

REGULAR COUNCIL MEETING
7:00 P.M.
TUESDAY, DECEMBER 10, 2024
SCHIEFFELIN HALL
(CORNER OF FREMONT AND FOURTH STREET)

- I. **CALL TO ORDER** Mayor Dustin Escapule called the Regular Council Meeting to order on Tuesday, December 10, 2024.
- 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**
- | | |
|-----------------------------|---------|
| Mayor Pro-Tem Colin Regan | Present |
| Councilmember Goodspeed | Present |
| Councilmember Jimmy Green | Present |
| Councilmember Lillian Hritz | Absent |
| Mayor Dustin Escapule | Present |
- Also, in attendance: Charissa Presti, Interim City Clerk
Shelly Kazda, Interim Deputy City Clerk

IV. **CALL TO THE PUBLIC**

Mayor Escapule calls for public participants.

City Clerk Presti: Thank you, Kathy Green for the beautiful decorations of Schieffelin Hall and the Visitor Center. It is absolutely stunning.

Mayor Escapule: Absolutely. Give her a hand, ladies and gentlemen. Outstanding job.

City Clerk Presti: And thank you, Councilmember Green, for helping.

Mayor Escapule: Give him a hand too. I know he carried the totes over here for the decorations.

Councilmember Green: I'm the pack mule.

Mayor Escapule: We really appreciate it.

Mayor closes Call of the Public.

V. **FIRE CHIEF'S REPORT: Monthly Fire Chief Reports on October 1, 2024 to November 30, 2024.**

October:

We had 73 calls total. We had 54 EMS calls, 5 fire calls, 2 rescue calls, and 12 public assists. One of the fire calls was a hazmat.

Notable events in October:

- Halloween Trunk or treat we had probably four times as many people as we did last year. It was a huge success, hats off to every citizen that attended and helped. We're looking forward to next year.
- We had several mutual aid responses with other agencies. They were for motor vehicle accidents. One of them was at Milepost 9 on Davis Road where we had a non-injury accident, but it was arduous getting them out of the vehicle. We had a motorcycle accident on Davis with minor injuries to the rider, but the deer turned and ran over the rider as it ran off. The riders are fine and I wish the deer well.
- We had multiple illegal outdoor burn calls where four out of five were unattended. When we finally got a hold of the homeowners, they just figured that it would be fine because it was wintertime and nothing would happen. It is super dry out there and

windy, the perfect opportunity for a fire.

November:

We had 53 calls total. We had 41 EMS calls, 4 fire calls, 1 rescue call, and 7 public assists.

Notable events in November:

- One of the public assists was to go to a home and plug their television back into the outlet. We happily plugged her TV back in.
- Two of our calls for the month were cardiac arrest calls. Unfortunately, they were poor outcomes.
- More outside illegal burns

Other Items of Interest:

- Sent 5 firefighters to the technical rope rescue school, otherwise known as TRT. They're now certified and will join the other 5 currently certified firefighters for a total of 10. We're aiming to have all firefighters certified by the summer. We use technical rope rescue not only for getting folks out of canyons and difficult areas, but also for securing vehicles that have rolled over for us to enter and to not cause any further injuries to the drivers or the occupants.
- We're currently in a recruiting effort for firefighters. We have a staffing shortage. We lost three firefighters just in the past couple months. We're doing everything we can from TikTok videos to word of mouth to try and get folks in. When we get applicants, we interview them then require three ride-alongs with signed waivers, before voting to offer a position. You can tell a lot about somebody when you actually put them out as a rider.
- We ordered a junk car to be delivered in January to our area where we launch the fireworks. We are going to be putting on our rescue tool class because we have new firefighters who need to be trained in the jaws of life, rescue saws, and other rescue equipment.
- Seven of our apparatus or radios have been gone through by Gila Electronics due to issues and to get a baseline before buying repeaters and doing other mitigation. It was around \$1,000 to do this, but we learned a lot. We had an average output of 15 watts for our rigs, which should be 30 to 35 watts, so all were tuned. We had to redo all the coax and get new antennas. Once everything was properly tuned or replaced, the average is now 45 watts. The next process, which we are working on right now, is doing radio checks allowing us to create a map for SEACOM. This map will show the areas where we have good broadcasting and receiving and areas that are poor, demonstrating where problem areas are.
- Fireworks will be Saturday after the Christmas parade and we've got them all stored in our station and hopefully, fingers crossed, they will all go off. Last 4th of July we had a number of them that misfired which came back down and exploded at waist or head level. That's why we had a 10-minute delay. We were taking all the 6-inch fireworks out and trying to get everything rerigged. The fireworks company not only assured us that everything will work, they gave us a little bit extra. Hopefully it'll be a really good show and we're looking forward to it.

