

REGULAR COUNCIL MEETING
7:05 P.M.
TUESDAY, NOVEMBER 12, 2024
SCHIEFFELIN HALL
(CORNER OF FREMONT AND FOURTH STREET)

I. SWEARING IN OF MAYOR AND COUNCIL MEMBERS BY COCHISE COUNTY SHERRIFF MARK DANNELS.

The following persons were sworn into public office:

- *Dustin Escapule* *Mayor*
- *Colin Regan* *Councilmember Ward 1*
- *John D. Goodspeed* *Councilmember Ward 2*
- *Jimmy Green* *Councilmember Ward 3*
- *Lillian "Lilly" Hritz* *Councilmember Ward 4*

II. CALL TO ORDER Mayor Dustin Escapule called the Regular Council Meeting to order on Tuesday, November 12, 2024.

III. PLEDGE OF ALLEGIANCE Kyndl Jackson, National American Miss Princess, led the Common Council and the general public in a recitation of the Pledge of Allegiance.

IV. ROLL CALL

Councilmember Colin Regan	Present
Councilmember John Goodspeed	Present
Councilmember Jimmy Green	Present
Councilmember Lillian Hritz	Present
Mayor Dustin Escapule	Present

Also, in attendance:

Charissa Presti, City Clerk
Shelly Kazda, Deputy City Clerk
Ann Roberts, City Attorney

V. COMMENTS BY MAYOR AND CITY COUNCIL

Councilmember Colin Regan: "Thank you very much to the citizens of Tombstone. I would like to thank my wife and daughter who really make it part of what I want to do every day to help this city. We had a great last couple of years with more things working for the future at Tombstone. Look forward to working with these new council members that we have. We got some great minds here, so I want to, you know, help build on some of their ideas. They got great ideas and I'd like to continue helping with what we're doing currently. I'm excited for the next couple of years as this is going to go on to help better our community. Also, I'd like to give a huge thank you to Charissa, the city clerk, as well as all the ladies at City Hall and Public Works for their hard work that often goes unnoticed. Thank you, ladies, and thank you, Tombstone."

Councilmember John Goodspeed: "First of all, I do want to thank all the citizens of Ward 2 that elected me to this position. I am so honored to serve. Catherine and I have been living off and on in Tombstone since 2005 and made it our full-time home in 2020. I think this is about the best place to live in America. I mean, that's why we settled here. We've been in many parts of the country, and Tombstone cannot be beat. I'm looking forward to working with all the department heads. I have a large background in infrastructure and what have you, which maybe a little dry and dull, but I am very experienced in public safety, waterworks and other things like that. So, I'm looking forward to contributing as much time as I can toward the benefit of our city. And I want to thank my wife, Catherine. We just got

married here in town. After being together for 25 years, we decided it was time to make it official, so we have. Without any further ado, Mr. Mayor, I'll turn it back to you."

Councilmember Jimmy Green: "I just want to thank everyone in Ward 2, (*Green misspoke, he is ward 3*), for electing me to this position. I do not take this lightly. For me and my wife, Kathy, Tombstone is not only our home, it's our life. So, for the next couple years, I hope that we can be a positive influence to help generate more events for the town and to keep the communications open. I think that's a big part of it. And just do our best to represent Tombstone in a positive reflection. Thank you."

Councilmember Lillian Hritz: "I, too, want to thank all of my constituents who voted for me and placed their trust in me, helping to bring some transparency, as Councilman Green had also expressed. And I want to give you my promise here and now that I will listen and I will hear what you have to say, and I will be your voice here. So, I don't want to be up here and make any votes without knowing what you all would like for me, for how you all would like for me to vote. So, please keep that communication open and answer the phone when I call. It would be great to be able to hear you and understand what you're wanting from me up here. The two things that I campaigned on all along was redistricting. So, I'm hoping that I can work here to make that happen. I know it's not something that's going to happen overnight. I've already spoken with Charissa. So, our first step is to figure out how we fit the cost into the budget. So, just so you all know, Sheriff Dannels did make the comment of this is not easy work. I don't know how long I've already spent with Charissa trying just to learn today's agendas and what's on here. So, I want you to know that I'm doing my work to make that happen. And I will do the best I can to represent you while up here. Again, thank you all and thank the city for all the things they do as well."

