

1 Trustee Caro stated Big Eddie's Restaurant in Oklahoma City once claimed to have a 20 oz.
2 burger.

3
4 D. Presentation by the Mesilla Museum Committee. *Michael M. Cadena, Mayor.*

5
6 Mr. Bob Gamboa introduced the members of the foundation formerly known as the Mesilla
7 Museum Committee: Dr. Gerald Thomas, Cal Traylor, Frank Parish and Mr. Joe Lopez (not
8 present). Gave the history of a town owned museum. An application for a non-profit 501C(3)
9 organization has been submitted to the Internal Revenue Service in order to begin the fundraising
10 to make the museum a reality. We can now proclaim that we are the Mesilla Museum
11 Foundation. A handout was presented to the trustees with an overview of the foundation and the
12 proposed plans. They have met with the architect regarding phase III of the Town Hall and that
13 area can be extended 20 feet. They propose a two-story building with the second floor can be
14 used for archiving.

15
16 Mayor Cadena commended the members for their time put into the project. It is important that
17 there are private funds and/or matching funds due to the economic situation that the state is in.
18 When applying for grants it will help that the state can see that the foundation is committed to the
19 project and is seeking private funding. The proposed drawing has been mentioned to the
20 architect. The board will have the final vote on the proposal. Agrees it is a good idea to get input
21 from the community and merchants.

22
23 Trustee Arzabal stated he feels it is a good idea and asked if there was a contact number.

24
25 Mr. Gamboa responded there is not an e-mail address at this time but a web page is being worked
26 on, mesillamuseum.com.

27
28 Mayor Cadena asked the foundation to meet with Mr. Nick Eckert and Ms. Susan Krueger so the
29 web site can be linked to Mesilla's web page.

30
31 Mayor Pro Tem Barraza thanked the foundation for their work. Asked if they are planning to
32 share the drawing with the community. She recommends allowing the architect to come forward
33 with a preliminary plan before sharing the drawing with the community.

34
35 Mr. Gamboa stated the Mayor had expressed the same concern. He feels it will take some time
36 before the architect develops the plan that he would like to share the drawing with the community
37 but would add a disclaimer. He will work with the trustees on how to proceed.

38
39 Mayor Pro Tem Barraza indicated she feels it should not be shared at this time. There are a lot of
40 needs in the town and this would raise a lot of questions and concerns.

41
42 Trustee Bernal stated this is going to take a lot of money and he agrees a museum is needed but
43 we need to proceed with caution.

44
45 Trustee Arzabal stated there are good points being presented but feels that if it is explained to the
46 community that private funding will be used for this museum and that the drawing is an unofficial
47 rendition it will help the community to understand.

48
49 Trustee Caro recommends the museum be named after one of our founding fathers.

50
51 Mayor Pro Tem Barraza stated she feels the drawing may be misleading since the current plan is

1 to have a board room constructed south of this building.

2
3 Mayor Cadena stated at a prior meeting it was discussed that the board room and the museum
4 would be incorporated into one room. It will be designed with a divider that would open up if
5 more space is needed.

6
7 Mr. Gamboa stated the logistics can be worked out.

8
9 Mayor Cadena stated a meeting can be set up with the architect to get a conceptual idea on how it
10 can be built. This is a proposed different organizations will be approached for funding.

11
12 Mr. Gamboa indicated they will need approximately \$2 million dollars for the project.

13
14 Mayor Pro Tem Barraza agrees Mesilla is in dire need of a museum. She feels there will be more
15 participation from the residents since the town will own the museum.

16
17 Mr. Gamboa stated having a town owned museum will help to increase the sales of the local
18 retailers and in turn help the town. We need to attract visitors to the area. It would be nice to
19 meet a 2012 deadline which is New Mexico's centennial.

20
21 Mayor Pro Tem Barraza recommends holding off on the picture until we get direction from
22 Molzen/Corbin.

23
24 Mr. Frank Parish stated with regards to naming the building, if there is a donor who gives a large
25 amount, the building can be named after that individual.

26
27 Mayor Cadena stated the trustees will make the decision on naming the building. The drawing
28 can be emphasized as a rendition feels it may be appropriate to show to potential contributors.

29
30 Ms. Alexandra Hall stated she is very interested in the museum and asked if public meetings will
31 be held.

