

**REGULAR COUNCIL MEETING
PUBLIC HEARING
TUESDAY, JUNE 14, 2016
7:00 P.M.
SCHIEFFELN HALL**

II. CALL TO ORDER Mayor Dustin Escapule called the Regular Council meeting/Public Hearing to order on Tuesday, June 14, 2016

III. PLEDGE OF ALLEGIANCE Mayor Dustin Escapule led the Common Council and the general public in a Recitation of the Pledge of Allegiance.

***Members of the Common Council and general public observe a moment of silence for those who lost their lives in Orlando, Florida.**

IV. ROLL CALL	Commissioner Armando Villa	Present
	Commissioner Bill Barlow	Present
	Commissioner Patricia Moreno	Present
	Commissioner Deborah Bachman	Present
	Mayor Escapule	Present

Also in attendance: Ruben Villa, Finance Director
Randy Bays - Absent

A QUORUM WAS DECLARED

V. APPROVAL OF MINUTES

MOTION by Councilmember Bachman, **SECOND** by Councilmember Moreno to approve the minutes for the Special Council Meeting – Wednesday, April 27, 2016, Regular Council Meeting/Budget Work Session – Tuesday, May 10, 2016 and the Special Council Meeting/Budget Workshop – Thursday, May 26, 2016

DISCUSSION: None

VOTE: 5/0

Mayor Escapule move back on the agenda for the Public Hearing.

I. PUBLIC HEARING - regarding the proposed adoption of an alternative Expenditure Limitation – home rule option.

Finance Director Ruben Villa; “Good evening Mayor, Council and members of the public. This is the first of two public hearings related to the home rule option. The home rule option has been in place for many; many years. At the very least since May, 2003 when

question was posed to the voters and affirmatively voters has approved this measure every four years since. The majority of the cities if not all of the cities in Arizona have an alternative way of presenting their budgets and if not all most of them have home rule as the alternative expenditure limit. What this really means; it's not a blank check for the City to spend beyond a certain limit. It is mainly a formula by which the State dictates the amount for the total expenditure for a city budget should be and it's be based on the total expenditures for fiscal year 79 -1980, plus inflation, plus a population factor. The issue with Tombstone as it is with other cities is that population has actually declined since the eighties. So there is a negative factor for population. With exclusion that are allowed through the constitution the City for example would be allowed to spend no more than one million nine hundred and thirty three thousand dollars in fiscal year seventeen, eighteen. Whereas, this fiscal year we are bring to you a budget that has six million, a hundred thousand dollars. It is an important question to ask the voters but again by no means that the City is allowed to spend beyond its sources. Our budgets are put together in a way that maximized the opportunities that are available to the City and no more than that. There isn't a mechanism by the way that the City is allowed to over spend if the resources are not there. This is the first of the two as I mentioned, the next meeting which I think is in two weeks the Council will be asked to approve going forward with this measure. We then submit to the State the schedules that I have provided to you all tonight. The Attorney General's office will review this and the Auditor General will review our numbers and then they will approve; more than likely they will make some changes they always do once that has been done then we will prepare a publicity pamphlet and this question will be proposed to voters in November. This is all I have.

Councilmember Barlow; "I think that as we address this both times that we have to make it clear that it has nothing to do that we are trying to raise taxes or cut taxes or nothing like that. It just allows us to have our own budget rather than the State setting guidelines that we have to abide by. Which is about half of the the limit."

Finance Director Villa; "Yes Sir, the State Constitution allows for cities, with voter approval to exceed a limit that was established by a formula that is antiquated, really. There are other options that the City could pursue like a permanent adjustment, like most school districts but most of the city's our size pursue the four year option because it give us flexibility and allows us to look at four years at a time and we can make changes based on that. It does not mean that the city is asking the voters to approve additional expenditures and additional taxes or user fees beyond the limits that we already know. In fact tonight's budget and we will talk about it in a minute; is balanced without increasing taxes or user fees.

Mayor Escapule; "I will say that I think a couple of times the City failed to do this; either failed to do the proper paperwork and didn't get it on a referendum and ultimately the City of Tombstone was fined thousands and thousands of dollars. The first time Mayor Harper went up and was excused; I think it was forty thousand dollars. The last time I believe it was Mr. Villa and Mr. Bays and I went up and we were able to negotiate but we didn't get excused and they basically said don't come back again. It's real important that we do this otherwise we could be in trouble. Without it we won't be able to do what we need to do for the City."

