

**REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 11, 2016
7:00 P.M.
SCHIEFFELIN HALL**

- I. CALL TO ORDER** Mayor Dustin Escapule called the Regular Council meeting to order on Tuesday, October 11, 2016.
- II. PLEDGE OF ALLEGIANCE** Mayor Dustin Escapule led the Common Council and the general public in a recitation of the Pledge of Allegiance.
- III. ROLL CALL**
- | | |
|--------------------------------|---------|
| Councilmember Armando Villa | Absent |
| Councilmember Bill Barlow | Present |
| Councilmember Patricia Mora | Present |
| Councilmember Debbie Bachman | Present |
| Mayor Escapule | Present |
| | |
| P. Randall Bays, City Attorney | Absent |

A QUORUM WAS DECLARED

IV. APPROVAL OF MINUTES

MOTION by Councilmember Barlow, **SECOND** by Councilmember Bachman to approve the Regular Council Meeting for Tuesday, September 13, 2016,

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

V. PUBLIC COMMENTS

Duff Chambers – N. Saddleback Road, Tombstone; “During the coming months I will be attempting to create a committee which assesses the health needs for Tombstone. Doing this in conjunction with County Health Department. The idea will be to come up with the needs that the community has and then the county will see what ways they will be able to assist us in achieving those needs. I would invite any or all of you to be in touch with me if you have any interest in participating or if you have anything to offer. If you need my contact information you can get it from the Mayor, Bill Barlow or Debbie Bachman.”

Jake Martinez – “I work for the Healthy Cochise, it’s the Cochise Healthy Community Initiative. Following up on what Mr. Chambers said I am working with the County to do a couple of things. The first thing is right now is the health assessment of Cochise County and there is going to be a survey. It’s completed and it is ready. It just needs to be disseminated and so we would like to ask the City Council assist us in sharing that survey. There’s going to be paper and electronic versions so that we can get as much public participation as we can and the second part of that is going to be setting up like Mr. Chambers said setting up committees so that we can determine what the people of Tombstone and the surrounding community feels are the needs for the community itself. We want the County to be involved but we don’t want the County to set the agenda to set the plan. We want the people of Tombstone to set that plan and to tell us what they need and what they feel is the most important things that need to happen. At that point we would do what’s called a health improvement plan and we would work with that committee to determine what those needs are and how we can address those things. So we would simply ask everyone here and the Council to assist us by taking that survey and sharing that survey widely and then working with that committee and sharing that meeting times and anything surrounding that committee and getting people in the room so we can say okay you’re an expert on this lets figure out how we can address those needs. Whether its transportation issues, getting people to the doctor, ambulance whatever the needs of Tombstone might be. We want to help address those and we are working on building a partnership so that we can get everybody in the same room together and say here’s how we can solve those problems.

Mayor Escapule; “I would recommend that you get with Samantha all your contact information and she can assist you in getting this out in the newspaper and we will help you however we can.”

Jake Martinez - “Thank you sir!”

VI. NEW BUSINESS

- A. DISCUSSION AND/OR ACTION:** Approval of Accounts Payable in the amount of \$150,897.46 (September 1, 2016 through September 30, 2016).

MOTION by Councilmember Bachman, **SECOND** by Councilmember Mora to approve Accounts Payable in the amount of \$150,897.46 (September 1, 2016 through September 30, 2016).

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- B. DISCUSSION AND/OR ACTION:** Approval of Ordinance No. 2016-04: An ordinance of the Mayor and Common Council of the City of Tombstone, Cochise County, Arizona to amend Title 12, Chapter 1, Section 4 of the City Code.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Bachman to approve of Ordinance No. 2016-04: An ordinance of the Mayor and Common Council of the City of Tombstone, Cochise County, Arizona to amend Title 12, Chapter 1, Section 4 of the City Code.

DISCUSSION: Councilmember Bachman; “Yes I would like to add in item a; it would be the third from last sentence or second from last sentence where it says bands, disk jockey, Karaoke Jockey and any entertainer that requires unloading etc. I would like to incorporate into that Karaoke Jockey, any entertainer and merchants that require loading and unloading heavy equipment.

MOTION by Councilmember Bachman, **SECOND** by Councilmember Barlow to amend Ordinance No. 2016-04 second from last sentence to incorporate Karaoke Jockey, any entertainer and merchants that require loading and unloading heavy equipment.

Roll Call Vote on Amendment:

Councilmember Villa	Absent
Councilmember Barlow	Yes
Councilmember Mora	Yes
Councilmember Bachman	Yes
Mayor Escapule	Yes

4 Yes Votes, 1 Absent, 0 No Votes

VOTE: 4/1/0

MOTION ON AMENDMENT: Carried

DISCUSSION ON AMENDMENT: None

Roll Call Vote on Ordinance as Amended

Councilmember Villa	Absent
Councilmember Barlow	Yes
Councilmember Mora	Yes
Councilmember Bachman	Yes
Mayor Escapule	Yes

4 Yes Votes, 1 Absent, 1 No Votes

VOTE: 4/1/0

MOTION: Carried

- C. DISCUSSION AND/OR ACTION:** Approval of Ordinance No. 2016-05; an ordinance to rescind Ordinance No.2009-1 providing for the closing of portions of Fourth and Fifth Streets to motorized vehicular traffic and providing exceptions and penalties for violations thereof.

MOTION by Councilmember Bachman, **SECOND** by Councilmember Mora to approve Ordinance No. 2016-05; an ordinance to rescind Ordinance No.2009-1 providing for the closing of portions of Fourth and Fifth Streets to motorized vehicular traffic and providing exceptions and penalties for violations thereof.