32
33 Mayor Cadena responded there will be public hearing and the procedure will be followed.

34
35 Ms. Hall asked if the addition to the south is still going to be a board room as indicated
36 previously. She is hearing that it is going to belong to the foundation since it is their funding.

37
38 Mayor Cadena responded the foundation is establishing a non-profit museum so at no point will
39 anyone other than Mesilla own the building.

40
41 Ms. Hall asked if the foundation aware of that.

42
43 Mayor Cadena responded the foundation received the approval of the board to incorporate the
44 museum into the board room.

45
46 Ms. Hall asked if the board has looked at the stimulus package for tourism.

47
48 Mayor Cadena responded Mesilla has been funded under the stimulus package for road projects.
49 This will allow us to seek funding for this project.

50
51 Ms. Hall asked how many people actually visit the Visitor's Center and how well manned is the

1 center.

2

3 Ms. Kristie Medina stated those numbers are on the monthly calendar.

4

5 Ms. Hall recommends looking at the hours of the museum which will differ from the town hall
6 hours.

7

8 Mayor Cadena stated the logistics can be worked out.

9

10 Mayor Pro Tem Barraza indicated she would like to schedule a worksession to answer some of
11 the questions that have been raised and feels we are moving too fast. Recommends asking the
12 town attorney regarding the legality of seeking donations.

13

14 Mayor Cadena stated the logistics will be worked out.

15

16 Mayor Pro Tem Barraza stated she would like to meet with the foundation before they go out to
17 the community.

18

19 Mayor Cadena stated a worksession is appropriate.

20

21 Dr. Gerald Thomas explained the organization is only responsible for raising funds for the
22 museum. The museum will be run and owned by the Town of Mesilla. The same principal was
23 used for the Farm and Ranch Museum and the museum at New Mexico State University. The
24 foundation does not dabble in the operation.

25

26 Trustee Arzabal stated a worksession will help to answer the questions the board has.

27

28 Dr. Thomas indicated a message can be added to the drawing, i.e. proposed addition to be
29 designed by the architect.

30

31 Mayor Cadena stated that is a good idea and is a good compromise. He supports the idea of the
32 museum and wants to get the locals involved with the history of Mesilla.

33

34 Mayor Pro Tem Barraza stated she also supports the museum.

35

36 Mayor Cadena asked Ms. Medina to set up a worksession and asked that the questions be
37 forwarded to Ms. Medina so the foundation can be prepared for the worksession.

38

39 Mayor Pro Tem Barraza asked about the picture.

40

41 Mayor Cadena stated a worksession will be set up for next week since time is of an essence.

42

43 **ROLL CALL AND DETERMINATION OF A QUORUM**

44

45 **Roll Call.**

46 **Present:** Mayor Cadena, Mayor Pro Tem Barraza, Trustee Arzabal, Trustee Bernal, Trustee
47 Caro.

48 **CHANGES TO THE AGENDA**

49

50 Mayor Cadena moved item #7 to letter D under Opening Ceremonies since it is a presentation.

51

1 Mayor Pro Tem Barraza asked to remove Animal Control/Fleet and Public Works reports from
2 the consent agenda.

3
4 Mayor Cadena responded a hard copy was given to the board.

5
6 Mayor Pro Tem Barraza indicated she has not had time to review the report.

7
8 Mayor Cadena stated the reports can be removed and added to the next meeting's agenda.

9
10 **ACCEPTANCE OF THE CONSENT AGENDA**

11
12 **Motion:** To Approve The Consent Agenda And Agenda As Amended, **Moved by** Trustee
13 Arzabal **Seconded by** Trustee Caro.

14
15 **Vote:** Motion passed (**summary:** Yes = 4).

16 **Yes:** Mayor Pro Tem Barraza, Trustee Arzabal, Trustee Bernal, Trustee Caro.

