

**PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, SEPTEMBER 3, 2019
5:00 P.M.
SCHIEFFELIN HALL**

- I. CALL TO ORDER** Chairman Jennings called the Meeting to order at 5:00 p.m.
- II. PLEDGE OF ALLEGIANCE** Chairman Jennings led the Planning and Zoning Commission and the general public in a recitation of the Pledge of Allegiance.
- III. ROLL CALL**
- | | |
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| Commissioner David Bales | Present |
| Commissioner James Hofmeister | Present |
| Commissioner Bruce Nielsen | Absent |
| Chairman Russell Jennings | Present |

A QUORUM WAS DECLARED

IV. MINUTES

MOTION by Commissioner Hofmeister, **SECOND** by Commissioner Bales to approve minutes of Thursday, January 3, 2019.

DISCUSSION: None

VOTE: 3/0

MOTION: Carried Unanimously

V. NEW BUSINESS

- A. DISCUSSION AND ACTION:** On proposed annexation of property located as described below.

*The remaining area of Section 35 & Section 36 of Township 19S,
Range 22E not already in City Boundary of Tombstone, Arizona.*

Also, the Northeast quarter of Section 16, Township 20S, Range 22E.

Chairman Jennings opens the meeting to the general public for questions and answers.

Alice Politi; My name is Alice Politi I live on Desert Meadows just a little bit beyond the current annexation area. I would like to know what the intention of you taking over that property and I understand that you are looking at my

property in an annexation for the next time and why was it so necessary for you to take this property?

Chairman Jennings; "Okay, it is a good question and one that needs to be answered. We are not going to do anything with that land! It belongs to the State! State Trust Land! They determine what is going to be on it and what happens. It will remain the same as it is today."

Ms. Politi, I don't live on State Trust Land. I live ..."

Chairman Jennings; Then you are not in the annexation!"

Ms. Politi; "Exactly! But I do believe the next time around and that is why the need to know why you want to annex this now!"

Chairman Jennings; "If we were to ever annex the population that is out where you are our boundaries would have to be out there! So if those boundaries never move you could never get into the City of Tombstone whether you wanted to or not!

Ms. Politi; "Then why annex it?"

Chairman Jennings; "Because there are some people out there that would like to be in the City of Tombstone. Others like yourself, probably don't and you will have that say if and when annexation takes place in your area."

Unidentified male: "So in other words we are wasting our time being here"

Chairman Jennings; "Well, if you're not in this area that is being annexed you are not wasting your time. Maybe at least you will get some information here.

Unidentified Male Speaker; ""Inaudible."

Chairman Jennings; "I noticed we have some comments from some people; they don't want the open range closed off. None of that changes! The State controls that! It would just be within the boundaries of the City of Tombstone. Tombstone would have no control over what the State does. They want to graze cattle out there I am assuming that is what they do now!"

Unidentified Male Speaker; "Has the State approved this annexation?"

Chairman Jennings; "It is at the State now and we have not heard back from them!"

Unidentified Female Speaker; "is there any houses on this annexation?"

Chairman Jennings; "No, there is not any houses on that particular part! There is another section of annexation."

Unidentified Female Speaker; "So you want to annex a piece of property that no houses are on, that the State does own, so the bottom line is you want to annex it because you have to get to us next!"

Chairman Jennings; "If we were ever annex into that area, which we would have to have fifty one percent of the people out there agreeing to it. We would have to have our boundary line there or you can't. Same way with any other part of the City! You just can't go out there gerrymandering anymore; where you say well we will go down this road a half a mile and pick up these people that want to be in the City. If our boundaries don't abut to it we can't bring them in even if they want to."

Unidentified Speaker; "Well what is the purpose of you annexing a piece of property for the State that you can't use!"

Chairman Jennings; "Well the next twenty or thirty years, I batcha we are all going to be dead. Those people that live out there then may want to be in the City of Tombstone, because it is going to change in thirty years. Everything changes! The only thing that doesn't change is change itself! We would never be able to bring that area into the City of Tombstone even if you wanted to and if you don't want to you can always say no!"

