

1 **BOARD OF TRUSTEES**
2 **TOWN OF MESILLA**
3 **MEETING**
4 **MONDAY, MARCH 28, 2011**
5 **6:00 P.M.**

6
7 **TRUSTEES:** Nora L. Barraza, Mayor
8 Carlos Arzabal, Mayor Pro Tem
9 Sam Bernal, Trustee (left at 8:15 p.m.)
10 Jesus Caro, Trustee
11 Linda L. Flores, Trustee

12
13 **STAFF:** Nick Eckert, Town Clerk/Treasurer
14 Jeff Gray, Marshal
15 Kevin Hoban, Fire Chief
16 Debbie Lujan, Public Works Director
17 Gloria Maya, Recorder

18
19 **PUBLIC:** Richard Bombach Diane Lilley
20 Fran Mendez Gene Waggoner
21 Barbara Waggoner Jeanne Wilkins
22 Carlos Melendrez Wayne Stout
23 L. Stout Jim Tooley
24 Billy Garrett Cynthia Garrett
25 Kim Seifert Gregg Henry
26 Andy Segovia Nathan Small
27 Kileen Wilken Wendy Kevsthan
28 Denny Rogers Pat Rogers
29 Dan Arenle Mary Kay Shannon
30 Mary Bird Mick Vaskov
31 Lynda Vaskov Chris Alexander

32
33 **OPENING CEREMONIES**

34
35 A. Pledge of Allegiance

36
37 Mayor Barraza led the Pledge of Allegiance.

38
39 **ROLL CALL AND DETERMINATION OF A QUORUM**

40
41 **Roll Call.**

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

43
44 **CHANGES TO THE AGENDA**

45
46 Mayor Barraza indicated Case #04339 would be tabled since the board has not received a Fact of Finding
47 Form from the Planning and Zoning. Also, Public Comments will be moved to after item #4, Closed
48 Session.

49
50 **Motion:** To approve the agenda as amended, **Moved by** Trustee Caro, **Seconded by** Mayor Pro Tem
51 Arzabal.

1 **Vote:** Motion passed (**summary:** Yes = 4).
2 **Yes:** Mayor Pro Tem Arzabal, Trustee Bernal, Trustee Caro, Trustee Flores.

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4
5 **ACCEPTANCE OF THE CONSENT AGENDA**

6
7 **Motion:** To approve the consent agenda, **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee Flores.

8
9 **Vote:** Motion passed (**summary:** Yes = 4).
10 **Yes:** Mayor Pro Tem Arzabal, Trustee Bernal, Trustee Caro, Trustee Flores.

11
12
13 **BOT MINUTES:**

14 1. Regular Meeting 3-14-11 *Approved by consent agenda*

15
16 **PZHAC BUSINESS:**

- 17 1. Case: 011024; 2411 Calle de San Albino, Donna Bassett, Sign Permit for Sky's the Limit. Zone: HC.
18 *Approved by consent agenda with conditions.*
19 2. Case: 011025; 1950 Calle del Norte, F2, Rick Elkin, Sign Permit for Elkin Studio. Zone: HC.
20 *Approved by consent agenda*

21
22
23 **NEW BUSINESS:**

- 24
25 2. Election of mayor pro tem to serve a one-year term per MTC 2.15.060.

26
27 Mayor Barraza opened the floor for the nomination of a Mayor Pro Tem.

28
29 **Motion:** Nominated Trustee Jesus Caro for Mayor Pro Tem, **Moved by** Trustee Flores,
30 **Seconded by** Mayor Pro Tem Arzabal.

31
32 **Vote:** Motion passed, (**summary:** Yes = 4).
33 **Yes:** Mayor Pro Tem Arzabal, Trustee Bernal, Trustee Caro, Trustee Flores.

34
35 Mayor Barraza stated Trustee Arzabal was always ready to step in when needed. She thanked
36 Trustee Arzabal for all his help.

- 37
38 3. Presentation by Dona Ana County Assessor's Office regarding understanding the property tax
39 process. *Andy Segovia, County Assessor.*

40
41 Mr. Andy Segovia gave a presentation of the property tax process followed by the Dona Ana
42 County Assessor's office.

43
44 Ms. Barbara Wagonner asked if the actual county mill levy is on the printout.

45
46 Mr. Segovia responded you are still paying all the other taxes except for the municipality.

47
48 Mayor Pro Tem Caro asked why it is not 65 straight across the board or be frozen if someone
49 lives in a home for 25 years.

50
51 Mr. Segovia responded this was initially started as a low income for seniors; we go up around
52 \$1000 every year. About 2 years ago a legislator wanted to raise it higher to \$32,000 where it has

1 stayed. Several bills were introduced this year but were shot down. He stated that they need to
2 go through one of your legislators.

3
4 Trustee Arzabal asked if the Head of Household form is on line.

5
6 Mr. Segovia responded the forms are available on line.