17
18 **BOT MINUTES:**

19 1. Regular Meeting August 24, 2009. *Approved by Consent Agenda*

20
21 **PZHAC BUSINESS:**

22 2. Case: 090118; 2222 Avenida de Mesilla, Alexandra Hall, a building permit application for a
23 re-roof. Zone: HC. **Nick Eckert, Community Development Director.** *Approved by Consent*
24 *Agenda*

25
26 3. Case: 090119; 2346 Calle de Principal, J. Paul Taylor, a building permit application for a
27 fence. Zone: HC. **Nick Eckert, Community Development Director.** *Approved by Consent*
28 *Agenda*

29
30 4. Case: 090121; 1950 Calle del Norte, Dick's Café, a building permit for mural painting. Zone:
31 HC. **Nick Eckert, Community Development Director.** *Approved by Consent Agenda*

32
33 **NEW BUSINESS:**

34 5. For Approval: Request by Los Leones de Mesilla for the non-profit Plaza user fee to host the
35 annual Los Leones Car Show on the Plaza Saturday, Oct. 10, 2009. **Kristie Medina,**
36 **Recreation/Special Events Coordinator.**

37
38 Ms. Kristie Medina stated it is the same event that has been held annually with the only difference
39 of the new non-profit fees for a total of \$95.00 and the cleaning deposit of \$225.

40
41 **Motion:** To Approve Request By Los Leones De Mesilla For The Non-Profit Plaza User Fee For
42 Saturday, October 10, 2009, **Moved by** Trustee Arzabal, **Seconded by** Mayor Pro Tem Barraza

43
44 Mayor Cadena and Trustee Caro stated that they are members of Los Leones de Mesilla.

45
46 Mayor Pro Tem Barraza asked that they be reminded to place something to catch the oil from the
47 cars.

48
49 Ms. Medina responded that she would remind Los Leones.

50
51 **Vote:** Motion passed (**summary:** Yes = 4).

1 **Yes:** Mayor Pro Tem Barraza, Trustee Arzabal, Trustee Bernal, Trustee Caro.

2
3 6. For Approval: Request by the Old Mesilla Association for the non-profit plaza rental fee rate
4 for the 8th Annual Mesilla Jazz Happening on the Mesilla Plaza Oct. 3-4, 2009. **Kathleen**
5 **Foreman, President of Old Mesilla Association.**

6
7 Ms. Kristie Medina indicated the request if for the Jazz Festival and not the wine garden for a
8 total of \$105.00 and the refundable cleaning deposit of \$500.00.

9
10 **Motion:** To Approve The Request By the Old Mesilla Association For The Non-Profit Plaza
11 Rental Fee For The Annual Mesilla Jazz Happening October 3-4, 2009, **Moved by** Trustee
12 Arzabal, **Seconded by** Mayor Pro Tem Barraza.

13
14 **Vote:** Motion passed (**summary:** Yes = 4).

15 **Yes:** Mayor Pro Tem Barraza, Trustee Arzabal, Trustee Bernal, Trustee Caro.

16
17 7. Presentation by the Mesilla Museum Committee. **Michael M. Cadena, Mayor.**

18
19 Moved to letter D.

20
21 8. For Approval: A Resolution declaring the Marshal's Department Harley-Davidson
22 motorcycle as surplus equipment to be disposed of at a public auction. **Nick Eckert,**
23 **Community Development Director.**

24
25 Mr. Nick Eckert requested that the motorcycle be recognized as a surplus property and the town
26 be allowed to conduct an auction. The funds will be going to the Marshal's Department. A
27 minimum bid of \$11,000 is being requested.

28
29 **Motion:** To Approve A Resolution Declaring The Marshal's Department Harley-Davidson
30 Motorcycle As Surplus Equipment To Be Disposed Of At A Public Auction, **Moved by** Trustee
31 Arzabal, **Seconded by** Mayor Pro Tem Barraza.

32
33 Mayor Pro Tem Barraza asked what would happen if there is not a minimum bid of \$11,000.

34
35 Mr. Eckert responded we would need to re-advertize for an auction until we receive the requested
36 minimum bid.

37
38 **Roll Call Vote.**

39 Mayor Pro Tem Barraza Yes

40 Trustee Arzabal Yes

41 Trustee Bernal Yes

42 Trustee Caro Yes

43
44
45 9. For Approval: Awarding of lease purchase agreement to Watson Quality Ford for the
46 purchase of three police vehicles. **Marcel Jojola, Town Marshal.**

47
48 Town Marshal Jojola stated three (3) bids were accepted from Ford dealerships. Watson Quality
49 Ford was the cheapest by \$2,500 per unit. These vehicles will be totally equipped with the
50 exception of the radios and have a full warranty. We are averaging 12,000 miles per vehicle so at
51 the termination of the lease we can auction the vehicles.

