



THE BOARD OF TRUSTEES (BOT) OF THE TOWN OF MESILLA

**WORKSESSION MEETING AT THE MESILLA TOWN HALL,
2231 AVENIDA DE MESILLA**

MONDAY, JANUARY 13, 2025 ~ 5:00 P.M.~

WORKSESSION MINUTES

TRUSTEES:

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

STAFF:

Lorenzo Astorga, Public Works Director
Ben Azcarate, Marshal
Gloria S Maya, Town Clerk/Recorder
Cole Morris, Fire Captain
Edward Salazar, Economic & Community Development Director
Greg Whited, Fire Chief

PUBLIC:

Mary Lucero	Catharine Walkinshaw
Eric Walkinshaw	Dasa
Trina Witter	Greg Lester
Andrea Bryan	Terry Melendres
Susan Krueger	Mary H Ratje
Martha Mulvihill	Lori Miller
Crystal Whited	Dani Wilson

1. SITES SOUTHWEST – 2025 COMPREHENSIVE PLAN WITH LEDA

Mayor Hernandez and Ms. Wilson reviewed timeline and expectations. Opened up for discussion, recommendations, suggestions and questions from the Trustees.

1 THE BOARD OF TRUSTEES (BOT) OF THE TOWN OF MESILLA

2 **REGULAR MEETING** AT THE MESILLA TOWN HALL,
3 2231 AVENIDA DE MESILLA

4 **MONDAY, JANUARY 13, 2025 ~ IMMEDIATELY FOLLOWING**
5 **WORKSESSION~ 6:03 P.M.**

6 **MINUTES**

7
8
9 **TRUSTEES:** Russell Hernandez, Mayor
10 Adrianna Merrick, Mayor Pro Tem
11 Biviana Cadena, Trustee
12 Stephanie Johnson-Burick, Trustee
13 Gerard Nevarez, Trustee
14

15 **STAFF:** Lorenzo Astorga, Public Works Director
16 Ben Azcarate, Marshal
17 Gloria S Maya, Town Clerk/Recorder
18 Cole Morris, Fire Captain
19 Edward Salazar, Economic & Community Development Director
20 Greg Whited, Fire Chief
21

22 **PUBLIC:** Mary Lucero Catharine Walkinshaw
23 Eric Walkinshaw Dasa
24 Trina Witter Greg Lester
25 Andrea Bryan Terry Melendres
26 Susan Krueger Mary H Ratje
27 Martha Mulvihill Lori Miller
28 Crystal Whited Dani Wilson
29

30
31 **1. PLEDGE OF ALLEGIANCE**

32 Mayor Hernandez led the Pledge of Allegiance.
33

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

35 **Roll Call.**

36 **Present:** Mayor Hernandez, Trustee Johnson-Burick, Mayor Pro Tem Merrick, Trustee Nevarez
37

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

39 **Motion:** To approve agenda, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Nevarez.
40

41 **Motion passed unanimously.**
42

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

- 45 a) **WORKSESSION & BOT MINUTES** – Minutes of 12.09.2024 Meetings *Approved by*
46 *consent agenda*
- 47 b) ***PZHAC CASE#061930** – Parque de Cura (across the community center), install a triple
48 sided info center to post notices and information for the community. ZONE: Historic
49 Commercial (HC). *Approved by consent agenda*

- 1 c) *PZHAC CASE#061931 – Parque de Commemorativo (Avenida de Mesilla/University),
2 replace and existing sign with a triple sided info center to post notices and information for the
3 community. ZONE: Historic Residential (HR). *Approved by consent agenda*
4 d) *PZHAC CASE#061932 – Mesilla Plaza, replace an existing old sign with new triple sided
5 informational center to post notices and information for the community. ZONE :Historic
6 Commercial (HC). *Approved by consent agenda*
7 e) *PZHAC CASE #061927 – 1010 Calle de El Paseo, submitted by Kent Chen. Requesting
8 approval to replace 4 windows at this location. ZONE: Residential Agriculture (RA).
9 *Approved by consent agenda*
10 f) APPROVAL: Purchase Requisition- Final Closeout – Calle De Santiago - \$133,801.19
11 *Approved by consent agenda*
12 g) APPROVAL: Purchase Requestion - Film Las Cruces Services Agreement- \$10,000
13 *Approved by consent agenda*
14