Mayor Dustin Escapule: "Thank you. Well, as a lot of you do know, I've been around for a while. I'm going into my ninth term as the mayor of the city of Tombstone. I was first elected in 2000 and then again in 2004, then again in 2008 and then again in 2014. And I've been the mayor since 2014. I've seen a lot of ups and downs. I helped Tombstone go through a real hard time in 2008 when we had a real financial crisis. And then we also had a pandemic that we went through and we were able to survive it. Tombstone actually came out of it pretty well and did better than a lot of the other communities in Southern Arizona. I will tell you that this is a team effort. And the council, as they work with me over the next few months, they'll realize that not one person is above anybody else. We're all equal. We're all representing you folks, the citizens of Tombstone for the betterment of Tombstone. And I know that everybody says, well, you know, you're not paying attention to this, you're not paying attention to that. Let me tell you, we've got limited amount of resources. We have five people in public works right now. We have. The marshal's office is fully staffed at this time. The fire department, for the first time in the history of Tombstone is a full-time fire department. We've moved a long ways and there's a lot further to go, but we have to be cautious on how we take the steps and what direction we're going to take the steps in. I could talk on all night, but I'm not going to. I just want to thank all of the staff, all of the department heads for the hard work that they put into making this city a successful city for the last 10 years. And I'm sure we can do it for the next two years. So having said that, we move on to new business."

VI. NEW BUISINESS

- A. DISCUSSION AND/OR ACTION:** Approval of Appointment of Charissa Martinez Presti as Interim City Clerk.

MOTION by Councilmember Regan, **SECOND** by Councilmember Green to approve Charissa Martinez Presti as Interim City Clerk.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

- B. DISCUSSION AND/OR ACTION:** Approval of Appointment of Michelle Kazda as Interim Deputy City Clerk.

MOTION by Councilmember Regan, **SECOND** by Councilmember Hritz to approve Michelle Kazda as Interim Deputy City Clerk.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

- C. DISCUSSION AND/OR ACTION:** Approval of Appointment of James Nicholas as Interim Public Works Director.

MOTION by Councilmember Regan, **SECOND** by Councilmember Green to approve James Nicholas as Interim Public Works Director.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

- D. DISCUSSION AND/OR ACTION:** Approval of Appointment of Jesse Grassman as Interim Assistant Public Works Director.

MOTION by Councilmember Regan, **SECOND** by Councilmember Hritz to approve Jesse Grassman as Interim Assistant Public Works Director.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

- E. DISCUSSION AND/OR ACTION:** Approval of Appointment of Robert Hendrickson as City Building Official.

MOTION by Councilmember Hritz, **SECOND** by Councilmember Regan to approve Robert Hendrickson as City Building Official.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

F. DISCUSSION AND/OR ACTION: Approval of Appointment of Keith Barth as City Magistrate.

MOTION by Councilmember Regan, **SECOND** by Councilmember Hritz to approve Keith Barth as City Magistrate.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

G. DISCUSSION AND/OR ACTION: Approval of Appointment of Ann P. Roberts as City Attorney.

MOTION by Councilmember Regan, **SECOND** by Councilmember Hritz to approve Ann P. Roberts as City Attorney.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

H. DISCUSSION AND/OR ACTION: Approval of Appointment of James Adams as City Marshal.

MOTION by Councilmember Hritz, **SECOND** by Councilmember Regan to approve James Adams as City Marshal.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

I. DISCUSSION AND/OR ACTION: Approval of Appointment of Christopher Alleman as Fire Chief.

MOTION by Councilmember Hritz, **SECOND** by Councilmember Regan to approve Christopher Alleman as Fire Chief.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes

Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

J. DISCUSSION AND/OR ACTION: Approval of Appointment of Don Taylor as City Historian.

MOTION by Councilmember Regan, **SECOND** by Councilmember Hritz to approve Don Taylor as City Historian.

DISCUSSION: None

ROLL CALL VOTE:

Councilmember Regan	Yes
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

Mayor Escapule swore in approved appointed department heads and city officials. Marshal Adams and Chief Alleman have their badges pinned on by their wives.

K. DISCUSSION AND/OR ACTION: Approval of Appointment of Colin Regan as Mayor Pro-Tem.

MOTION by Councilmember Green, **SECOND** by Councilmember Goodspeed to approve the appointment of Colin Regan as Mayor-Pro Tem.

DISCUSSION:

Mayor Escapule: "I will tell you that Colin has been, this is your third term you're beginning?"