1
2 **Motion:** To Approve Awarding The Lease Purchase Agreement To Watson Quality Ford For The
3 Purchase Of Three (3) Police Vehicles, **Moved by** Trustee Caro, **Seconded by** Trustee Arzabal.

4
5 Mayor Pro Tem Barraza asked if there were any bids from New Mexico.

6
7 Marshal Jojola responded there was a bid from New Mexico but it was over by \$6,000.

8
9 Mayor Pro Tem Barraza asked how we will be getting the vehicles from Jackson, Mississippi.

10
11 Marshal Jojola responded we will be flying to Mississippi and driving the vehicles back.

12
13 Mayor Pro Tem Barraza asked if leasing the vehicles is cheaper than purchasing a vehicle.

14
15 Marshal Jojola responded a new vehicle would cost \$28,000. Going through the lease program
16 we will be getting three (3) vehicles.

17
18 Mayor Pro Tem Barraza asked how much will it be during the lease period.

19
20 Marshal Jojola responded it would be approximately \$76,000 for all three (3) vehicles totally
21 equipped.

22
23 Mayor Cadena indicated the vehicles will be purchased through the Law Enforcement Fund
24 which there is enough each year to make the payment and at the end of the lease the vehicles can
25 be purchased for \$1.00.

26
27 Mayor Pro Tem Barraza asked if all that is in writing.

28
29 Mr. Juan Fuentes indicated the documents have all the details of the Lease Purchasing
30 Agreement.

31
32 **Vote:** Motion passed (**summary:** Yes = 4).

33 **Yes:** Mayor Pro Tem Barraza, Trustee Arzabal, Trustee Bernal, Trustee Caro.

34
35 10. For Approval: A Resolution amending the Revenue and Expenditure Budget for Fiscal Year
36 2009-2010. The purpose of this resolution is to account for and administer the NM Energy,
37 Minerals and Natural Resources Department, State Parks Division, Governmental Services
38 Agreement. *Susan Krueger, Deputy Clerk.*

39
40 Ms. Susan Krueger stated the board approved the Services Agreement on July 27th and signed on
41 the July 28th and signed by the Minerals and Natural Resources on August 4th. We have received
42 a full executed copy on August 24th. Before the trustees is a budget adjustment.

43
44 **Motion:** To Approve A Resolution Amending The Revenue And Expenditure Budget For Fiscal
45 Year 2009-2010 For The Purpose To Account For And Administer The NM Energy, Minerals
46 And Natural Resources Department Services Agreement, **Moved by** Mayor Pro Tem Barraza,
47 **Seconded by** Trustee Arzabal.

48
49
50 **Roll Call Vote**

51 Mayor Pro Tem Barraza Yes

1 Trustee Arzabal Yes
2 Trustee Bernal Yes
3 Trustee Caro Yes

4

5 Ms. Krueger indicated there may be a Youth Conservation Grant brought forward which she will
6 bring back to the board. Announced there will be a Public Safety meeting held on Thursday,
7 September 14, 2009 at 6:30 p.m. Asked for judges for the Rock and Roll Poster Contest to be
8 held on October 2nd at 2:45 p.m. The first Rock and Roll To School will be October 7th. Trustee
9 Arzabal and Mayor Pro Tem Barraza volunteered.

10

11 11. For review and discussion: Job descriptions for exempt and non-exempt employees of the
12 Town of Mesilla. **Michael M. Cadena, Mayor.**

13

14 Mayor Cadena reviewed the process that was followed for the job descriptions. The proposed
15 salaries are based on the requirements for the position. Society is based on if the individual has a
16 degree which will affect the salary. Feels the salaries are competitive with other agencies taking
17 the budget into account. He is proposing a learning curve with one-year probation for department
18 heads.

19

20 Trustee Arzabal agrees regarding the issue of degrees. For example if an applicant does not meet
21 the qualification the salary would be lower.

22

23 Mayor Cadena stated the board would have the authority to make the salary as they see fit. Keep
24 in mind there will always be exceptions.