15 **Motion: To approve consent agenda, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Johnson-**
16 **Burick.**

17
18 **Motion passed unanimously.**

19
20 **5. PUBLIC INPUT ON CASES – The public is invited to address the Board as allowed by the**
21 **chair.**

22 Ms. Walkinshaw correspondence attached
23

24 Ms. Bausova correspondence attached.
25

26 **6. ACTION AND CONSIDERATION**

27 **NEW BUSINESS**

28 a) **APPROVAL - RESOLUTION 2025-16 – Open Meetings Act**

29 **Motion: To approve Resolution 2025-16 – Open Meetings Act, Moved by Mayor Pro Tem Merrick,**
30 **Seconded by Trustee Johnson-Burick.**

31
32 **Roll Call Vote: Motion passed (summary: Yes-4)**

33 Mayor Pro Tem Merrick Yes
34 Trustee Cadena Yes
35 Trustee Johnson-Burick Yes
36 Trustee Nevarez Yes
37

38 b) **APPROVAL - RESOLUTION 2025-17 – Rules of Conduct**

39 **Motion: To approve Resolution 2025-17 – Rules of Conduct, Moved by Mayor Pro Tem Merrick,**
40 **Seconded by Trustee Johnson-Burick.**

41
42 **Roll Call Vote: Motion passed (summary: Yes-4)**

43 Mayor Pro Tem Merrick Yes
44 Trustee Cadena Yes
45 Trustee Johnson-Burick Yes
46 Trustee Nevarez Yes
47

48 c) **PZHAC CASE #061922** – 2928 HWY 28, submitted by Lucky’s (previous Shorty’s)
49 Requesting approval for a sign permit. ZONE: Commercial (C).

50 Mr. Salazar gave an update on PZHAC Case #061922.
51

52 **Motion: To approve PZHAC #061911- Hwy 28, submitted by Lucky’s (previously Shorty’s). Requesting**
53 **approval for a sign permit. ZONE: Commercial (C), Moved by Mayor Pro Tem Merrick, Seconded by**
54 **Trustee Nevarez.**

1
2 Trustees stated their concerns.
3

4 **Motion: To approve PZHAC #061911- Hwy 28, submitted by Lucky's (previously Shorty's). Requesting**
5 **approval for a sign permit w/condition. ZONE: Commercial (C), Moved by Mayor Pro Tem Merrick,**
6 **Seconded by Trustee Nevarez.**
7

8 **Motion Roll Call Vote: Motion passed (summary: Yes-4)**

9 Mayor Pro Tem Merrick Yes
10 Trustee Cadena Yes
11 Trustee Johnson-Burick Yes
12 Trustee Nevarez Yes
13

14 d) **PZHAC CASE # 061928** – 1891 Avenida de Mesilla, submitted by Thomas Hutchinson.
15 Requesting approval to install nautical flagpole on a commercial parking lot. ZONE:
16 Commercial (C).