7
8 Mayor Barraza stated Mr. Segovia did a presentation to the department heads and herself to
9 educate them regarding property taxes which was very helpful. She thanked Mr. Segovia for his
10 presentation and his time.

11
12 Mr. Segovia stated it is so important to have Community meetings to help educate our residents.

13
14 4. Closed session pursuant to 10-15-1 (H) (7) for the purpose of discussing litigation regarding NM Court
15 of Appeals ruling on annexation. *Mayor Nora L. Barraza.*

16
17 **Motion:** To enter closed session pursuant to 10-15-1 (H) (7) for the purpose of discussing litigation
18 regarding NM Court of Appeals ruling on annexation, **Moved by** Mayor Pro Tem Arzabal, **Seconded**
19 **by** Trustee Bernal.

20
21 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

22 Trustee Arzabal Yes

23 Trustee Bernal Yes

24 Mayor Pro Tem Caro Yes

25 Trustee Flores Yes

26
27 **Motion:** To enter regular meeting pursuant to 10-15-1 (H) (7) after discussing litigation regarding NM
28 Court of Appeals ruling on annexation, **Moved by** Mayor Pro Tem Arzabal, **Seconded by** Trustee
29 Bernal.

30
31 **Roll Call Vote:** Motion passed (**summary:** Yes = 4).

32 Trustee Arzabal Yes

33 Trustee Bernal Yes

34 Mayor Pro Tem Caro Yes

35 Trustee Flores Yes

36
37 Mayor Barraza stated we will open up Public Comments which will be limited to 1 minute per
38 person. On the advice of our counsel we will not be answering any questions or discuss any legal
39 matters or legal strategies. Mesilla will be meeting with the Dona Ana County staff to discuss the
40 matter. The Town of Mesilla will continue to provide service to the west mesa until everything is
41 resolved.

42
43 Ms. Diane Lilley commented no matter what the outcome she personally feels it has been a fun ride. She
44 finally feels she belongs to a community and no matter what happens she will continue to support Mesilla.

45
46 5. Presentation regarding the Mesilla Plaza Riots of 1871. *Carlos Melendrez.*

47
48 Mr. Melendrez gave a presentation regarding the Mesilla Plaza Riots and the desire to hold a
49 reenactment of the event. He stated they have the support of the City of Las Cruces and would
50 like to have the Town of Mesilla's support as well. They will present a formal resolution to both
51 municipalities elaborating on this history.

1 Mayor Barraza stated she had an opportunity to meet with Mr. Melendrez and Mr. Medoff
2 regarding the reenactment.

3
4 Mr. Melendrez stated the plans are not written stone, they are hoping to gather support from the
5 community.

6
7 Mayor Pro Tem Caro stated he was aware of the riot and feels this would be good for the area.
8 This reminds him of the Salt of the Earth which came out of Silver City. He agrees a
9 documentary should be made and available for public viewing.

10
11 Ms. Jean Wilkins stated several residents came to her with this and feels there is
12 miscommunication and history regarding this battle. She stated this event is listed as a political
13 battle. She read the concerns expressed by concerned residents and other area residents. We
14 need more positive historical events in Mesilla. She recommends creating a historical committee
15 to come up with ideas to capitalize and promote better business as well as educational benefits.
16 The educational component is lacking. She recommends having Mesilla town days and simple
17 reenactments. Everyone can come together to further appreciate the heritage and unique history in
18 the great southwest corner.

19
20 Mayor Barraza agrees there is not anything in sequence for the history of the Town of Mesilla;
21 the people want to know the history. The Gadsden Museum does have a lot of the history of
22 Mesilla. Currently the town is not in a financial situation to help.

23
24 Ms. Wilkins stated the committee can consist of volunteers. This would help clear up
25 miscommunication.

26
27 Mayor Barraza responded there is so much history in the Town of Mesilla; it would be great to
28 get a committee together to get the ball rolling.

29
30 Ms. Wilkins offered her assistance.

31
32 Mayor Barraza responded there is a lot of miscommunication. She thanked them for their
33 information and will call them when they are ready to pursue with this.

34
35 Mayor Pro Tem Caro stated he understands the significance of this event and the need to clear up
36 any misunderstandings.

37
38 Ms. Tanzie Bird stated she would like to be on the committee to see that the history is told
39 correctly. We also need to start recording this history orally and keep a permanent archive in
40 Mesilla for our future generations. We are all very proud of our culture. She can assist anyone
41 who would like to do a genealogy chart.

42
43 Mayor Barraza stated it would be good for Mesilla to have that in our town. She asked her to
44 give the museum's information to Ms. Echavarria so that she can have that information.

45
46 Ms. Bird inaudible

47
48 Mayor Pro Tem Caro agrees we need to get the history before our elderly pass away and take the
49 information with them. Thanked everyone for their time and effort and also offered his
50 assistance.