25

26 Trustee Arzabal asked if we had a Grant Writer.

27

28 Mayor Cadena responded Ms. Susan Krueger is currently our Grant Writer.

29

30 Trustee Arzabal stated if the budget gets back on track those positions will be looked at.

31

32 Mayor Cadena responded these are job descriptions for positions that are not guaranteed to
33 always be filled.

34

35 Mayor Pro Tem Barraza indicated some of the job descriptions have titles that were not approved
36 by the board and asked who changed the titles.

37

38 Mayor Cadena stated there are different names for existing positions that we feel are more
39 appropriate for what is actually occurring. He recommended the Special Projects Coordinator
40 since it is what that person does instead of Deputy Clerk. They are title changes not additional
41 positions.

42

43 Mayor Pro Tem Barraza asked if the board could have a list of the current title and the changed
44 title and why it was changed. She feels the salary reflected on the job description should not be
45 what the person in that current position is earning, the salary should be lower.

46

47 Mayor Cadena stated he does not want anyone coming in lower than \$20,000. It can be
48 discussed. We would want to attract quality people.

49 Mayor Pro Tem Barraza agrees we want the best applicant for the position but reiterated the
50 salary of the current employee should not be on the job descriptions the salary should be lower.
51 Some employees have been in the current position for many years and have earned the pay they

1 are receiving. The salary can be negotiated at the recommendation if the applicant has more
2 qualifications.

3
4 Mayor Cadena indicated a disclaimer can be placed on the job description but feels this is a
5 starting point.

6
7 Mayor Pro Tem Barraza reiterated she would like a table showing what is comparable. She does
8 not have anything to compare it to. Feels we are looking at the person and not at the position.

9
10 Mayor Cadena indicated that when he is making a recommendation he is looking at what is
11 comparable to other entities.

12
13 Trustee Arzabal asked that the board e-mail any questions they may have to Mr. Fuentes and in
14 turn Mr. Fuentes will e-mail the trustees all the questions being asked so they will not be
15 duplicated.

16
17 Mayor Cadena responded Mr. Fuentes will coordinate with the appropriate person to answers
18 questions. Some are just a matter of job titles. Cautioned that some salaries from other entities
19 may be higher.

20
21 Mayor Pro Tem Barraza asked that comparisons be made with entities that are comparable to the
22 size of Mesilla.

23
24 Chief Hoban stated that salary comparisons need to include surrounding areas since we do need
25 to be competitive.

26
27 Mayor Pro Tem Barraza agrees she does not want to go to one extreme.

28
29 Trustee Arzabal asked that the table be sent out so to give the trustees time to review the table.

30
31 Mayor Pro Tem Barraza asked that the table explain what is current and what is being proposed.

32
33 Mr. Juan Fuentes stated he will also include job descriptions that the town has adopted by
34 resolution in the past. The fire and marshal department may have new job descriptions.

35
36 Mayor Cadena stated some were adopted and some were not. They were done by individual.
37 The proposal will be done all at once and it will become the official job description handbook.

38
39 Mr. Fuentes indicated we will identify the job descriptions.

40
41 Mayor Cadena stated that will give a clear idea of what was adopted by resolution and which
42 ones need to be approved by resolution.

43
44 Trustee Bernal indicated these job descriptions will give us guidance and a better view in helping
45 the town.

46
47 Ms. Alexandra Hall recommends having a range (minimum and maximum) rather than an
48 existing salary on the job description.

49 Mayor Cadena stated the current salary was taken into consideration but it is not tied to the
50 individual. Some salaries are close but not tied to an individual.

51

1 12. For Discussion: Infrastructure Capital Improvement Plan (ICP) for the Town of Mesilla.
2 *Debbie Lujan, Public Works Director.*

3
4 Mayor Cadena stated it is important to have an item on the ICP to get funded but it is not as
5 important to show the year it is on there. The lift station is now being placed on the ICP.

6
7 Mayor Pro Tem Barraza stated she is concerned with the storm drain on Calle de Parian.

8
9 Mayor Cadena indicated Calle de Parian is standing on its own. We will need enough money to
10 pave Calle de Parian since working on the storm drain will tear up the street. Some of the work
11 can be done in phases. Questions can be email to Ms. Debbie Lujan.

12
13 Ms. Lujan recommends moving up the construction of the River Levee Park since there is
14 funding available at this time.