Finance Director Villa; "and also Mr. Mayor I would like to underline that if the public has questions really what this means there is plenty of information on the Leagues website explains exactly what this means and what it means to the residents. I think it is the

responsible thing to do that the right answer is given to the public because this could easily go the wrong way and what it would then mean is you're limited in what you can do in terms of services. The better answer is located in the website that is designed to answer questions to the public. If the residents of the City of Tombstone need me to come back or if someone wants to email me I can certainly answer to the best of my ability.

Mayor Escapule asked if anyone had any questions. There being no further questions Mayor Escapule closes the Public Hearing and moves forward on the agenda.

VI. PUBLIC COMMENTS

A.R.S. 38-431.01 authorizes (but does not mandate) the City Council to make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, and to allow individuals to address the public body on any issue within the jurisdiction of the public body. The time will be limited to three (3) minutes per speaker. Those wishing to address the public body shall limit his or her remarks to issues within the jurisdiction of the public body. However, this forum shall not be used for making personal attacks or discussing personal issues directed to any individual member of the City Council or any other City employee.

Susan Wallace, President, Tombstone Chamber of Commerce; “I have two things here. First of all on the front page I have a screen shot of the Chamber website which outlines the donations for the old City Hall. Donations as of this morning. Most of our larger donations have come by check. Our check donations total to twenty nine thousand fifty dollars and our go fund me donations five thousand seven hundred and seventy five dollars which brings us to a total of thirty four thousand eight hundred and twenty five. I have had people ask me some questions about how this money is going to be distributed or used. The Tombstone Chamber or nor any individual person will benefit from any of these donations. Except for a minimal administrative cost which would be if somebody donates a certain amount then they get a t-shirt, if someone donates a certain amount they get a brick which is outlined on the Go Fund Me website along with a small fee which is over a little of two percent from Go Fund Me which after extensive research was the least amount of fee that that type of entity would charge us and that is why we chose to go with Go Fund Me. All that is explained on the sheets that you have. It does have the link to the website for the preserve Tombstone account. It does go into a little bit of detail there as well as on the Go Fund Me site. The reason that we are doing this is because it is a gorgeous old building one of the few that we have left here in Tombstone that really needs to be rehabilitation and renovated and that is why we are doing this. Not because we benefit from it. The second thing that you have in your packet is what I do every year right before we do the budget is a summary of how we did last year. I am proud to say that the money we have which is one hundred and thirty seven thousand six hundred dollars we have hit at least ten million people with our advertising which is a little over fourteen cents a person. In here I tried to bold it to make it easier on the eyes with all these numbers and words. Our biggest advertisers that we invest in is Weir Magazine which reaches six thousand and thirty readers; KVOA Channel 4 Tucson which we both have social media and television coverage with them. As well as Cox Cable, Clear Channel Billboards we have anywhere from three to five of them going at any one time. We actually did change the bill boards last year to talk