Unidentified Speaker; "Sir, you just said that you have no intention whatsoever of annexing our land in the near future?"

Chairman Jennings; "In the near future, No! We do not have plans to annex you in the near future. You know that we do a lot of planning thirty or forty years in advance. The problem that has happen in Tombstone for so many years is because you plan after the fact! Never ahead of time and we are trying to change that a little bit thinking about thirty or forty years down the road. Not just what's going to happen tomorrow! Same way with looking at the annexation that's going the other way toward the airport. Now those people want to come into the City and they can't until we pick up some of that State Land into the City so that they can come into the City. Those people that are wanting to. So it is planning for the future. It's not what is happening today or tomorrow but if you don't plan today you never get anything done! I hope that answers your question. I can almost guarantee you that if I was to try, I say I; the City of Tombstone, tried to annex that area it would be ninety percent against it. It would be futile at this time to try and annex that area!"

Unidentified Male Speaker; "I asked about the future annexation, in City Hall, that as soon as this annexation takes place the annexation of our property is defiantly next! Is that true?"

Chairman Jennings; "Well, I can tell you as Chairman of the Planning and Zoning, unless these gentlemen have something that I don't know ..."

Unidentified Male Speaker; "The person behind the desk at City Hall. Oh yes that as soon as you do this we are going to annex the next property and that has me extremely upset!"

Chairman Jennings; Well, all I can tell you is I know nothing about that and it certainly not before this Board to annex that area.”

Commissioner Hofmeister; “As a Commissioner I have to look at it and basically even if you are right and I am not saying you are wrong that somebody in City Hall would like to see that land annexed, As Russ points out, is unless the majority of the people on that land agree it can’t happen! Even if the City says the (inaudible) annex it. The State says no, no, no! Now we the City get to poll the people not just you the City and if the people that are polled say no than the annexation doesn’t occur!”

Unidentified Male Speaker; “Russ, What are the benefits to the City? What would be the benefits to us?”

Chairman Jennings; “Well, there will be no change for you because you are not going to be in the annexed area but for the City you may not be aware that Tombstone is an opportunity zone. Which is dictated by the State of Arizona, governor and legislature. Which tells businesses and industry that they can get a break by coming into an opportunity zone and opening up business or industry which will help the City of Tombstone. Those boundaries will not change at this time.”

Unidentified Male Speaker; “For this annexation?”

Chairman Jennings; “For this annexation! That would take another action by the State Legislature to change that! Which, same way on Highway 80, going out to the Airport, which we are in fact looking at annexation because the people out there want us to. We are looking at whether that would open up along Highway 80 to the opportunity zone so that businesses could come in and open businesses along Highway 80, but at this point and time it’s not and it would take action and probably 2 years away before the State would look at it again!”

Unidentified Male Speaker; “(Inaudible) Desert Meadows, Cilley, Rainbow?”

Chairman Jennings; “At this point in time since we are not annexing it or even looking at annexing it.”

Unidentified Male Speaker; “(Inaudible) if you weren’t looking at it because we have heard different!”

Chairman Jennings; “Well, you know in Tombstone, if you don’t hear stuff on a daily basis...did you know that I got divorced last year and was living at the Wells Fargo RV Park. I work there a lot but I don’t live there!”

Unidentified Male Speaker; “I have been here forty years so I understand what you are saying.”

Chairman Jennings; “All it takes is being in a little bar once and have a couple of beers and you can hear some really wild stuff!”

Unidentified Male Speaker: “What’s the benefit to Tombstone in this annexation?”

Chairman Jennings; "On this annexation here? We are picking up population over in a different area."

Unidentified Male Speaker; "There is no population!"

Chairman Jennings; "Not in that area! I am talking about in the total. This other section does have population. I live there!"

Unidentified Male Speaker; Okay, I don't worry so much about that one! What is your benefit in annexation?"

