



Town of Mesilla, New Mexico

**THE BOARD OF TRUSTEES (BOT) OF THE TOWN OF MESILLA
REGULAR MEETING AT THE MESILLA TOWN HALL,
2231 AVENIDA DE MESILLA**

MONDAY, MAY 13, ~ 6:00 P.M.~

AGENDA

TRUSTEES: Russell Hernandez, Mayor
Adrianna Merrick, Mayor Pro Tem
Biviana Cadena, Trustee
Stephanie Johnson-Burick, Trustee
Gerard Nevarez, Trustee

STAFF: Ben Azcarate, Interim Marshal
Greg Whited, Fire Chief
Eddie Salazar, Community Development Coordinator (CDC)

PUBLIC:

Crystal Whited	Robert Herrera
Lori Miller	Catherine Walkinshaw
Eric Walkinshaw	Susan Krueger
Andrea Bryan	Greg Lester
Trina Witter	Ken Magoon
Will Martinez	Andy E.
Matthew O'Reilly	Debra Garcia y Griego
Michelle Roberts	John M.

1. PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Merrick led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

CDC Salazar called roll call; quorum was established. All board members present.

3. CHANGES TO THE AGENDA & APPROVAL

Mayor Hernandez asked to amend and approve BOT Minutes date from 4/8/24 to 4/22/24.

1st motion by Trustee Nevarez

2nd motion by Mayor Pro-Tem Merrick

Approved, 4-0.

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

a) ***BOT MINUTES** – Minutes of BOT, ~~04.08.2024~~ (amended) ~~04.22.2024~~

b) *BOT WORK SESSION MINUTES – Minutes of BOT Work Session, April 30, 2024

1st motion by Mayor Pro-Tem Merrick

2nd motion by Trustee Nevarez

Approved, 4-0.

5. PRESENTATIONS:

a) PRESENTATION: Marshal – Investigative & Intern Team Recognition

Marshal Ascarate – recognized all interns for their hard work. Had recognition certificates for board to sign.

b) PRESENTATION: Fire Chief – Community Connect

Fire Chief Whited – explained in detail how the new software, Community Connect works and its benefits to the community.

Will Martinez – Mesilla Fire volunteer, assisted with a Power Point presentation.

Trustee Nevarez – vital service for the town of Mesilla.

Trustee Cadena – commented that she has been waiting on something like this for a long time. Would like to see the stats from Las Cruces if they are already doing it.

Trustee Johnson-Burick asked if Integrated Wellness is the same as Community Connect or two separate programs. Chief Whited explained two different programs.

Crystal Davis-Whited commented the cost of the software/program is high, but it is very effective.

c) PRESENTATION: Proclamation – Ride of Silence

Mayor Hernandez – declared May 15, 2024, as Ride of Silence Day in Mesilla. The month of May is designed as National Bike Month by the League of American Bicyclists to promote safer riding for all Americans and New Mexicans. Honoring former Mayor Roman Aranda III and all others killed or injured while riding their bicycles. Asked for a moment of silence of the room.

6. PUBLIC INPUT ON CASES – The public is invited to address the Board as allowed by the chair.

Catherine Walkinshaw -commented on supportive of murals. Encourage approval of action item and consideration 7(e) appeal of PZHAC decision to deny request.

7. ACTION AND CONSIDERATION

NEW BUSINESS

- d) APPROVAL – PZHAC SPECIAL USE PERMIT #061805 – 2340&2350 Calle de Principal/2330 Calle de Santiago, submitted by the New Mexico Department of Cultural Affairs. ZONE: Historical Commercial (HC)**

1st motion by Mayor Pro-Tem Merrick

2nd motion by Trustee Nevarez

Matthew O'Reilly – Director of Real Estate with the Department of NM Cultural Affairs. Included with him, Cabinet Secretary, Debra Garcia y Griego and Cabinet Deputy Secretary Michelle Gallagher Roberts.

A brief presentation was given by Mr. O'Reilly. The Taylor Mesilla Historic Site is one of eight historic sites in NM. Museum will open in two phases. First phase will open this fall, Reynolds store, welcoming center with exhibit of the entire Mesilla valley. Phase 2 will open the entire site in the fall of 2025.

