenda*

- 34
35 **c. *PZHAC CASE 060578 - 2290 Calle de Parian**, submitted by Felix Armijo; a
36 request for a building permit to allow the replacement of a porch cover on a
37 commercial building at this address. Zoned: Historical Commercial (HC). *Approved*
38 *by consent agenda*

- 39
40 **d. *PZHAC CASE 060581 - 2195 Calle de Santa Ana**, submitted by Kay D’Antonio; a
41 request for a building permit to allow the repainting of a dwelling and wall at this address.
42 Zoned: Historic Residential (HR). *Approved by consent agenda*

- 43
44 **e. * Resolution 2017-12** – A Resolution Approving the Participation in the Program of
45 the South Central Council of Governments, Inc. (SCCOG) for Fiscal Year 2017-2018.
46 *Approved by consent agenda*

1 **7. NEW BUSINESS:**

2 **a. Resolution 2017-13** – A resolution by the Board of Trustees allowing for budget
3 adjustments. – **Cynthia Stoechner-Hernandez, Clerk/Treasurer.**

4 Ms. Stoechner-Hernandez reviewed the adjustments requested.

5
6 Mayor Barraza asked if the interest rate went up.

7
8 Ms. Stoechner-Hernandez responded part of it is an increase of the Gross Receipt Taxes. She read
9 the resolution.

10
11 **Motion: To approve Resolution 2017-13-A resolution by the Board of Trustees allowing for**
12 **budget adjustments, Moved by Trustee Flores, Seconded by Mayor Pro Tem Arzabal.**

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

14 **Mayor Pro Tem Arzabal Yes**

15 **Trustee Caro Yes**

16 **Trustee Flores Yes**

17
18
19 **8. BOARD OF TRUSTEE COMMENTS**

20 Trustee Caro no comments

21
22 Mayor Pro Tem Arzabal stated he would not be attending the July 24th meeting.

23
24 Trustee Flores stated she saw the Fire Department using Raft the Rio event as training for
25 emergency disaster. She thanked Fire Chief Hoban for all the work he does. The new economic
26 person for the City of Las Cruces would like to get together with Mesilla to work on grants. She
27 told her we would be open to that. She is sorry that Mr. Limon was not present. She has seen
28 his work and appreciates it. Nice to know we have such talented residents.

29
30 Mayor Barraza stated she is sorry Mr. Limon is not present to receive a Certificate of
31 Appreciation from the town. She read article from the Las Cruces Bulletin. The Town of
32 Mesilla is very proud of his accomplishments. Events are Music on the Plaza-July 4th 7-9 p.m.;
33 Firework Display will be at 9:00 p.m. Smokin' Mirrors will be on the plaza as well as some food
34 trucks.

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36 Trustee Flores stated firework display is at 9:30 p.m.

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Mayor Barraza responded we will get that information out to board.

Fire Chief Hoban stated firework sales began on June 20th and will go through July 5th. Both of the stand site there are 18-wheelers parked close to the stand. He wants to ensure everyone that there are no fireworks being stored in those vehicles.

Mayor Barraza wished everyone a safe and happy 4th of July. Invited everyone to come and enjoy the entertainment.

9. ADJOURNMENT

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

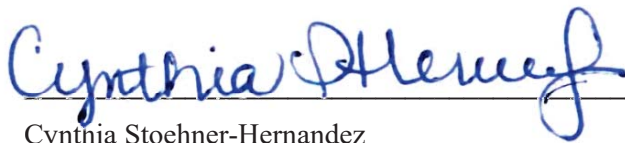
MEETING ADJOURNED AT 6:24 P.M.

APPROVED THIS 10th DAY OF JULY, 2017



Nora L. Barraza
Mayor

ATTEST:



Cynthia Stoehner-Hernandez
Town Clerk/Treasurer