Councilmember Regan: "Yes, sir."

Mayor Escapule: "And he's been working for, with Mr. Barlow for the last two or three months now. I'm sure he can pick up and carry the weight."

Councilmember Regan: "I got a list of meetings I will be at."

ROLL CALL VOTE:

Councilmember Regan	Abstain
Councilmember Goodspeed	Yes
Councilmember Green	Yes
Councilmember Hritz	Yes
Mayor Escapule	Yes

MOTION: Carried

L. DISCUSSION AND/OR ACTION: Approval of Award #HT-24-2967 for the Tombstone Marshal's Office from the City of Tucson HIDTA Program. Grant Funds to be used for Southwestern Arizona Major Investigative Team Overtime.

- Grant Amount: \$4500.00
- Match: None
- Term: January 1, 2024 – December 31, 2025

MOTION by Councilmember Hritz, **SECOND** by Councilmember Goodspeed to approve the Award #HT-24-2967 for the Tombstone Marshal's Office from the City of Tucson HIDTA Program. Grant Funds to be used for Southwestern Arizona Major Investigative Team Overtime.

DISCUSSION:

Mayor Escapule: "Is that correct 2024? Or is that 2025? Marshall?"

Deputy City Clerk Kazda: "Mayor it says 24 in the contract."

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

MOTION: Carried

M. DISCUSSION AND/OR ACTION: Approval of Intergovernmental Agreement between the City of Tombstone and Cochise County for the Tombstone Marshal's Office Spillman System.

- Agreement Amount: \$17,346.00 with 2% increase each year
- Term: 5 years.

MOTION by Councilmember Hritz, **SECOND** by Mayor Pro-Tem Regan to approve Intergovernmental Agreement between the City of Tombstone and Cochise County for the Tombstone Marshal's Office Spillman System.

DISCUSSION:

Councilmember Hritz: "There is. I would like to just confer with Charissa. Were you able to get the answers?"

City Clerk Presti: "Yes. So, there were some questions and we met with Deputy Clerk and Marshal and we called the Cochise County and there is. We need to amend the amount. It actually is \$21,173 total with a 2.5% increase, which is \$7,300 more than it was in 2017, but they did do new contracts based off of inflation and whatnot. Marshal, did you want anything to add to the MDCs that you're receiving?"

Marshal Adams: "So, the Spillman system that we operate under, that belongs to the county, is something that's absolutely necessary for our department to operate, is how we receive and dispatch calls for service and how we respond to them. We are purchasing, we've already purchased four brand new MDCs off of a grant. We have grant funding for seven more MDCs, which was the first one I mentioned in my police commissioner's report, all grant funded. But what that allows us to do is once we own our own computers, we don't have to pay the county for computers anymore. So that number, as we start to filter in the new computers and get rid of the old ones, will go down."

Councilmember Hritz: "Is that what MPC is?"

Marshal Adams: "MDC."

Councilmember Hritz: "MDC, that means computer?"

Marshal Adams: "Mobile data computer."

Councilmember Hritz: "I did have one more question. When I spoke with Charissa earlier, was about the Fire Department using that service as well. So are they able to use that? When you say communication to answer calls, is the Fire Department able to use that service as well?"

Marshal Adams: "So, the Fire Department doesn't currently have a contract with the county's IT for that service. However, in our last budget conversation, the Fire Department did ask for some MDCs, but because we're going to have several that we own that we're going to be able to maintain after the new ones are purchased, we're going to be able to transfer those to the Fire Department. They will work out their own agreement with the county for that service."

ROLL CALL VOTE:

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

MOTION: Carried

N. DISCUSSION AND/OR ACTION: Approval of Proposal from Colby and Powell, PLC to conduct financial statement audits for the City of Tombstone for fiscal years 2024, 2025, and 2026.

- Proposal Amount: \$37,500.00 with \$1,000.00 increase each year
- Term: 3 Fiscal Years

MOTION by Councilmember Hritz, **SECOND** by Mayor Pro Tem Regan to approve Proposal from Colby and Powell, PLC to conduct financial statement audits for the City of Tombstone for fiscal years 2024, 2025, and 2026.

DISCUSSION: None

ROLL CALL VOTE:

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

MOTION: Carried

O. DISCUSSION AND/OR ACTION: Approval of Proposal from Colby and Powell, PLC to conduct a MAS audit for the City of Tombstone Magistrate Court for fiscal year 2023.