51

1 Mayor Barraza stated Mr. Melendrez is on the right track but it is going to take some time.

2
3 6. Case: 0439; Appeal of PZHAC decision on home occupation business license for Los
4 Poblanos Organics. *Nick Eckert, Clerk-Treasurer & Gina Gentile, CDC. Tabled*

5
6 7. For approval/disapproval: a memorandum of understanding between the Town of Mesilla and
7 Dona Ana County regarding DWI Programs Project number 10-CD-05-031 and 11-CD-05-
8 031. *Jeff Gray, Marshal.*

9
10 Marshal Jeff Gray stated this project was brought to the board at the last meeting. The
11 amendments have been done and it is now ready for a vote from the Board of Trustees.

12
13 Mayor Pro Tem Caro asked about the liability. Inaudible

14
15 Marshal Gray responded the county assumes the liability for themselves if they act
16 inappropriately. It is the administrator of the memorandum of understanding. We take
17 responsibility of our actions and they take responsibility of their actions.

18
19 Mayor Barraza stated if we mismanage the funds it is our responsibility.

20
21 Mayor Pro Tem Caro inaudible

22
23 Marshal Gray responded that is the standard; you want to act like adults.

24
25 **Motion:** To approve a memorandum of understanding between the Town of Mesilla and Dona Ana
26 County regarding DWI Programs Project number 10-CD-05-031 and 11-CD-05-031, **Moved by**
27 Trustee Arzabal, **Seconded by** Trustee Flores.

28
29 **Vote:** Motion passed (**summary:** Yes = 4).

30 **Yes:** Trustee Arzabal, Trustee Bernal, Mayor Pro Tem Caro, Trustee Flores.

31
32 8. First Reading: An ordinance amending the sign regulations regarding signage for more than one
33 business in a building. *Gina Gentile, CDC.*

34
35 Ms. Gina Gentile stated this ordinance will address the regulations when there is more than one
36 retail space in the building and there is a request for multiple signs.

37
38 Mayor Barraza stated currently we have received applications for more than one business in one
39 building.

40
41 Ms. Gentile responded we want to avoid having the buildings covered with signs.

42
43 Mayor Pro Tem Caro responded he agrees with the ordinance.

44
45 Mayor Barraza indicated the sign moratorium will be expiring soon.

46
47 Mr. Chris Alexander asked how the parking will be handled.

48
49 Ms. Gentile responded the ordinance does not address parking issues that will be address by the
50 parking regulations. This ordinance is proposing that there be one sign advertizing the businesses
51 in that one building space.

1 Mayor Barraza reiterated merchants are coming in requesting individual signs for each individual
2 business in one building.

3
4 Mr. Alexander asked if it will apply to both the historic and commercial historical zone.

5
6 Ms. Gentile responded this will also apply to both zones. The prior ordinance was worded that
7 each business could have a sign for each business.

8
9 9. Finance department report and update on budget process. *Nick Eckert, Clerk-Treasurer.*

10
11 Mr. Nick Eckert gave a budget report year to date and the budget timeline. Refer to handouts

12
13 Mayor Pro Tem Caro commended staff for sticking to the budget allotments this year.

14
15 Mr. Eckert responded all the departments are really working hard.

16
17 Mayor Barraza commended the staff and with them being a part of the budget process it makes them aware
18 of how it works.

19
20 **PUBLIC COMMENTS:**

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22
23 **BOARD OF TRUSTEES COMMENTS:**

24
25 Mayor Pro Tem Caro thanked everyone for their support. He commended all staff for continuing to do a
26 good job on their budgets. Stated he will work hard at doing a good job as Mayor Pro Tem.

27
28 Mayor Barraza stated she knows Mr. Jesus Caro will do well as Mayor Pro Tem. She is very proud of the
29 department heads and she is so grateful to have them. She encouraged the board to be active and help Ms.
30 Echavarria with the Cinco de Mayo Fiesta that will be held on May 7th and 8th. This year the fiesta will be
31 more family oriented. On Wednesday, Ms. Lujan, Fire Chief Hoban and she will be traveling to
32 Albuquerque to do a presentation for the CDBG Phase 4 of the Community Center. The Town of Mesilla
33 will be hosting the New Mexico Municipal League District meeting on April 7th at the Double Eagle.
34 Please let Mr. Eckert know if you will be attending.

35
36 **ADJOURNMENT**

37
38 **Motion:** To adjourn, **Moved by** Trustee Arzabal, **Seconded by** Trustee Arzabal.

39
40 **Vote:** Motion passed (**summary:** Yes = 4).

41 **Yes:** Trustee Arzabal, Trustee Bernal, Mayor Pro Tem Caro, Trustee Flores.

42
43 **MEETING ADJOURNED 8:30 P.M.**

44
45 **APPROVED THIS 11TH DAY OF APRIL 2011.**

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51 _____
52 Nora L. Barraza
53 Mayor

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ATTEST:

Nicholas Eckert
Town Clerk/Treasurer