about shopping and reenactments and different things. We do have the Courthouse and Boothill on their specifically. The Chamber website you can look at that. We've gone up from a hundred and fifty thousand to a hundred and seventy six thousand. Which means that twenty six thousand more people have come to our website. I've broken it down by age groups, men, women, youth, US visitors so you can get a little bit better idea. You can see most of our visitors are older than fifty four years old. Which means we really need to start focusing and we really have tried to focus on a little bit younger age groups even though we know that right people are multigenerational travelers. I think we have done a pretty good job with that. If you look at our social media reach on page four which would be on face book and the like we have gone up from a hundred and eighty three thousand and some to two hundred and fourteen thousand which is quite a few a few people. We have printed and distributed over two hundred and sixty four thousand rack cards along with the other printed information which would be tourist guides, and the AOT State Visitors Guide. We participated in that. We do email blast not only to our Chamber members but to surrounding bed and breakfasts, hotels, etc to try to get them to let their guest know what is going on in Tombstone. We do several hundred calls a month from people who call and want to know what is going on. Now that we have our pamphlets and everything on line to try to save some postage we try to get them to download it; of course not everybody is online so we do sent quite a few mailers out. If you look at these numbers it is about nine million four hundred ninety nine thousand nine hundred and ninety people that we do hit at a cost of a little over fourteen cents a person. I hope you find that we have used our money wisely. We all so provide advertising to the events that go on in town along with meetings and collaborations that we've attended. Everything from festivals to meetings, to committees. Along with the City of Tombstone we have worked hard to distribute thousands of maps and where to eat and drink brochures, things to do, events. We also work with State Parks, Triple AAA, Arizona Highways. We do free advertising as well. Which this number of the nine million does not include the free advertising because we did not get numbers from them we only got numbers from people that we actually pay. So on top of what we pay for we also list our events on the website. Sometimes they take us just because we list them other times they pick and choose. So we always hope that they pick and choose our events. We have a couple of new advertising things that we have worked into. Like the app that we have had a pretty good response on. We participated lividly in the Super bowl. We are hoping with the budget next year that we can participate in the Olympics. The Olympics is coming up and with our good partnership with Channel 4 will be able to do some things which we did four years ago which we had a lot of viewership on that. We hope that you know that Tombstone is a strong brand but the West is a little bit declining in people minds so we have to keep on reminding people that we are here and that we are interesting to come to and that there is a lot of different things going no matter what time of year that you come and visit us and going forward if you have any questions, comments or concerns we are always willing to look at something to see if it would work into what we are trying to do. We are trying to spread as much as we can between the avenues where we can get the best bang for our buck! Thank you very much!

Moe Sinsley – 18 Allen Street; Mr. Sinsley comments on the road work being done on Charleston Road. Mr. Sinsley also comments on monies that was given to maintain the Boothill Graveyard. Asked that new signs be put in to help with donations.

VII. NEW BUSINESS

- A. DISCUSSION AND/OR ACTION:** Approval of Accounts Payable in the amount of \$315,447.22 (May 1, 2016 through May 31, 2016).

MOTION by Councilmember Bachman, **SECOND** by Councilmember Moreno to approve accounts payable in the amount of \$315,447.22.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

- B. DISCUSSION AND/OR ACTION:** Approval of Resolution No. 05-2016; a resolution of the Mayor and Common Council of the City of Tombstone, Cochise County, Arizona for the adoption of the Tentative Budget of the City of Tombstone for the 2016-2017 Fiscal Year, adopting the estimated amounts required to meet the public expenses for the fiscal year 2016-2017, authorizing and directing publication of statements and schedules of the Tentative Budget.

MOTION by Councilmember Bachman, **SECOND** by Councilmember Barlow to approve of Resolution No. 05-2016; a resolution of the Mayor and Common Council of the City of Tombstone, Cochise County, Arizona for the adoption of the Tentative Budget of the City of Tombstone for the 2016-2017 Fiscal Year, adopting the estimated amounts required to meet the public expenses for the fiscal year 2016-2017, authorizing and directing publication of statements and schedules of the Tentative Budget.

DISCUSSION: Ruben Villa, Finance Director; "Mr. Mayor, members of the Council, members of the public; this is the third and final opportunity for the Council to discuss the numbers before the budget is approved in its tentative form. The budget is balanced at six million one hundred forty two thousand three hundred thirty three dollars and the budget maybe changed from here to the final but it cannot exceed this number. The balanced budget as directed by the Mayor two and a half months ago when we began the process of putting the budget together is again balanced without any increases in taxes, new taxes, or new user fees or increases to user fees. In with that we were still were able to accomplish a few things. One the budget and again directed by the Mayor includes a change in the way employees have been compensated for years. It fixes an antiquated system that for long has been causing issues in the way our employees are paid. It also funds the debt service without increasing any of the; or decreasing the opportunities to repair roads, sewer, water or any other sort of infrastructure. New equipment paid through debt service that will no longer require appropriation from maintenance or costing the city large amounts of money just to maintain old equipment. The capital projects continue. Within the next few days we hope to hear back from BECC the additional grant funding to continue the water project, streets and sidewalks as I mentioned will continue. The budget is in its tentative form but it is good policy to have a tentative budget approved prior to a fiscal year. The fiscal year begins July 1st. We anticipate that we will be able to bring back to you all the final numbers either in late July or early August. Where then you will consider approving tax levies which again will not be increasing.

