

CDBG HEARING
6:45 p.m.
REGULAR COUNCIL MEETING
7:00 P.M.
TUESDAY, APRIL 11, 2017
SCHIEFFELIN HALL
(CORNER OF FREMONT AND FOURTH STREET)

Community Development Block Grant Hearing
(CDBG)

Mayor Escapule; “The City of Tombstone is expected to receive approximately \$215,000.00 in FY17 CDBG funds from the Arizona Department of Housing Regional Account (RA). The City of Tombstone also intends to apply for \$300,000 in FY16 CDBG funds from the State special project (SSP) account. CDBG funds must be used to benefit low-income persons and areas, alleviate slum and blight or address urgent need. Based on citizen input as well as local and state planning objectives, several potential projects have been selected to be forward to the State of Arizona with a request for funding. It is expected that the City Council will select the final project at this hearing and adopt applicable resolutions. The potential CDBG projects are as follows:

Project #1: Submit an SSP Application to remodel the first floor and basement interior of the Old City Hall on Fremont Street to house the Marshal’s Office and related rooms;

Project #2 Submit an RA application to remodel the second floor of the Old City Hall on Fremont Street to house the Marshal’s Offices and related rooms.

Mayor Escapule; “So having said that; at this time I will open the floor to comments, questions or any input that anyone would have. This is our second and final hearing for these two projects. We will be voting on them once we convene into the Regular Council Meeting.

Mayor Escapule; “Councilmember Barlow do you have anything to say?”

Councilmember Barlow; “No Sir!”

Councilmember Davis; “Does that include the equipment?”

Mayor Escapule; “No just the facility. Just the structure.”

Councilmember Newbauer; “No Sir!”

Mayor Escapule; “Marshal do you have anything to put in?”

Marshal Randall; “No Sir!”

Mayor Escapule; “Bruce?” (member of the audience)

Mr. Nielsen shakes his head in a “No” manner.

Mayor Escapule asked if anyone else would like to comment. He gets no response.

Having no more input Mayor Escapule closes the Community Development Block Hearing and moves forward on the agenda.

REGULAR COUNCIL MEETING

- I. CALL TO ORDER** Mayor Dustin Escapule called the Regular Council Meeting to order on Tuesday, April 11, 2017.
- 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 Anna Salcido | Absent |
| Councilmember Bill Barlow | Present |
| Councilmember Brian Davis | Present |
| Councilmember James Newbauer | Present |
| Mayor Dustin Escapule | Present |
- P. Randall Bays – City Attorney Absent
- IV. CALL TO PUBLIC**
- Mayor Escapule calls for any public comment. No one steps forward. Mayor Escapule closes Call to the Public and moves forward on the agenda.
- V. APPROVAL OF MINUTES**
- DISCUSSION AND/OR ACTION:** Approval of minutes for the Regular Council Meeting that was held on Tuesday, March 14, 2017.
- MOTION** by Councilmember Davis, **SECOND** by Councilmember Newbauer to approve the minutes for the Regular Council Meeting that was held on Tuesday, March 14, 2017.
- DISCUSSION:** None
- VOTE:** 4/0
- MOTION:** Carried
- VI. NEW BUSINESS**
- A. DISCUSSION AND/OR ACTION:** Approval of Accounts Payable in the amount of \$ 138,713.05 (March 1, 2017 through March 31, 2017).

MOTION by Councilmember Davis, **SECOND** by Councilmember Newbauer to approve Accounts Payable in the amount of \$ 138,713.05 (March 1, 2017 through March 31, 2017).

DISCUSSION: None

VOTE: None

MOTION: Carried

- B. DISCUSSION AND/OR ACTION:** Approval of Ordinance No. 2017-02; Second Reading; An Ordinance of the Mayor and Common Council of the City of Tombstone, Cochise County, Arizona amending Title 1 of the City Code, Chapter 3 Sections 12 and 13 which sets forth fees to be charged by the Magistrates Court.

MOTION by Councilmember Newbauer, **SECOND** by Councilmember Davis to approve Ordinance No. 2017-02; Second Reading; An Ordinance of the Mayor and Common Council of the City of Tombstone, Cochise County, Arizona amending Title 1 of the City Code, Chapter 3 Sections 12 and 13 which sets forth fees to be charged by the Magistrates Court.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- C. DISCUSSION AND/OR ACTION:** Approval of Resolution No. 05-2017; a Resolution by the Mayor and Common Council of the City of Tombstone, adopting a Fair Housing Policy, making known its commitment to the principle of Fair Housing, and describing actions it shall undertake to affirmatively further Fair Housing.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Davis to approve Resolution No. 05-2017; a Resolution by the Mayor and Common Council of the City of Tombstone, adopting a Fair Housing Policy, making known its commitment to the principle of Fair Housing, and describing actions it shall undertake to affirmatively further Fair Housing.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- D. DISCUSSION AND/OR ACTION:** Approval of Resolution No. 06-2017; a Resolution of the Mayor and City Council of the City of Tombstone authorizing the submission of an application for FY 2016 State Special Projects (SSP)

Community Development Block Grant Funds, certifying that said application meets the community's previously identified housing and community development needs and the requirements of the State CDBG Program and authorizing all actions necessary to implement and complete the activities outlined in said application.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Newbauer to approve Resolution No. 06-2017; a Resolution of the Mayor and City Council of the City of Tombstone authorizing the submission of an application for FY 2016 State Special Projects (SSP) Community Development Block Grant Funds, certifying that said application meets the community's previously identified housing and community development needs and the requirements of the State CDBG Program and authorizing all actions necessary to implement and complete the activities outlined in said application.