17 Mr. Salazar gave an update on PZHAC Case #061928.
18

19 Trustees expressed their concerns.
20

21 **Original Motion: To approve PZHAC #061928 – 1891 Avenida de Mesilla, submitted by Thomas**
22 **Hutchinson. Requesting approval to install nautical flagpole on a commercial parking lot w/condition.**
23 **ZONE: Commercial (C), Moved by Mayor Pro Tem Merrick, Seconded by Trustee Johnson-Burick.**
24

25 **Amended Motion Roll Call Vote: Motion passed (summary: Yes-4)**

26 Mayor Pro Tem Merrick Yes
27 Trustee Cadena Yes
28 Trustee Johnson-Burick Yes
29 Trustee Nevarez Yes
30

31 **Amended Motion: To approve PZHAC #061928 – 1891 Avenida de Mesilla, submitted by Thomas**
32 **Hutchinson. Requesting approval to install nautical flagpole on a commercial parking lot w/condition.**
33 **ZONE: Commercial (C), Moved by Trustee Cadena, Seconded by Mayor Pro Tem Merrick.**
34

35 **Original Motion Roll Call Vote: Motion passed (summary: Yes-4)**

36 Mayor Pro Tem Merrick Yes
37 Trustee Cadena Yes
38 Trustee Johnson-Burick Yes
39 Trustee Nevarez Yes
40

41 e) **APPROVAL** – Planning & Zoning Commissioner: Martha Mulvihill

42 **Motion: To approve Planning & Zoning Commissioner: Martha Mulvihill, Moved by Trustee Johnson-**
43 **Burick, Seconded by Mayor Pro Tem Merrick.**
44

45 **Roll Call Vote: Motion passed (summary: Yes-4)**

46 Mayor Pro Tem Merrick Yes
47 Trustee Cadena Yes
48 Trustee Johnson-Burick Yes
49 Trustee Nevarez Yes
50

51 f) **APPROVAL** – Planning & Zoning Commissioner: Eric Walkinshaw

52 **Motion: Planning & Zoning Commissioner: Eric Walkinshaw, Moved by Mayor Pro Tem Merrick,**
53 **Seconded by Trustee Cadena.**
54

55 **Roll Call Vote: Motion passed (summary: Yes-4)**

1 Mayor Pro Tem Merrick Yes
2 Trustee Cadena Yes
3 Trustee Johnson-Burick Yes
4 Trustee Nevarez Yes
5

6 g) **APPROVAL** – Planning & Zoning Commissioner: Kristina Alba

7 **Motion: Planning & Zoning Commissioner: Kristina Alba, Moved by Mayor Pro Tem Merrick, Seconded**
8 **by Trustee Johnson-Burick.**

9
10 **Roll Call Vote: Motion passed (summary: Yes-4)**

11 Mayor Pro Tem Merrick Yes
12 Trustee Cadena Yes
13 Trustee Johnson-Burick Yes
14 Trustee Nevarez Yes
15

16 h) **APPROVAL** – Planning & Zoning Commissioner: Brian Reeves

17 **Motion: Planning & Zoning Commissioner: Brian Reeves, Moved by Mayor Pro Tem Merrick, Seconded**
18 **by Trustee Johnson-Burick.**

19
20 **Roll Call Vote: Motion passed (summary: Yes-4)**

21 Mayor Pro Tem Merrick Yes
22 Trustee Cadena Yes
23 Trustee Johnson-Burick Yes
24 Trustee Nevarez Yes
25

26 i) **APPROVAL** – Appointment of Mayor Pro-Tem Election
27 Trustee Johnson-Burick nominated Trustee Nevarez.

28
29 Trustee Cadena nominated Mayor Pro Tem Merrick.

30
31 Mayor Pro Tem Merrick stated she would vote for herself.

32
33 Trustee Cadena stated she would vote for Mayor Pro Tem Merrick.

34
35 Trustee Johnson-Burick stated she would vote for Trustee Nevarez.

36
37 Trustee Nevarez stated he would vote for himself.