The exterior of the buildings will not change aside from much needed repairs. Dept has received over 6 million dollars in funding for the site.

Application does include request for a sign that would be put outside of the building. Would like approve to include.

Trustee Nevarez – nice to hear about the preservation of Mesilla's historic buildings and grateful for the Taylor family's donation.

Trustee Johnson-Burick - no sign permit submitted along with packet. Believed it was not reviewed by PZHAC. Believe can't approve this evening.

Mayor Hernandez – noted supplemental information the signage approval will need to be in a separate application and reviewed by PZHAC first. What is being looked at is the site itself as it is being presented.

Matthew O'Reilly – the packet submitted to the PZHAC had the signage information and was reviewed. Asked if the BOT packet had it as well.

Mayor Hernandez – it was submitted in the packet and will need to be submitted as a separate case.

Approved, 4-0.

- e) **APPROVAL (APPEAL) - PZHAC SIGN PERMIT #061814** – 2729 Calle de San Albino, submitted by Ruben Smith, requesting approval to paint a wall sign/mural on his property.
ZONE: Historical Residential (HR)

1st motion by Trustee Nevarez

2nd motion by Mayor Pro-Tem Merrick

CDC Salazar – reviewed case and PZHAC findings with the board. Request was denied due to murals only allowed under “portal” under the Iguado Plan. Also, murals are not regulated in MTC therefore considered prohibited until ordinance is amended and approved by BOT.

Mayor Hernandez – obtained from voting as the applicant had contacted him prior to his submission.

Trustee Johnson-Burick concerned application says wall/sign mural. The mural has more than art, it has signage. Fully support PZHAC, if allowed, we will have requests non-stop. Will create an eyesore. If was a mural, she would be supportive.

Trustee Nevarez – asked to explain what the “No Parking” on the mural. Was it for people on the street or in their driveway,

CDC Salazar - the signage was an add on to the mural and applicant would be ok with removing it if it would require an approval. The signage was for the driveway and not for people that park in the street.

Mayor Pro-Tem Merrick – asked about making an amendment to the appeal for approval and leaving the signage out.

CDC Salazar – after the PZHAC denied request, applicant Mr. Smith stated the mural should be considered to be under a portal as it is in front of the house and under roof. A small overhang of the roof is located above the mural but not immediately in the entrance of the residence.

Trustee Nevarez – the house itself does have a portal. An extension of the roof of the house. Asked if the commission did not discuss that particular detail.

CDC Salazar – that detail was not presented at the time as I was unaware mural had that overhang extension of the roof. That is why the applicant decided to appeal decision.

Sign ordinance only regulates commercial zone use.

Applicant built the house with the intent to have a mural in place. Whether or not the small overhang over the top of it would be considered as one. It was mentioned after the decision.

Trustee Nevarez – amended his motion with conditions to approve appeal request as the overhang should be considered to be a portal. Also, approve with the condition to remove the signage of “No Parking” from the mural.

Mayor Pro-Tem Merrick – second the motion to approve with conditions.

Trustee Cadena – it is on a case-by-case basis but would like to see amendment requests to our ordinances when these types of issues come across.

Trustee Nevarez – has brought up this topic to the past administration regarding a similar case. Recommend we do create an ordinance regarding murals. Supported of public art that fits within the historic development.

Trustee Johnson-Burick felt more comfortable with the idea of approval once an explanation about the portal area. Definitely do need to look at our ordinances soon regarding murals.

Approved, 4-0 for the condition made by removing the signage and the portal does apply.

Approved 4-0, for appeal.

f) APPROVAL: Fiscal Year 2024-25 Preliminary Budget

1st motion to approve by Mayor Pro-Tem Merrick

2nd motion by Trustee Nevarez

Approved, 4-0.

g) APPROVAL: Vector Control Agreement (agreements provided at meeting)

Mayor Hernandez asked for a motion to approve to finish up the current agreement for the remainder of the contract and after transfer service agreement to Dona Ana County.

1st motion to approve by Mayor Pro-Tem Merrick

2nd motion by Trustee Johnson-Burick

Robert Herrera – Dona County Director of Parks oversees vector services county wide. Explained in detail cost and services provided if approved. Service would be at least 3 applications a month and more if necessary.