DISCUSSION: None

Roll Call Vote:

Councilmember Villa	Absent
Councilmember Barlow	Yes
Councilmember Mora	Yes
Councilmember Bachman	Yes
Mayor Escapule	Yes

4 Yes Votes, 1 Absent, 0 No Votes

VOTE: 4/1/0

MOTION: Carried

- D. DISCUSSION AND/OR ACTION:** Approval of request from the City Clerk to write off uncollectable debt, obligations or claims as outlined by the administrative policy number 2016.1.

MOTION by Councilmember Bachman, **SECOND** by Councilmember Barlow to approve request from the City Clerk to write off uncollectable debt, obligations or claims as outlined by the administrative policy number 2016.1.

DISCUSSION: Councilmember Mora; “Brenda, We did this last year correct?”

Interim City Clerk Ikirt; “Yes, we have to do it every year from now on for the auditors. They will be here in January.”

Councilmember Mora; “Okay so all of this dating back to two thousand nine and earlier ...”

Interim City Clerk Ikirt; “According to Ruben what we are probably going to have to do is either check with Motor Vehicle because the judge we can’t take it to the judge so he can do something about these collectables. They even have to hire somebody to collect so it is either the option of doing an ordinance for example if there’s people that still owe and they have a business license with us it can be revoked. Going to Motor Vehicle; putting it towards Motor Vehicle these uncollectables or to Bisbee to the tax to put a lien. So that’s what we’re going to

end up having to do. So last year when it got approved; because we have to do it from now on every year according to the auditors, we still have them in the books they are written off but if they come into town and they want water service we tell them no you still owe us. Right now in order to get it collected were going to have to do something on that because the judge he is not going to be able to do it.

Councilmember Mora; "Okay, I just wanted to clear that up. Thank You."

VOTE: 4/0

MOTION: Carried

E. DISCUSSION AND/OR ACTION: Approval of a purchase of a 2014 Ditch Witch FX30 Vacuum System at a cost of \$46,244.10.

MOTION by Councilmember Bachman, **SECOND** by Councilmember Barlow to approve a purchase of a 2014 Ditch Witch FX30 Vacuum System at a cost of \$46,244.10.

DISCUSSION: Councilmember Mora; "Where is this coming out of?"

Mayor Escapule; "This is from the seven hundred thousand dollars; money that was borrowed for the purpose of this. Just to let everybody know what this is; this is a machine that we use in opening up lines. As you all can imagine some of our lines in Tombstone are a hundred years plus old and when you start digging with the backhoe close to them you may have a little leak over here and by the time you got through with the backhoe you created multiple leaks and we have shut off peoples water all over different blocks so with this unit you can actually expose the water lines without any kind of equipment other than a vacuum and a high pressure water. It is what is used in most all major constructions today as far as plumbing is concern."

Councilmember Bachman; "Dusty is there any special requirements for operating this equipment?"

Mayor Escapule; "No they have all been trained by Ditch Witch and have already been using them. Actually we made a deal with Ditch Witch so we could use it for about thirty days as a trial. We've been using it and it has already paid for itself."

Roll Call Vote:

Councilmember Villa	Absent
Councilmember Barlow	Yes
Councilmember Mora	Yes
Councilmember Bachman	Yes
Mayor Escapule	Yes

4 Yes Votes, 1 Absent, 0 No Votes

VOTE: 4/1/0

MOTION: Carried

- F. DISCUSSION AND/OR ACTION:** Approval of request from the Huachuca City School, Cowboy Poetry Club, for a special use permit to set up a table on the board walk for a fundraiser on October 22, 2016, between the hours of 9:00 a.m. to 1:00 p.m. between Sisters Paranormal and Doc Holiday's Saloon.

MOTION by Councilmember Mora, **SECOND** by Councilmember Bachman to approve request from the Huachuca City School, Cowboy Poetry Club, for a special use permit to set up a table on the board walk for a fundraiser on October 22, 2016, between the hours of 9:00 a.m. to 1:00 p.m. between Sisters Paranormal and Doc Holiday's Saloon.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- G. DISCUSSION AND/OR ACTION:** Approval of request from the Tombstone High School Softball Club for special use permit for the use of Medigovich Field for the 2016 Softball Tournament to be held on Friday, October 21, Saturday, October 22, and Sunday, October 23, 2016.

MOTION by Councilmember Bachman, **SECOND** by Councilmember Barlow to approve request from the Tombstone High School Softball Club for special use permit for the use of Medigovich Field for the 2016 Softball Tournament to be held on Friday, October 21, Saturday, October 22, and Sunday, October 23, 2016.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- H. DISCUSSION AND/OR ACTION:** Approval of request from the Tombstone Courthouse for a special use permit for the use of 3rd Street to State Property Boundary Toughnut Street West of 3rd Street to Property Boundary for the Power of the Past Event to take place on Friday, October 21, Saturday, October 22, and Sunday, October 23, 2016.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Mora to approve request from the Tombstone Courthouse for a special use permit for the use of 3rd Street to State Property Boundary Toughnut Street West of 3rd Street to Property Boundary for the Power of the Past Event to take place on Friday, October 21, Saturday, October 22, and Sunday, October 23, 2016.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

VII. MOTION TO ADJOURN

Mayor Escapule entertains a motion for adjournment

MOTION by Councilmember Bachman, **SECOND** by Councilmember Barlow to approve adjournment of the meeting

VOTE: 4/0

MOTION: Carried

The Regular Council Meeting for Tuesday, October 11, 2016 thereby adjourned at 7:15 p.m.

Dustin Escapule, Mayor

Brenda Ikirt, Interim City Clerk