Mayor closes Fire Chief's report.

VI. APPROVAL OF MINUTES

- A. DISCUSSION AND/OR ACTION:** Approval of minutes for Regular Council Meeting of outgoing council on Tuesday, November 12, 2024.

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Goodspeed to approve the minutes for Regular Council Meeting of outgoing council on Tuesday, November 12, 2024.

DISCUSSION: None

VOTE: 4-Yes/0-No/1-Absent

MOTION: Carried

- B. DISCUSSION AND/OR ACTION:** Approval of minutes for Regular Council Meeting of incoming council on Tuesday, November 12, 2024.

MOTION by Councilmember Green, **SECOND** by Mayor Pro-Tem Regan to approve the minutes for Regular Council Meeting of incoming council on Tuesday, November 12, 2024.

DISCUSSION: None

VOTE: 4-Yes/0-No/1-Absent

MOTION: Carried

- C. DISCUSSION AND/OR ACTION:** Approval of minutes for Special Council Meeting on Friday, November 22, 2024.

MOTION by Councilmember Green, **SECOND** by Councilmember Goodspeed to approve the minutes for Special Council Meeting for Friday, November 22, 2024.

DISCUSSION: None

VOTE: 4-Yes/0-No/1-Absent

MOTION: Carried

VII. NEW BUSINESS

- A. DISCUSSION AND/OR ACTION:** Approval of Accounts Payable in the \$155,649.29 (November 1, 2024 through November 30, 2024).

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Goodspeed to approve Accounts Payable in the amount of 155,649.29 (November 1, 2024 through November 30, 2024).

DISCUSSION: None

VOTE: 4-Yes/0-No/1-Absent

MOTION: Carried

- B. DISCUSSION AND/OR ACTION:** Approval of the Jim Newbauer as chairman of Historic Preservation Commission.

MOTION by Councilmember Green, **SECOND** by Mayor Pro-Tem Regan to approve Jim Newbauer as chairman of Historic Preservation Commission.

DISCUSSION: None

ROLL CALL VOTE:

Mayor Pro-Tem Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Absent
Mayor Escapule	Yes

MOTION: Carried

- C. DISCUSSION AND/OR ACTION:** Approval of Burton Webster as vice chairman of Historic Preservation Commission.

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Goodspeed to approve Burton Webster as vice chairman of Historic Preservation Commission.

DISCUSSION: None

ROLL CALL VOTE:

Mayor Pro-Tem Regan	Yes
Councilmember Goodspeed	Yes

Councilmember Green	Yes
Councilmember Hritz	Absent
Mayor Escapule	Yes

MOTION: Carried

- D. DISCUSSION AND/OR ACTION:** Approval of Resolution No. 13-2024, A Resolution Of The Mayor and The City Council Of Tombstone, Arizona, adopting Plumbing, Mechanical, Electric, and Abatement Of Dangerous Buildings Codes; and declaring an emergency.

Mayor pulled Resolution No. 13-2024 for further review.

- E. DISCUSSION AND/OR ACTION:** Approval of Ordinance No. 2024-06, an Ordinance Of The Mayor and The City Council Of Tombstone, Arizona, adopting Plumbing, Mechanical, Electric, and Abatement Of Dangerous Buildings Codes; and declaring an emergency.

Mayor pulled Ordinance No. 2024-06 for further review.

- F. DISCUSSION AND/OR ACTION:** Approval for the City of Tombstone to apply for a \$200,000 line of credit with National Bank of Arizona.

Purpose: Eliminating the use of the general fund or LGIP to cover up front grant costs. The Line of Credit will be replenished upon distribution of the grant reimbursements.

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Goodspeed, to approve the City of Tombstone to apply for a \$200,000 line of credit with National Bank of Arizona.

DISCUSSION:

Mayor Escapule: We have an outstanding grant writer and he's been getting a number of grants, not only for the marshal's office, but for other areas in the city. We got in a couple positions where we were reducing our regular operating capital out of the general fund. We thought this would be a good way to be able to continue to get the grants, keep our operating capital going, and then once we get the grant reimbursements, we refurbish the line of credit.

Mayor closes discussion.

ROLL CALL VOTE:

Mayor Pro-Tem Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Absent
Mayor Escapule	Yes

MOTION: Carried

- G. DISCUSSION AND/OR ACTION:** Approval of the Employment Agreement between the City of Tombstone and Keith Barth as City Magistrate.