Chairman Jennings; "We are bringing these limits signs straight across. Instead of doing this kind of stuff out through the land. It brings it straight across and it is set up for the future and the future around Tombstone; anything around thirty years I don't think is ever going to get done. Thirty four years from now we bring in population that wants to come in to the City, we'll be able to allow them to do that!"

Unidentified Speaker; "But that is State Land! You have no access to it!"

Chairman Jennings; "That's right, it will stay State Land, but the City limits is what we have to deal with, where the city limits is! We don't change that land what so ever. They are going to run cattle out there. They going to do whatever they are doing now! The State owns it! It is State Trust Land! So the City can't put anything on it, can't do anything like that but beyond in the future if; let's say I had a room full of people that wanted to be in the City! I couldn't bring them in because they don't touch the City limits of Tombstone. Even though it is agricultural land, cattle raising land or just desert out there. If our City limits is out there you guys are in the dark even if you wanted to be in the City! The thing about why the City wants population is; I came here in 2003, population about seventeen hundred people, it's about eleven hundred and some now. Our monies from the State and the Federal for things like roads, all the maintenance of the City is based on your population. Ours keeps going down! Nobody is having babies around here but people are dying! Our population goes down. The money that we get to maintain the City goes down year, after year, after year! We have to get population into the City or one day there won't be a Tombstone."

Unidentified Male Speaker; "Do you have a map showing these areas? I tried to look it up by description numbers in the notice and I couldn't find a map showing that property."

Chairman Jennings obtains a map from Secretary Duran

Unidentified Female Speaker; "So how much will this cost the City, at some point in time if we decide to annex it, to get it up to code with or if we need additional police officers, firemen or what we will need?"

Chairman Jennings; "With this annexation right now? It's not going to change anything! If we annex that area that everyone is concerned about; what's the population out there? Well, there is things that you have to look at when you do annex populated areas. You have to look at roads, water, sewer, all of these

things that most people like to have in the City and of course they don't have them where they are at. So they would have to look at it."

Unidentified Woman Speaker; "So there are some additional cost to us outside of bringing in the population?"

Chairman Jennings; "Well, anytime you bring in expanded population you do have more police work but, we do that anyways with the County Sheriff's Office, we have an agreement back and forth. So the policing is not going to change. The things that you do with the roads, water and sewer that is always being contingent on being able to do it."

Commissioner Hofmeister; "I came in after Russ did. I moved here in (inaudible) and at that time the population was around thirteen hundred and we're sitting at eleven hundred looking at one thousand. Whether we like it or not we have to know the fact that Maricopa County, Phoenix and its surroundings, controls the money and without population, as Russ points out, our share of our tax dollars gets smaller and smaller. Then you get down to where it's rolling down that hill. You don't maintain the roads because you don't have the money, you can't bring it in. Why should I go to Tombstone, why I be a part of Tombstone? You can't maintain the roads. Well, eventually that will be true, there won't be no roads because at some point Tombstone just might disappear! I mean if we are down to a population of three hundred we don't exist anymore! You can't say we will never get there because as Russ said we've gone from sixteen, seventeen hundred sixteen years ago to looking at one thousand! So we have lost 70% of our population. Gone! To me that is discouraging!"

Chairman Jennings: "To me that is discouraging! If I may interject something here and maybe it will allay some of the worries and things in people's minds. I am the most adamant person about small government issues. I dislike government telling me what you can do with your own property. I think that as you, as the owner of your property should know what you want to do and as long as you are half ass capable of doing it you should be left alone by government. Zoning is the same thing! If you don't want it, you don't get it, but I want to point out the things that will help us all as a community and that is we have to have population eventually, or we are no longer going to exist! You know by State Statute a town has to have a minimum of 3,000.00 people a city. We don't even have 2,000.00! Because we are under a State Territorial Charter, we remain as a city, believe it or not! Eventually, that will change as our population dwindles. So we can either all band together for the good of all of us or we can hold our own personal (inaudible) and say no I don't want to be a part of it! I want everything for myself and the Hell about every else. Everyone is entitled to do, that but I ask you to think about it. There is a lot of people in town that I don't like, but there is a lot of people that I do like! A lot of people outside the city limits. In fact there is more people outside the city limits than there is inside the City limits. So when you think of Tombstone, you think of this whole area but really Tombstone's City limits has less people in it than lives all around us."