DISCUSSION: None

ROLL CALL:

Councilmember Salcido	Absent
Councilmember Barlow	Yes
Councilmember Davis	Yes
Councilmember Newbauer	Yes
Mayor Escapule	Yes

1 Absent, 4 Yes Votes, 0 No Votes

VOTE: 1/4/0

MOTION: Carried

- E. DISCUSSION AND/OR ACTION:** Approval of Resolution No. 07-2017; a resolution of the Mayor and City Council of the City of Tombstone committing local funds as leverage for an FY16 Community Development Block Grant State Special Project (SSP) Application.

MOTION by Councilmember Newbauer, **SECOND** by Councilmember Davis to approve Resolution No. 07-2017; a resolution of the Mayor and City Council of the City of Tombstone committing local funds as leverage for an FY16 Community Development Block Grant State Special Project (SSP) Application.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- F. DISCUSSION AND/OR ACTION:** Approval of Resolution No. 08-2017; a Resolution of the Mayor and City Council of the City of Tombstone authorizing

the submission of an application for FY 2017 Regional Account Community Development Block Grant Funds, certifying that said application meets the community's previously identified housing and community development needs and the requirements of the State CDBG Program and authorizing all actions necessary to implement and complete the activities outlined in said applications.

MOTION by Councilmember Davis, **SECOND** by Councilmember Barlow to approve Resolution No. 08-2017; a Resolution of the Mayor and City Council of the City of Tombstone authorizing the submission of an application for FY 2017 Regional Account Community Development Block Grant Funds, certifying that said application meets the community's previously identified housing and community development needs and the requirements of the State CDBG Program and authorizing all actions necessary to implement and complete the activities outlined in said applications

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- G. DISCUSSION AND/OR ACTION:** Approval of Resolution No. 09-2017; a resolution of the Mayor and Council of the City of Tombstone adopting a residential antidisplacement and relocation assistance plan for FY17, as required under section 104(d) of the Housing and Community Development Act of 1974 as amended.

MOTION by Councilmember Davis, **SECOND** Councilmember Newbauer to approve Resolution No. 09-2017; a resolution of the Mayor and Council of the City of Tombstone adopting a residential antidisplacement and relocation assistance plan for FY17, as required under section 104(d) of the Housing and Community Development Act of 1974 as amended.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- H. DISCUSSION AND/OR ACTION:** Approval of Resolution No. 10-2017; a resolution of the Mayor and City Council of the City of Tombstone authorizing the renewal of the City of Tombstone's membership in the Rural Arizona Group Health Trust.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Davis to approve Resolution No. 10-2017; a resolution of the Mayor and City Council of the City of Tombstone authorizing the renewal of the City of Tombstone's membership in the Rural Arizona Group Health Trust.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- I. **DISCUSSION AND/OR ACTION:** Approval of recommendation from Westland Resources to reject all bids due to bids being well over budget and in excess of the available funds from the City and the North American Development Bank.

MOTION by Councilmember Newbauer, **SECOND** by Councilmember Barlow to approve recommendation from Westland Resources to reject all bids due to bids being well over budget and in excess of the available funds from the City and the North American Development Bank.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- J. **DISCUSSION AND/OR ACTION:** Approval of recommendation from Westland Resources to phase the projects for the water infrastructure improvements projects. Phase to begin with advertisement and bid of the SCADA System and any other portions of the project that are pertinent to the completion and operation of the SCADA System with subsequent portions of the project to be advertised to bid at the appropriate time for the completion of the infrastructure Improvement Project.

MOTON by Councilmember Davis, **SECOND** by Councilmember Barlow to approve recommendation from Westland Resources to phase the projects for the water infrastructure improvements projects. Phase to begin with advertisement and bid of the SCADA System and any other portions of the project that are pertinent to the completion and operation of the SCADA System with subsequent portions of the project to be advertised to bid at the appropriate time for the completion of the infrastructure Improvement Project.

DISCUSSON: Councilmember Barlow; “Mayor I have a question. Do you have a tentative date on that advertisement and bidding?”

Mayor Escapule; “I think we are talking about...if I remember right....Regina they want to advertise like in two weeks?”

City Secretary Duran; “I believe so.”