Contract Amount: \$1,360 per month
Term: November 12, 2024 to October 31, 2026

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Goodspeed, to approve the Employment Agreement between the City of Tombstone and Keith Barth as City Magistrate.

DISCUSSION: None

ROLL CALL VOTE:

Mayor Pro-Tem Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Absent
Mayor Escapule	Yes

MOTION: Carried

H. DISCUSSION AND/OR ACTION: Approval of Grant Award 22-AZDOHS-OPSG-220427-02 for Tombstone Marshal's Office from the State of Arizona Department of Homeland Security. Grant Funds to be used for two (2) thermal imagers.

Grant Amount: \$5,587.00

Match: None

Term: December 2, 2024 to July 31, 2025

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Goodspeed, to approve Grant Award 22-AZDOHS-OPSG-220427-02 for Tombstone Marshal's Office from the State of Arizona Department of Homeland Security. Grant Funds to be used for two (2) thermal imagers.

DISCUSSION:

Councilmember Goodspeed: I have a quick question, Jim. What's the typical use?

Marshal Adams: Yes, sir. Thermal imagers allow us to see heat signatures, which is particularly useful when we're looking for people that have bailed out of cars, have fled crime scenes, or people who are lost. We can see their thermal image in the wilderness. They use them a lot on the helicopters and the drones, but ours will be handheld.

Mayor closes discussion.

ROLL CALL VOTE:

Mayor Pro-Tem Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Absent
Mayor Escapule	Yes

MOTION: Carried

I. DISCUSSION AND/OR ACTION: Approval of request from Tombstone Trolley Tours to use a 2022 Ford Transit Shuttle Van in place of trolley from December 14, 2024 to December 28, 2024.

Purpose: Trolley will be in use at Winterhaven Light Festival in Tucson.

MOTION by Councilmember Green, **SECOND** by Councilmember Goodspeed, to approve request from Tombstone Trolley Tours to use a 2022 Ford Transit Shuttle Van in place of trolley from December 14, 2024 to December 28, 2024.

DISCUSSION:

Mayor Escapule: My question is, why don't you use the van in Tucson and leave the trolley here? The van is just a regular van. I think if we start setting precedents of letting new vehicles do tours around historic district, which is a direct conflict of what our objective is of having a historic district.

Councilmember Goodspeed: I was wondering the same thing. Is this some kind of special event that brings good light to Tombstone one way or another?

Mayor Escapule: The Winterhaven is in Tucson where they have all of these lights. He takes these trolleys up there. He's got this tour bus that he runs around Southern Arizona and he wanted to use it in place of the trolley. Personally, I don't think it's appropriate, but you guys can discuss it if you'd like.

Representative of Tombstone Trolley: I'm Zida and I work at the trolley depot. Every year we go to Winterhaven and take the trolleys. It's a food drive at the Festival of Lights. When we take the trolleys, it leaves us with nothing here for the tourists that come to town. Lee got this shuttle, and he wants to use it this year for the time while we're in Winterhaven for the tourists, here, who want to do the trolley tour.

Mayor Pro-Tem Regan: So, he's going to use the...

Representative of Tombstone Trolley: The shuttle. It's not like our trolleys. It's smaller. It only holds 14 people. But it's just for the time that we're going to be going to Winterhaven.

Mayor Pro-Tem Regan: He's using the shuttle here as opposed to using that in Tucson?

Representative of Tombstone Trolley: Yes, we use the big trolleys in Tucson because, believe it or not, we're filled up every night.

Councilmember Goodspeed: Is this something where people pay to ride on the trolley every night?

Representative of Tombstone Trolley: Yes, people pay.

Councilmember Goodspeed: It's a fundraiser?

Representative of Tombstone Trolley: It's a fundraiser.

Councilmember Goodspeed: It looks like it's a pretty long time, right?

Representative of Tombstone Trolley: Every year, it's about 16 days.

Councilmember Goodspeed: I guess for the citizens and tourists of Tombstone, it'll be regrettable. It sounds like it's a noble cause. I think it's a shame that there's this dilemma.

Councilmember Green: The shuttle is just plain white?

Representative of Tombstone Trolley: Yes, it's just plain white. It's got Old Tombstone on the side.

Mayor Escapule: What does the signage say on it?

Representative of Tombstone Trolley: It just says Old Tombstone Trolley Tours. It's parked at the depot.

Mayor Pro-Tem Regan: I think it would be better if you used the trolley here and the other one up there. To me, that would make more sense.

Mayor Escapule: I think the question on the table is whether or not we approve them to use the transit shuttle van as a tour in place of the trolley in Tombstone.

Councilmember Goodspeed: Dusty, just so I understand. If we didn't approve this, would that also open the possibility that there's simply no shuttle whatsoever here?