Unidentified Woman Speaker; "There is a very logical reason for that! My question is; one of the points being presented is that the population of the City limits as it is now is going down. So how is expanding the City limits a solution to

that, when the City limits that exist today is in some areas deplorable and nobody wants to live there!”

Chairman Jennings; “Are you asking me if ...”

Unidentified Female Speaker; “I am asking you; what’s the point if the population is going down, you mentioned that several times, so how is expanding the City limits a solution to that, when the City limits that exist today in some areas deplorable and nobody wants to live there! Why would you want to expand the City limits if the population is going down?”

Chairman Jennings; “Either that or close down the town and we will live out in the desert! Is that a solution that you think is viable?”

Unidentified Female Speaker; “Well, what the City already has; I am saying is not desirable!”

Chairman Jennings; “Well, why don’t you join us in making it desirable!”

Unidentified Female Speaker; “That’s why I am outside of the City limits!

Chairman Jennings; “Ahh, Okay you are one of those!”

Unidentified Female Speaker; “That doesn’t answer my question!”

Chairman Jennings; “Your question is not answerable! You know if you expand and people come into those areas they are in the City limits! If we do nothing and all the people keep dying guess what you are going to be outside their living good but the town is going to be gone! Maybe that is what you want, I don’t know.”

Unidentified Female Speaker; “I don’t think it is fair that you are trying to scare people with this. The City is shrinking and that’s why; hold on let me finish, and that’s why you have to annex this part. It is really just to see growth, if you are worried about money, then maybe you should focus on our budget on bringing the money in. That’s in tourism and everything. There 4% goes, two million dollars going to tourism. That’s been dropping! Sales have been, the only reason that they are a little bit more revenue on sales is because our prices have gone up! You are not going to bring anybody here, you are not going to attract anybody to a town, like she is saying if there is nothing here for them! You are not attracting business, or events are getting better and better! They are not! The attendance to our monthly events is actually dwindling because we are not paying enough attention, to take money away from the Chamber, the only marketing of the City. They are not able to perform and you are sitting here scaring everybody that we have to extend the City limits or else people are not going to move in. People are not going to move in any way!”

Chairman Jennings; “Let me apologize if any of you guys got scared! That was not my intention! I was trying to inform you and you know knowledge is a very good thing to have. If you shut your mind to it, you are the one that is losing. Now when you say how is it going to bring my place in, the annexation to the

East of us, taking in the Airport. We talked about planning. Does anyone in this room know about the highway that is going to come in from Nogales and Douglas all the way up to Interstate 10. What does that put Tombstone in? Right in the center of it! Wouldn't it be great if we have an industrial complex going in on the Airport area where these companies are coming bringing everything from Mexico, putting it in ware houses where American truckers pick up and take it to all points of the Country. We are working on that! Is that going to happen tomorrow? No this is probably 30 years down the road but if we are not working on it 30 years from now guess what we are not going to be anywhere in it and it will bypass us. This is what we are talking about and planning! Years in advance not for tomorrow and Highway 80, if we bring in businesses that can hire people that can actually put a job other than gunfighters on the street; wouldn't that be good! You have any property that you want to sell or build a house on. Wouldn't that be a value to you? It should be to everybody! We are not going to do it by simply putting all of our eggs into the gunfighter shows that is on the street. Tombstone the movie was a long time ago! I support everything that goes on with tourism but if that is our only game and our only basket we're doomed! That's not to scare you, it's telling you a fact

Chairman Jennings continued to accept and answer questions and comments from the general public until he closed the meeting.

ADJOURNMENT

There being no further discussion Chairman Jennings adjourns thanks everyone for attending meeting and adjourns the meeting.

Chairman Jennings adjourns the meeting for Tuesday, September 3, 2019 at 6:02p.m.

Russell Jennings, Chairman