38
39 Mayor Hernandez stated he would vote for Mayor Pro Tem Merrick.
40

41 **Motion: To approve appointment of Adrianna Merrick as Mayor Pro-Tem , Moved by Mayor Pro Tem**
42 **Merrick, Seconded by Trustee Cadena.**

43
44 **Roll Call Vote: Motion passed (summary: Yes-4; No-1)**

45 Mayor Pro Tem Merrick Yes
46 Trustee Cadena Yes
47 Trustee Johnson-Burick No
48 Trustee Nevarez Yes
49 Mayor Hernandez Yes
50

51 j) **APPROVAL** - Slate of Commission & Board Commitments (Appointive Offices &
52 Committees) – Handed out at meeting

53 Mayor Hernandez reviewed the appointments.
54

1 **Motion: To approve Slate of Commission & Board Commitments (Appointive Offices & Committees),**
2 **Moved by Trustee Johnson-Burick, Seconded by Mayor Pro Tem Merrick.**

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

5 Mayor Pro Tem Merrick Yes
6 Trustee Cadena Yes
7 Trustee Johnson-Burick Yes
8 Trustee Nevarez Yes

9
10 **7. DISCUSSION**

11 **a) Modification of Short-Term Rental Ordinance**

12 Mayor Hernandez and Mr. Salazar reviewed the process and goals of the Short-Term Rental Ordinance and
13 the recommendations that have been made.

14
15 Trustees commented.

16
17 **8. PUBLIC INPUT – The public is invited to address the Board as allowed by the chair.**

18 Ms. Ratje commented

19
20 Ms. Mulvihill commented

21
22 Ms. Walkinshaw commented

23
24 Ms. Krueger commented

25
26 Ms. Bausova commented

27
28 Ms. Witter commented

29
30 Ms. Lucero commented

31
32 **9. BOARD OF TRUSTEE COMMITTEE REPORTS**

33 Trustee Johnson-Burick: MPO meeting February 12th – Dona Ana County Building

34
35 Mayor Pro Tem Merrick: MPO meeting February 12th

36
37 Mayor Hernandez: Taylor Advisory Meeting, Committees working on signage projects

38
39 **10. BOARD OF TRUSTEE/STAFF COMMENTS**

40 Marshal Azcarate gave a department update.

41
42 Mr. Salazar gave a department (Economic & Community Development) update.

43
44 Mr. Astorga gave a department (Public Works) update.

45
46 Fire Chief Whited gave a department update.

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48 Mayor Hernandez gave finance department update.

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50 Trustee Nevarez commented.

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52 Trustee Johnson-Burick commented.

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54 Trustee Cadena commented.

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Mayor Pro Tem Merrick commented.

Mayor Hernandez commented.

11. ADJOURNMENT

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

MEETING ADJOURNED AT 8:15 P.M.

APPROVED THIS 27th DAY OF JANUARY, 2025.

Russell Hernandez
Mayor

ATTEST:

Gloria S. Maya
Town Clerk/Treasurer

****BOT MEETINGS ARE AVAILABLE ON TOWN OF MESILLA'S YOUTUBE PAGE****



FW: STR ordinance updates

1 message

Russell Hernandez <mayor@mesillanm.gov>
To: Mesilla Town Clerk/Treasurer <clerktreasurer@mesillanm.gov>

Mon, Jan 13, 2025 at 11:26 AM

If we can include in the meeting minutes for the meeting this evening. I will also be bringing up during the discussion for the Ordinance.

Russell

From: Dasa Bausova <dasa.bausova@gmail.com>
Date: Monday, January 13, 2025 at 11:16 AM
To: Russell Hernandez <mayor@mesillanm.gov>
Subject: STR ordinance updates

Hello Russell, thank you so much for taking the time to meet with me. It is much appreciated! I have compiled all the requests from our group for you as we discussed. Here they are:

Appendix A. - Fee structure: We agree that the new \$100 annual fee is unfair, arbitrary and capricious, especially since our neighboring competitors in Las Cruces pay no annual fee and Mesilla has no annual fee currently as both STR owners in LC and Mesilla already pay an annual business license fee as do Mesilla businesses with no other annual fee. We agree on going back to the original one-time \$35 application fee, which could go up to \$50 or even \$100 but not \$250 as Mr. Salazar proposed. LC STR owners pay a \$50 application fee. It makes more sense for new STR owners to demonstrate commitment by paying this one-time fee, but not to be burdened with additional annual charges that no other business in Mesilla is paying.