Approved, 4-0.

h) APPROVAL: Bid Award Calle de Picacho Reconstruction – LP100014

1st motion to approve by Trustee Johnson-Burick

2nd motion to approve by Mayor Pro-Tem Merrick

Approved, 4-0. Award given to A-Mountain Construction.

8.

No public input.

9. CLOSED EXECUTIVE SESSION

a. Discussion concerning attorney/client privilege matters pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to NMSA 1978, Section 10-15-1(H)(7)

1st motion to go into closed session by Mayor Pro-Tem Merrick

2nd motion by Trustee Nevarez

b. APPROVAL: Any actions that may arise as a result of discussions in closed session.

1st motion to leave close session and back to regular session by Mayor Pro-Tem Merrick

2nd motion to leave Trustee Johnson-Burick

Mayor Hernandez – announced no action was taken during closed session.

10. BOARD OF TRUSTEE COMMITTEE REPORTS

Trustee Nevarez – nothing to report.

Trustee Johnson-Burick MPO meeting, May 8th

Trustee Cadena – enjoyed historic site presentation. Look forward to opening Reynolds store welcome center in August.

Mayor Pro-Tem Merrick – updates on multi-use trail on Elks drive. Starting to come together from Las Cruces and Dona Ana. DOT project, highway 70 will be finished October of this year. Chaparral 404 done this month.

Mayor Hernandez – also attended DOT meeting and met with all the representatives from each department. Discussed our expectations, and they had a team ready to support our projects. HWY 28 will be resurfaced. Potential of crosswalks. Requested at minimum stop signs on Union/HWY28 to help with traffic from University Ave once that project starts. Other discussions were maintenance on Snow Rd and Calle del Norte. Not in their immediate future to address.

Marshal Ascarate – 5 de Mayo went very smoothly, with no issues. Codes Officer will be resigning at the end of the month. Have received 7 applications so far. Monday – Friday available now if you all need anything. Radios will meet the deadline. Two new Durangos will arrive by end of month.

Fire Chief Whited - new academy started last weekend.

CDC Salazar – working on ordinance. Currently, have had 2 draft reviews on Short-Term Rentals. Hopeful by next meeting we can have our final draft review and forward to BOT. One of the reasons we've picked STR ordinance is not only because we are starting to see more and more requests but also for Lodger's Tax.

Next ordinance we will be working on will be tele-communications amendment proposals or mural ordinance.

Excited in being involved in Certified Local Government (CLG). Historic Preservation certification.

Mayor Hernandez – Brianna is back, working and catching up on office projects/grants.

12. BOARD OF TRUSTEE/STAFF COMMENTS

(Written staff reports included in packets)

Trustee Nevarez – thankful for everyone that participated in Mesilla Community Day. Also, work the mayor and staff have done on the budget.

Trustee Johnson-Burick thanked residents for participating in the Mesilla Community Day as well. Thanked staff for the work with 5 de Mayo. Asked about the wildlife services due to a skunk issue.

Trustee Cadena – echoed both Trustees in giving thanks to the community and staff for their participation and work.

Mayor Pro-Tem Merrick – fiesta went really well. Dorothy has really good ideas for next time, excited.

Mayor Hernandez – amazing community and staff. Reminded ride of silence, Wednesday, May 16. Having an active community, will be putting forward an ad box committee specifically for public art. Opening in our PZHAC, will be doing interviews until its filled. Meeting with Fire Chief regarding firework ordinance changes.

Changes in town hall. Specifically in this room, repainting. Include previous admin pictures and plaques. Two drinking water bottle fillers, one in town hall and other hopefully at the community center.

13. ADJOURNMENT

The Town of Mesilla Trustees unanimously agreed to adjourn the meeting.

Meeting adjourned at **7:44 pm**.

NOTICE

If you need accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least one week prior to the meeting. The Mayor and Trustees request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Board Room to respond to or to conduct a phone conversation. A copy of the agenda can be found online at www.mesillanm.gov.

Posted **5/10/2024** online and at the following locations: Town Hall and Visitor's Center Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Short's Food Mart 2290 Avenida de Mesilla, and the U.S. Post Office 2253 Calle de Parian.

APPROVED THIS _____ DAY OF MAY 2024.

Town Clerk/Treasurer

Mayor