If there are any increases to the resident it will be a result of the valuation not as a result of taxation. We will discuss that further in detail when we get back here in July.”

Councilmember Barlow; “In reviewing the proposed budget I made notations and had some questions and I was able to meet with Ruben a few minutes before the meeting and he clarified the situation and I understand.”

Councilmember Barlow and Mayor Escapule thank Finance Director Villa for all his hard work over the years and his service to Tombstone.

Roll Call Vote:

Councilmember Villa	Yes
Councilmember Barlow	Yes
Councilmember Moreno	Yes
Councilmember Bachman	Yes
Mayor Escapule	Yes

5 Yes Votes, 0 No Votes

VOTE: 5/0

MOTION: Carried

- C. DISCUSSION AND/OR ACTION:** Approval to enter into an Intergovernmental Agreement between Tombstone Unified School District #1 and the City of Tombstone for the use of property located at Parcel No. 109-13-046: 26 feet of the South portion of Lots 19,20,21,22 and all of Lot 18 for the purpose of public parking.

MOTION by Councilmember Bachman, **SECOND** by Councilmember Villa to approve entering into an Intergovernmental Agreement between Tombstone Unified School District #1 and the City of Tombstone for the use of property located at Parcel No. 109-13-046: 26 feet of the South portion of Lots 19,20,21,22 and all of Lot 18 for the purpose of public parking.

DISCUSSION: Councilmember Barlow; Do you have any idea of how many parking spaces that will give us?”

Mayor Escapule; “We are going to put a little bit of organization to it. Just for the sake of the folks here we are talking about the parking area next to the tennis court. I don’t know if you folks have been uptown on a busy weekend you get in there and park and your just going to run over here and do this or that and you come back and there is three cars in front of you and three cars in back of you and the Marshal is getting called and they are trying to figure out how to get your car out of there. Our plan is to make one way traffic, in other words you come in off of Sixth Street and it will be angled parking into the tennis court and no parking up against the curbs and exit out on to Allen Street. It will be organized parking. We have the ability to pave the parking lot and stripe it. It will be a paved parking lot with stripes, angled parking, one way. Maybe we can save the Marshal and his deputies some headaches because it seems like pretty often they are getting called for that. On top of that the schools were getting a lot of calls and Mr. Devere and his maintenance people were up there with their posts and getting ready to fence it off. I said whoa; we can come to an agreement here. Let’s

work this out. That is why we are here with this and Mr. Devere and the school board was more than willing to work with us on it.”

VOTE: 5/0

MOTION: Carried

D. DISCUSSION AND/OR ACTION: Approval to enter into an Intergovernmental Agreement between Tombstone Unified School District #1 and the City of Tombstone for the use of the Water J. Meyer School Gymnasium for the purpose of a summer youth program.

MOTION by Councilmember Moreno, **SECOND** by Councilmember Villa to approve entering Into an Intergovernmental Agreement between Tombstone Unified School District #1 and the City of Tombstone for the use of the Water J. Meyer School Gymnasium for the purpose of a summer youth program.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

E. DISCUSSION AND/OR ACTION: Approval of a request from the Tombstone Volunteer Fire Department for the purchase of a 2004 E-One Fire Truck from Gila River Fire District and associated equipment at a total cost of \$42,005.97 dollars.

MOTION by Councilmember Villa, **SECOND** by Councilmember Bachman to approve the Tombstone Volunteer Fire Department for the purchase of a 2004 E-One Fire Truck from Gila River Fire District and associated equipment at a total cost of \$42,005.97 dollars.

DISCUSSION: None

Roll Call Vote:

Councilmember Villa	Yes
Councilmember Barlow	Yes
Councilmember Moreno	Yes
Councilmember Bachman	Yes
Mayor Escapule	Yes

VOTE: 5/0

MOTION: Carried

F. DISCUSSION AND/OR ACTION: Approval of a request from the Tombstone Chamber of Commerce for four advertising contracts.