15
16 Ms. Susan Krueger stated funding, \$250,000, has been set aside for the Rio Grande Trail. Mesilla
17 is planning a trail head at the Calle de Norte bridge. It looks better if that is placed higher on the
18 ICP.

19
20 Mayor Cadena asked Ms. Lujan to look at moving that up on the ICP.

21
22 Ms. Lujan indicated there are some changes but so far everything has been current. She will
23 make those changes and bring them forward.

24
25 Trustee Caro stated Calle de Parian is in bad shape and needs to get done.

26
27
28 *A public hearing must be held prior to the following case:*

29 13. Case: 090020; NM 292 & Avenida de Mesilla, Sommer Grove Subdivision, an application
30 for final plat approval. Zone: HR. *Nick Eckert, Community Development Director.*

31
32 Mayor Cadena Open The Public Hearing.

33
34 Mayor Cadena Closed Public Hearing

35
36 Mr. Nick Eckert reviewed the process followed for this subdivision. All persons involved worked
37 diligently on this project. All requirements were met or a variance was granted. The enclosed
38 packet includes everything that is being proposed for the subdivision.

39
40 **Motion:** Approval For Final Plat For Sommer Grove Subdivison, **Moved by** Trustee Arzabal,
41 **Seconded by** Mayor Pro Tem Barraza.

42
43 Trustee Caro asked if they will be connected to Mesilla's sewer and water. Asked if ponding has
44 been looked at.

45
46 Mr. Eckert responded the ponding will be used to maintain the pecan trees.

47
48 Trustee Bernal asked if the sewer has capability for the eleven (11) units.

49 Mayor Pro Tem Barraza asked what the two (2) variances are.

50

1 Mr. Eckert responded they requested variance on the road width and the lot frontages on lots 4
2 thru 7.

3
4 Mayor Pro Tem Barraza asked why a road width variance was requested.

5
6 Mr. Eckert stated the Planning and Zoning granted the variance it is more in keeping with Mesilla
7 since a 55 ft. road width is not normally seen in Mesilla.

8
9 Mayor Pro Tem Barraza indicated they were told that they had to have a 55 ft. road width.

10
11 Mr. Eckert responded that was not in the HR Zone. The decision process was that is more fitting
12 with the smaller road that would constrict traffic.

13
14 Mayor Pro Tem Barraza asked if cars will be allowed to park on the side.

15
16 Mr. Eckert stated due to the road width all parking will need to be on the lots.

17
18 Mayor Cadena asked what needs to be done to have parking on one side of the street.

19
20 Mr. Eckert responded the road width would need to be 26 ft. or more to allow for parking on one
21 side of the street.

22
23 Mayor Cadena recommends going one foot larger so that parking will be allowed on one side of
24 the street.

25
26 Fire Chief Hoban indicated that the roadway will need to be at least 26 ft. wide to allow for
27 parking on one side of the road as per the international fire code.

28
29 Mayor Pro Tem Barraza asked if the 35 ft. right of way being requested by the applicant would be
30 wide enough.

31
32 Fire Chief Hoban responded you cannot confuse right of way which is road plus utilities plus
33 sidewalks. The applicant has agreed to add a base course shoulder to allow a walking space.
34 Asked what the current width the applicant is requesting.

35
36 Mr. Eckert responded the paved part is 25 ft. plus the header curb which makes it 26 ft.
37 Stated it is a flat curb that can be driven on.

38
39 Mayor Cadena asked if it was passed forward without sidewalks by the Planning and Zoning.

40
41 Mr. Eckert responded it was passed with crusher fine walkways around.

42
43 Mayor Pro Tem Barraza read what was being proposed.

44
45 Mayor Cadena stated he understood there were sidewalks but the Planning and Zoning is saying it
46 is not compatible with the HR Zone. Reiterated his recommendation of making it 26 ft. to allow
47 parking on one side.

48
49 Mr. Dan Lilley stated pavement can be asphalt or concrete, etc. Technically the area is 26 ft.
50 driving surface to comply.