Mayor Escapule: He has two trolleys.

Councilmember Goodspeed: Right.

Tombstone Trolley Representative informs council that both trolleys will be in Winterhaven off microphone.

Councilmember Goodspeed: If it was denied, would there be no Ford Transit bus either? In other words, would we just be without any?

Mayor Escapule: Well, it'd be like he's been doing for the last 10 years, maybe 15.

Councilmember Goodspeed: Okay.

Kimberly Pearce: inaudible, off microphone.

Mayor Escapule: I'm sorry. You don't have anything to do with the trolley, do you? No, I'm sorry. (Kimberly Pearce interrupts, off microphone) No. I'm sorry. (Kimberly Pearce interrupts, off microphone) No, you will not. We've got a meeting going on. We have an item on the table and it's under discussion. We will not have any interruptions. Thank you very much.

Mayor closes discussion

ROLL CALL VOTE:	Mayor Pro-Tem Regan	No
	Councilmember Goodspeed	No
	Councilmember Green	No
	Councilmember Hritz	Absent
	Mayor Escapule	No

MOTION: Died

- J. DISCUSSION AND/OR ACTION:** Approval of special use permit from Tombstone Arizona Indie Artist Coalition for Yuletide in Tombstone. Requesting to use the following.

Thursday, December 12, 2024.

- Schieffelin Hall from 5 PM to 10 PM for free Holiday Production.

MOTION by Mayor Pro Tem Regan, **SECOND** by Councilmember Goodspeed, to approve special use permit from Tombstone Arizona Indie Artist Coalition for Yuletide in Tombstone.

DISCUSSION: None

VOTE: 4-Yes/0-No/1-Absent

MOTION: Carried

- K. DISCUSSION AND/OR ACTION:** Approval of special use permit from King Solomon #5 Territorial Lodge. Requesting the following:

- Use of Schieffelin Hall on:
 - Monday, December 16, 2024 from Noon to 10 PM for dinner following Masonic Ceremony.
 - Friday, April 18, 2025 from 8 AM to Midnight on Sunday, April 20, 2025. for gathering and communal meals during annual Masonic ceremony.

MOTION by Mayor Pro Tem Regan, **SECOND** by Councilmember Goodspeed, to approve special use permit from King Solomon #5 Territorial Lodge on December 16, 2024 and April 18-20, 2025.

DISCUSSION: None

VOTE: 4-Yes/0-No/1-Absent

MOTION: Carried

- L. DISCUSSION AND/OR ACTION:** Approval of special use permit from Tombstone Vigilantes for Vigilante Sundays. Requesting the following:

- Allen Street alternating between 4th & 5th and 5th & 6th on the 2nd and 4th Sunday of each month in 2025 for western re-enactments.

MOTION by Councilmember Green, **SECOND** by Mayor Pro-Tem Regan, to approve special use permit from Tombstone Vigilantes for Vigilante Sundays in 2025.

DISCUSSION: None

ROLL CALL VOTE:	Mayor Pro-Tem Regan	Yes
	Councilmember Goodspeed	Yes
	Councilmember Green	Yes
	Councilmember Hritz	Absent
	Mayor Escapule	Yes

MOTION: Carried

- M. DISCUSSION AND/OR ACTION:** Approval of special use permit from Cochise Corral of the Westerners. Requesting the following:

- Schieffelin Hall for meetings on the 1st Thursday of each month in 2025, from 4 PM to 10PM.
- Requesting Facility Rental Waiver due to 501C-3 status.

MOTION by Councilmember Green, **SECOND** by Mayor Pro-Tem Regan, to approve special use permit application from Cochise Corral of the Westerners for monthly meetings in 2025.

DISCUSSION:

Councilmember Goodspeed: The 501C3 Status, I mean this is regular and customary, nothing out of the ordinary?

Mayor Escapule: The 501C3 just means that they're a nonprofit organization.

Councilmember Goodspeed: I'll rephrase. Do we normally give the waiver?

Mayor Escapule: It's not. Whether they're 501 or not, I don't know why they'd want us to waive the fees. What do we charge to use the facility? The microphones?

City Clerk Presti: It's \$400 to rent the hall and \$200 if you are a 501C. But they had expressed that they do not have funds because they don't raise funds really unless they have authors come in not during free lectures. They have been using it for free the entire time they have been here.

Mayor Escapule: Is this the one that John Donahue is involved in?

City Clerk Presti: Yes, sir

Mayor closes discussion.