Page 4.F.8 - \$10 fee was removed from the fees table and is still in Section F.

8. Application updates regarding ownership, changes in the structure, parking area, contact person information, etc., shall require an amendment to the existing STR permit. A one-time \$10 fee shall be assessed for any updates (see Appendix A).

Page 1, A, 1. – recommended edit: STRs provide community benefit by expanding the number and type of lodging facilities available to visitors and STRs provide financial support to the Town via Lodgers Tax, GRT, as well as income to the businesses that serve STR guests.

Page 2, C. 3. Based on changes to the table on this page, this paragraph should be corrected to remove the distance requirement. It should now simply read: **A 45-day grace period will be given to non-permitted STR owners, in existence at the time of adoption of this code, to become compliant.**

Page 5. I. 1. Please correct to state: Hosting platforms shall not process or complete any booking transactions for any **STR**, unless the STR has a valid current STR permit issued by the Town of Mesilla.

Page 2.C.1 We agree that percentage caps in the RA and RF zones are not necessary. They already have the least number of STR's and they are least likely to see increases. Also placing STRs into the RA and RF zones alleviates the pressure from historic Mesilla and properties have more space around them where impact on neighbors is significantly lessened.

Thank you!

Warm regards,

Dáša Baušová



Comments on changes to and current proposed STR ordinance

1 message

Catharine Walkinshaw <catharinewalkinshaw@gmail.com>

Sun, Jan 12, 2025 at 12:45 PM

To: Russell Hernandez <mayor@mesillanm.gov>

Cc: Adrianna Merrick <adriannam@mesillanm.gov>, Gerard Nevarez <gerardn@mesillanm.gov>, Stephanie Johnson-Burick <stephaniejb@mesillanm.gov>, Biviana Cadena <bivianac@mesillanm.gov>, Mesilla Town Clerk/Treasurer <clerktreasurer@mesillanm.gov>, Community Development <comdev@mesillanm.gov>

Dear Mayor Hernandez and Mesilla Trustees,

Please include these comments in the official record for the Board of Trustees meeting on January 13, 2025.

I have reviewed the current version of the STR ordinance included in the January 13, 2025, Board of Trustees agenda packet, as posted online. I have the following comments and editorial changes:

In general, I appreciate the effort and research it took to modify the ordinance and feel it is a fair and effective way to preserve Mesilla's unique, historic character while promoting tourism and regulating STRs to protect residential areas.

Below are my specific edits and comments:

Page 1, A, 1. - change this sentence to read: STRs provide community benefit by expanding the number and type of lodging facilities available to visitors and **STRs** provide financial support to the Town via Lodgers Tax, GRT, as well as income to the businesses that serve STR guests.

Page 2. C. 1. - I approve the changes to this table and feel this is a better approach. The former 200-foot restriction was essentially a moratorium on any new STRs within the HR zone. I also feel that a similar % limit for all zones (except C and HC) is a more equitable way to manage STRs within Mesilla.

Page 2, C. 3. Based on changes to the table on this page, this paragraph should be corrected to remove the distance requirement. It should now simply read: **A 45-day grace period will be given to non-permitted STR owners, in existence at the time of adoption of this code, to become compliant.**

Page 4. F. 8. The \$10 permit change fee has been eliminated from Appendix A on page 7, thus it should be removed from this paragraph as well.

Page 5. I. 1. This sentence should be corrected to state: Hosting platforms shall not process or complete any booking transactions for any **STR**, unless the STR has a valid current STR permit issued by the Town of Mesilla.

Thank you again for the effort and time many have put in developing this new and important ordinance. Let's hope it makes Mesilla a better place to live for residents and visitors alike.

Sincerely,
Catharine Walkinshaw
2134 Calle de Principal
Mesilla, NM 88046