Mayor Escapule; “We cannot sit on it very long for two reasons. One we have to move forward with the bond money and three we need to make sure that we don't lose the revenues that are available to us through the North American Bank. So we have to keep the project active. So we will probably go out to bid next; they needed this before they could do it.”

Mayor Escapule closes discussion.

VOTE: 4/0

MOTION: Carried

- K. DISCUSSION AND/OR ACTION:** Approval of construction of public bathrooms at the Boothill Booth at a cost of \$10,000.00. Construction to be done by Public Works Department.

MOTION by Councilmember Davis, **SECOND** by Councilmember Newbauer to approve construction of public bathrooms at the Boothill Booth at a cost of \$10,000.00. Construction to be done by Public Works Department.

DISCUSSION: Councilmember Barlow; "I have a question. I believe Mayor from when we discussed this it's to be a handicapped bathroom."

Mayor Escapule; "It is; yes. I will be a handicapped bathroom it will also have a changing station for babies."

Councilmember Newbauer; "I was going to asked about that. The changing table?"

Mayor Escapule; "Yes it will have a changing table and there will be water fountains right outside and some soda machines and so forth."

Mayor Escapule closes discussion.

VOTE: 4/0

MOTION: Carried

- L. DISCUSSION AND/OR ACTION:** Approval of an Intergovernmental Agreement between Cochise County and the City of Tombstone to renew and supersede the agreement reached on May 4, 1992 regarding a regional municipal solid waste disposal system for the use and benefit of the citizens in accordance with state and federal laws.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Newbauer to approve an Intergovernmental Agreement between Cochise County and the City of Tombstone to renew and supersede the agreement reached on May 4, 1992 regarding a regional municipal solid waste disposal system for the use and benefit of the citizens in accordance with state and federal laws.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- M. DISCUSSION AND/OR ACTION:** Approval of liquor license #14020014 application from the Tombstone American Legion Post #24 for an temporary extension of premises/patio permit for the dates of April 1st, through July 3rd, 2017 to be used for special fund raising events.

MOTION by Councilmember Davis, **SECOND** by Councilmember Newbauer to approve liquor license #14020014 application from the Tombstone American Legion Post #24 for an temporary extension of premises/patio permit for the dates of April 1st, through July 3rd, 2017 to be used for special fund raising events.

DISCUSSION: Councilmember Barlow; “Mayor I would like to make one comment. That on Item M and Item N this pertains to that extension that backs up to my back yard and I think that all the permits have the patio that the liquor sales stop at nine o’clock and the music stops at nine o’clock as well. As long as they adhere to that I don’t see any problem.”

Mayor Escapule; “I know most of the patrons there by nine o’clock most of them are probably....”

Councilmember Barlow; “When Don Aiton was alive Don would call me and we never had any problems.”

Councilmember Davis; “We older people we go to bed early.”

VOTE: 4/0

MOTION: Carried

- N. DISCUSSION AND/OR ACTION:** Approval of liquor license #14020014 application from the Tombstone American Legion Post #24 for a permanent extension of premises/patio permit to be used for special fund raising events.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Davis to approve liquor license #14020014 application from the Tombstone American Legion Post #24 for a permanent extension of premises/patio permit to be used for special fund raising events.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- O. DISCUSSION AND/OR ACTION:** Approval of a request from Helldorado, Inc. for a special use permit for the use of Allen Street, City Park and Gazebo for its 88th Annual Helldorado Days Celebration. Events to include but not limited to: re-enactments, street dance, musical entertainment, skits and Parade.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Newbauer to approve a request from Helldorado, Inc. for a special use permit for the use of Allen Street, City Park and Gazebo for its 88th Annual Helldorado Days Celebration. Events to include but not limited to: re-enactments, street dance, musical entertainment, skits and Parade.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

- P. DISCUSSION AND/OR ACTION:** Approval of a request from the American Legion Auxiliary, Unit 24 for a special use permit to set up a donation table in front of Big Nose Kate's Saloon to distribute Poppies on Saturday, May 27, Sunday, May 28, and Monday, May 29, 2017 between the hours of 10:00 a.m. to 2:00 p.m.

MOTION by Councilmember Davis, **SECOND** by Councilmember Newbauer to approve a request from the American Legion Auxiliary, Unit 24 for a special use permit to set up a donation table in front of Big Nose Kate's Saloon to distribute Poppies on Saturday, May 27, Sunday, May 28, and Monday, May 29, 2017 between the hours of 10:00 a.m. to 2:00 p.m.

DISCUSSION: None

VOTE: 4/0

MOTION: Carried

VII. ADJOURNMENT

Mayor Escapule entertains a motion for adjournment.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Newbauer to Approve the motion to adjourn the meeting for Tuesday, April 11, 2017.

The Regular Council Meeting for Tuesday, April 11, 2017 thereby adjourned at 7:04 p.m.

Dustin Escapule, Mayor

Brenda A. Ikirt, Interim City Clerk