51

1 Mayor Cadena stated that has to be on the record and if the Fire Chief and staff agree he has no
2 issue.
3
4 Fire Chief Hoban stated if the header curb is going to be included they will have to be rated to
5 support the weight as required by the code.
6
7 Mayor Pro Tem Barraza asked if emergency vehicles will have a problem if parking is allowed on
8 one side of the street.
9
10 Fire Chief Hoban responded they will have to be able to support the weight of the vehicle. There
11 will need to be postings.
12
13 Mr. Eckert stated that is agreeable to the Community Development.
14
15 Mayor Pro Tem Barraza asked why a variance is being requested.
16
17 Mr. Lilly responded the benefit of the 20 ft. of right of way would be maintained by Mesilla
18 instead of the individual owners. The request is self serving and we are trying to minimize the
19 right of way which will need to be maintained by Mesilla. The road section there is always a
20 financial concern in general the civil design for a road that is 24 ft. wide can handle the traffic on
21 a cul-de-sac. There is a need for potential widening. The request is based upon the concept of a
22 design of a 50 ft. right of way which there is not a need for in this area, road maintenance which
23 go to Mesilla after the two (2) year warranty. A lot of the discussion was based on the
24 community, the cul-de-sac was made to have landscaping, allow room for emergency vehicles
25 and parking.
26
27 Mayor Pro Tem Barraza asked about the variance on the size of the frontage which is half of the
28 requirements.
29
30 Mr. Lilly responded the parcel, 4.8 acre, did not lend itself. The idea was to have decent lots to
31 build a house. Reviewed the size of the lots.
32
33 Mayor Pro Tem Barraza asked if the infrastructure is going to be installed prior to selling the lots.
34
35 Mr. Eckert responded the town can hold the plat for filing until that is completed or they can file a
36 plat, sell the lots if they provide a letter of credit or some guarantee of performance.
37
38 Mayor Pro Tem Barraza asked if they have required subdivisions to have the infrastructures prior
39 to being approved.
40
41 Mr. Eckert responded the code reads it can go either way. The last applicants have provided
42 letter of credits prior to completing the infrastructures.
43
44 Mayor Pro Tem Barraza asked if Los Reyes had the infrastructures.
45
46 Mr. Eckert responded the do have the infrastructures but they also provided a letter of credit.
47
48 Mayor Cadena asked if there is a requirement that the infrastructures need to be in before
49 anything is built.
50

1 Mr. Eckert responded the requirement is that the lot can be sold but a house cannot be built until
2 the infrastructure must be in place.

3
4 Mayor Cadena asked if the developer will be required to have those in.

5
6 Mr. Eckert responded yes.

7
8 Trustee Caro asked wouldn't it be easier to have the water and sewer lines and have tape outs
9 before any building occurs.

10
11 Mr. Lilly responded the ideal scenario is that the selling of the lots would pay for everything.
12 There are many individuals financing the project. We plan to put the road, gas, water, etc. prior.
13 If a lot is sold it will help pay for the infrastructure. It will not be piece mealed which is not cost
14 effective. We will comply with Mesilla code requirements. Everything is connected and putting
15 things in together are most cost effective.

16
17 Trustee Caro asked if Mr. Pirtle is involved.

18
19 Mr. Lilly responded Mr. Pirtle holds the note.

20
21 Mayor Pro Tem Barraza stated she is concerned with the infrastructures and she does not want to
22 put the town in that situation. She would like a stipulation that infrastructures need to be
23 provided to all the lots.

24
25 Mr. Eckert responded that is mandated by code.

26
27 Mayor Cadena stated that the question is are we going to allow the letter of credit to sell lots
28 before any infrastructures are installed. We need to be careful because we do not want temporary
29 septic tanks and propane which we can stipulate.

30
31 Mr. Eckert indicated that that will not happen. They will be mandated to hook up to city utilities.

32
33 Mayor Cadena asked is a letter of credit being stipulated to avoid someone having a complete
34 house and the infrastructure is not done.

35
36 Mr. Eckert responded the city inspector will not allow anyone to move into until water, gas and
37 sewer are hooked up.

38
39 Mayor Cadena asked if that will be communicated to the person building or purchasing a home.

40
41 Mr. Eckert responded the developer can have a disclosure statement to include that the
42 infrastructure will be completed as per town code requirements and the letter of credit supports
43 that.

44
45 Mayor Cadena asked that that be part of the motion.

46
47 Mayor Pro Tem Barraza asked if La Mancha which is currently having issues with infrastructures
48 is part of Mesilla.

49
50 Mr. Eckert responded there are only a couple of streets with vacant lots.