- Proposal Amount: \$6,000.00
- Term: None-One time audit

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Hritz to approve Proposal from Colby and Powell, PLC to conduct a MAS audit for the City of Tombstone Magistrate Court for fiscal year 2023.

DISCUSSION: None

ROLL CALL VOTE:

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

MOTION: Carried

P. DISCUSSION AND/OR ACTION: Approval of Renewal of Lease Agreement between the City of Tombstone and Valley Connections for 123 S. 7th Street for broadcasting antenna facility.

- Annual Lease Amount: \$1200.00
- Term: November 12, 2024 – November 11, 2027

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Hritz, to approve Renewal of Lease Agreement between the City of Tombstone and Valley Connections for 123 S. 7th Street for broadcasting antenna facility.

DISCUSSION: None

ROLL CALL VOTE:

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

MOTION: Carried

Q. DISCUSSION AND/OR ACTION: Approval of special use permit from Chamber of Commerce for Annual Ho, Ho, Holiday Shop and Stroll on Friday, December 6, 2024. Requesting to use the following:

- Allen Street between 3rd and 6th Streets from 4 PM to 7 PM.
- Tombstone Vigilante Gunfight at 5 PM between 4th and 5th Streets.

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Hritz, to approve special use permit from Chamber of Commerce for Annual Ho, Ho, Holiday Shop and Stroll on Friday, December 6, 2024.

DISCUSSION:

Councilmember Hritz: "Is it only going to be one gunfight at five, or are they going to be performing for a period of time?"

Mayor Escapule: "Well, if they got with you, Marshal, and setting up parameters and you can't just arbitrarily be putting on a gun fight show."

Marshal Adams: "I haven't been contacted by anybody at the time."

City Clerk Presti: "Mayor, I have a representative here from the Chamber. If you'd like questions answered."

Laura Jones: "Good evening. For those of you that don't know me, I'm Laura Jones with the Chamber of Commerce. For the last few years we've been partnering with First Fridays for their annual Ho, Ho, Ho, Holiday Shop and Stroll Event, which is First Fridays go on every month, but this is a special event that the Chamber does to make it a larger event. This is the same event as we've held last year. The only exception is we, the Vigilantes will be doing a short skit on Allen Street. They won't be performing the entire time. They'll start their skit at 5 o'clock. It will be one skit and then they'll be done."

Councilmember Hritz: "Okay, thank you."

Mayor Escapule: "So, here's the problem as I see it. They've got it at 4th street and 5th Street. Between 4th and 5th Street. Where is it going to be set up?"

Laura Jones: "It's usually right in front of Big Nose Kate Saloon."

Mayor Escapule: "Okay, so they're going to rope it off just like they do on a Vigilante Sunday, then?"

Laura Jones: "Yes, sir."

Mayor Escapule: "Is that good with you, Marshal?"

Marshal Adams: "That's good with me."

ROLL CALL VOTE:

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

MOTION: Carried

R. DISCUSSION AND/OR ACTION: Approval of special use permit from Larry Bowers for Annual Tuba Christmas, on Saturday, December 14, 2024. Requesting to use the following:

- Schieffelin Park from 12 PM to 2:30 PM.

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Hritz, to approve special use permit from Larry Bowers for Annual Tuba Christmas, on Saturday, December 14, 2024.

DISCUSSION: None

VOTE: Yes-5/No-0

MOTION: Carried

- S. DISCUSSION AND/OR ACTION:** Approval of special use permit from Calvary Tombstone, Inc for Annual Caroling in City Park, on Saturday, December 14, 2024. Requesting to use the following:

- Schieffelin Park from 5 PM to 6:30 PM.

MOTION by Mayor Pro-Tem Regan, **SECOND** by Councilmember Green, to approve special use permit from Calvary Tombstone, Inc for Annual Caroling in City Park, on Saturday, December 14, 2024.

DISCUSSION: None

VOTE: Yes-5/No-0

MOTION: Carried


VII. MOTION TO ADJOURN

MOTION by Mayor Pro Tem Regan **SECOND** by Councilmember Hritz, to adjourn the Regular Council Meeting for Tuesday, November 12, 2024.

Mayor adjourns Regular Council Meeting for November 12, 2024.



Dustin Escapule, Mayor



Charissa Presti, Interim, City Clerk