MOTION by Councilmember Bachman, **SECOND** by Councilmember Villa to approve the Tombstone Chamber of Commerce four advertising contracts.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

- G. DISCUSSION AND/OR ACTION:** Approval of a request from the Wild West Detachment Marine Corps League for a Special Use Permit for the 8th Annual Tombstone Salute to the Buffalo Soldiers event to be held on Saturday, June 25, 2016 and Sunday, June 26, 2016. Events to include Parade and reenactments.

MOTION by Councilmember Villa, **SECOND** by Councilmember Bachman to approve request from the Wild West Detachment Marine Corps League for a Special Use Permit for the 8th Annual Tombstone Salute to the Buffalo Soldiers event to be held on Saturday, June 25, 2016 and Sunday, June 26, 2016. Events to include Parade and reenactments.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

- H. DISCUSSION AND/OR ACTION:** Approval of William "Bill" Pakinkis and Kenn Barrett to the Historic Preservation Board.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Villa to approve William "Bill" Pakinkis and Kenn Barrett to the Historic Preservation Board.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

- I. DISCUSSION AND/OR ACTION:** Approval of a request from Steve McNeely to reserve a spot on 4th Street and Allen Street to park a 1919 Nash Car as a tourist attraction.

MOTION by Councilmember Moreno, **SECOND** by Councilmember Barlow to approve request from Steve McNeely to reserve a spot on 4th Street and Allen Street to park a 1919 Nash Car as a tourist attraction.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

J. DISCUSSION AND/OR ACTION: Approval of a request from the Cameo Ladies for a special use permit for the decoration of the City Park and Gazebo on Friday, November 25, 2016. Decorations to be removed on Tuesday, January 3rd, 2017.

MOTION by Councilmember Moreno, **SECOND** by Councilmember Bachman to approve a request from the Cameo Ladies for a special use permit for the decoration of the City Park and Gazebo on Friday, November 25, 2016. Decorations to be removed on Tuesday, January 3rd, 2017

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

K. DISCUSSION AND/OR ACTION: Approval of a request from the Tombstone Volunteer Fire Department for a special use permit for the use of South 3rd Street from Fremont Street to Toughnut Street on March 25th, 2017 between the hours of 7:00 a.m. to 3:00 p.m. for the hosting of the Muster Games.

MOTION by Councilmember Moreno, **SECOND** by Councilmember Villa to approve a request from the Tombstone Volunteer Fire Department for a special use permit for the use of South 3rd Street from Fremont Street to Toughnut Street on March 25th, 2017 between the hours of 7:00 a.m. to 3:00 p.m. for the hosting of the Muster Games.

DISCUSSION: Councilmember Barlow comments that he likes that this is coming back and thanks the Fire Chief.

VOTE: 5/0

MOTION: Carried

L. DISCUSSION AND/OR ACTION: Approval of request from AZ State Hog Rally for a special use permit for the use of Allen Street between 5th Street and 6th Streets between the hours of 8:00 a.m. and 11:00 a.m for a 25th Anniversary State Rally Photo and the parking of motorcycles and 2 covered wagon with wings.

MOTION by Councilmember Villa, **SECOND** by Councilmember Bachman to approve a request from the AZ State Hog Rally for a special use permit for the use of Allen Street between 5th Street and 6th Streets between the hours of 8:00 a.m. and 11:00 a.m. for a 25th Anniversary State Rally Photo and the parking of motorcycles and 2 covered wagon with wings.

DISCUSSION: None

Roll Call Vote:

Councilmember Villa	Yes
Councilmember Barlow	Yes
Councilmember Moreno	Yes
Councilmember Bachman	Yes
Mayor Escapule	Yes

VOTE: 5/0

MOTION: Carried

M. DISCUSSION AND/OR ACTION: Approval of request from the 395 Army Band for a special use permit for the City Park to perform a concert for the community on Thursday, July 7, 2016 at 7:00 p.m.

MOTION by Councilmember Barlow, **SECOND** by Councilmember Villa to approve a request from the 395 Army Band for a special use permit for the City Park to perform a concert for the community on Thursday, July 7, 2016 at 7:00 p.m.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

VIII. MOTION TO ADJOURN

MOTION by Councilmember Villa, **SECOND** by Councilmember Bachman to adjourn the Regular Council Meeting at 7:36 p.m. for Tuesday, June 14, 2016.

Dustin Escapule, Mayor

Brenda Ikirt, Interim City Clerk