51

1 Mayor Pro Tem Barraza stated that La Mancha is in litigation.
2
3 Mr. Eckert responded the portion that is in Dona Ana County is having some issues.
4
5 Mayor Pro Tem Barraza asked if the area that is occupied is in litigation.
6
7 Trustee Arzabal responded the issue is being resolved.
8
9 Mayor Pro Tem Barraza stated she does not want to be in that situation.
10
11 Mr. Eckert indicated the letter of credit will not allow that.
12
13 Mr. Lilly stated the sewer is only 500 ft. away and he does not have a problem having
14 requirements held until all services are provided.
15
16 Mayor Cadena stated question for the variance has merit, in trying to keep with the history of
17 Mesilla.
18
19 Mayor Pro Tem Barraza stated Molzen/Corbin had some concerns.
20
21 Mayor Cadena indicated the applicant has met all the requests from Molzen/Corbin.
22
23 Mr. Eckert responded the applicant worked with Molzen Corbin and the concerns have been
24 corrected.
25
26 Trustee Arzabal indicated the Planning and Zoning and staff did a thorough job.
27
28 Mr. Eckert responded everything was reviewed and staff provided all pertinent information.
29
30 Trustee Arzabal called for the question.
31
32 Trustee Arzabal amended the motion to add the letter of credit.
33
34 Mr. Eckert indicated the letter of credit is in the ordinance.
35
36 Mayor Cadena stated an amendment will not be needed.
37
38 Mr. Eckert indicated no since it is mandated by ordinance.
39
40 Trustee Caro stated it can be a concern and we just want to make sure we avoid any problems.
41
42 **Vote:** Motion passed (**summary:** Yes = 3, No = 0, Abstain = 1).
43 **Yes:** Trustee Arzabal, Trustee Bernal, Trustee Caro.
44 **Abstain:** Mayor Pro Tem Barraza.
45
46
47 14. Closed session pursuant to 10-15-1 (H) (2) for the purpose of discussing limited personnel
48 matters pertaining to the Finance, Community Programs, Community Development, Marshal,
49 Fire, and Public Works Department. *Michael M. Cadena, Mayor.*
50

1 **Motion:** To Enter Closed Session To Discuss Limited Personnel Matters, **Moved by** Trustee
2 Arzabal, **Seconded by** Mayor Pro Tem Barraza.

3
4 **Roll Call Vote**

5 Mayor Pro Tem Barraza Yes
6 Trustee Arzabal Yes
7 Trustee Bernal Yes
8 Trustee Caro Yes

9
10 Entered Closed 8:00 p.m.

11
12 **Roll Call Vote To Confirm That Only Limited Personnel Issues Were Discussed.**

13 **Roll Call Vote**

14 Mayor Pro Tem Barraza Yes
15 Trustee Arzabal Yes
16 Trustee Bernal Yes
17 Trustee Caro Yes

18
19 Entered Open Session 8:33 p.m.

20
21 **STAFF REPORTS**

22 15. Community Development Office *Approved by Consent Agenda*
23 16. Community Programs *Approved by Consent Agenda*
24 17. Finance Department *Approved by Consent Agenda*
25 18. Fire Department *Approved by Consent Agenda*
26 19. Animal Control/Fleet Report *Approved by Consent Agenda*
27 20. Marshal Department *Approved by Consent Agenda*
28 21. Public Works Department *Approved by Consent Agenda*

29
30
31 **PUBLIC COMMENTS:**

32
33 No Public Comments

34
35 **BOARD OF TRUSTEES COMMENTS:**

36
37 No Trustee Comments

38
39 **ADJOURNMENT**

40
41 **Motion:** To Adjourn, **Moved by** Trustee Arzabal, **Seconded by** Mayor Pro Tem Barraza.

42
43 **Vote:** Motion passed (**summary:** Yes = 4).

44 **Yes:** Mayor Pro Tem Barraza, Trustee Arzabal, Trustee Bernal, Trustee Caro.

45
46 **MEETING ADJOURNED AT 8:33 P.M.**

47
48
49 **APPROVED THIS 28TH DAY OF SEPTEMBER, 2009**

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Michael Cadena, Mayor

ATTEST:

Juan A. Fuentes
Town Clerk/Treasurer