ROLL CALL VOTE:

Mayor Pro-Tem Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Absent
Mayor Escapule	Yes

MOTION: Carried

N. DISCUSSION AND/OR ACTION: Approval of special use permit from Tombstone Vigilantes for Annual Vigilante Days. Requesting the following:

Beginning at 9AM, Saturday, February 15, 2025 to 5 PM, Sunday, February 16, 2025.

- Schieffelin Park for youth activities.
- Art Gallery Parking Lot for Corn Ball Tournament
- Allen Street between 4th and 5th for re-enactments.

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Goodspeed, to approve special use permit from Tombstone Vigilantes for Annual Vigilante Days, Saturday, February 15 to Sunday, February 16, 2025.

DISCUSSION: None

ROLL CALL VOTE:

Mayor Pro-Tem Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Absent
Mayor Escapule	Yes

MOTION: Carried

O. DISCUSSION AND/OR ACTION: Approval of special use permit from Cochise Corral of the Westerners for Annual Gathering of Western Authors. Requesting the following:

Thursday, March 13, 2025 to Friday, March 14, 2025.

- Schieffelin Hall for Western authors book sale and signing.
- Requesting Facility Rental Waiver due to 501C-3 status

MOTION by Mayor Pro Tem Regan, **SECOND** by Councilmember Goodspeed, to approve special use permit from Cochise Corral of the Westerners for Annual Gathering of Western Authors from Thursday, March 13 to Friday, March 14, 2025.

DISCUSSION:

Mayor Escapule: We've already set precedents on the 1, 2 or 3 before us, so I think, it wouldn't be fair to do one and not the other one.

Mayor closes discussion.

ROLL CALL VOTE:	Mayor Pro-Tem Regan	Yes
	Councilmember Goodspeed	Yes
	Councilmember Green	Yes
	Councilmember Hritz	Absent
	Mayor Escapule	Yes

MOTION: Carried

- P. DISCUSSION AND/OR ACTION:** Approval of special use permit from Wild West Detachment Marine Corps League for 17th Annual Tombstone Wild West Days. Requesting the following:

Saturday, March 15, 2025 to Sunday, March 16, 2025.

- Allen Street between 4th and 5th from 7 AM to 4 PM for street activities.
- Allen Street between 6th and 2nd Streets on Saturday from 11 AM to 1 PM for parade.

MOTION by Mayor Pro Tem Regan, **SECOND** by Councilmember Green, to approve special use permit from Wild West Detachment Marine Corps League for 17th Annual Tombstone Wild West Days from Saturday, March 15 to Sunday, March 16, 2025.

DISCUSSION: None

ROLL CALL VOTE:	Mayor Pro-Tem Regan	Yes
	Councilmember Goodspeed	Yes
	Councilmember Green	Yes
	Councilmember Hritz	Absent
	Mayor Escapule	Yes

MOTION: Carried

- Q. DISCUSSION AND/OR ACTION:** Approval of special use permit from Healthy Tombstone, Inc. for 4th Annual Tombstone Health Fair. Requesting the following:

Friday, May 9, 2025 from 9 AM to 3 PM.

- Parking Lot at 7 San Diego Street, Tombstone Rural Health Clinic, for vendors.

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Goodspeed, to approve special use permit from Healthy Tombstone, Inc. for 4th Annual Tombstone Health Fair for 4th Annual Tombstone Health Fair on Friday, May 9, 2025.

DISCUSSION: None

VOTE: 4-Yes/0-No/1-Absent

MOTION: Carried

- R. DISCUSSION AND/OR ACTION:** Approval of special use permit from Christian Motorcycle Association (CMA) for the Arizona CMA Annual State Rally. Requesting the following:

Thursday, October 30, 2025 to Sunday, November 2, 2025

- Schieffelin Hall for registration, goodie store, silent auction, and meetings
- Schieffelin Park for:
 - October 31st: 6:30 AM to 6:45 AM for Morning Devotion
 - October 31st: 7:00 PM to 9:00 PM for Gospel Concert
 - November 2nd: 8 AM to 8:15 AM for Morning Devotion

MOTION by Councilmember Goodspeed, **SECOND** by Mayor Pro-Tem Regan, to approve special use permit from Christian Motorcycle Association (CMA) for the Arizona CMA Annual State Rally from Thursday, October 30 to Sunday, November 2, 2025.

DISCUSSION: None

VOTE: 4-Yes/0-No/1-Absent

MOTION: Carried

VIII. MOTION TO ADJOURN

MOTION by Mayor Pro-Tem Regan **SECOND** by Councilmember Goodspeed, to adjourn the Regular Council Meeting for Tuesday, December 10, 2024, at 7:32 PM.

Dustin Escapule, Mayor

Charissa Presti, Interim, City Clerk