I. CALL TO ORDER
Mayor Dustin Escapule called the Regular Council Meeting to order on Tuesday, December 11, 2018.

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 Present
Councilmember Bill Barlow Present
Councilmember Brian Davis Present
Councilmember James Newbauer Present
Mayor Dustin Escapule Present
P. Randall Bays – City Attorney Present

A QUORUM WAS DECLARED

IV. MOTION TO ENTER INTO EXECUTIVE SESSION
DISCUSSION AND/OR ACTION: Approval of entering into an Executive Session for the purpose of getting updates from the City’s Southwest Risk Pool Insurance Attorney Andrew Peterson, on various pending legal.

V. RECONVENE BACK INTO REGULAR SESSION
Mayor Escapule reconvenes back into the Regular Council Meeting at 7:21 p.m.

VI. CALL TO PUBLIC
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.
Penny Lescard; “Good evening Mayor, Citizens of Tombstone, I am Penny Lescard of 714 E. Fulton Street, on behalf of Norma Sullivan and I, we would like to donate an AED Box and signage for the new renovated City Hall. Hopefully, you can put an AED in it. We want to thank you for continuing the efforts to make Tombstone a heart safe community. I can no longer support this project as I put my house up for sale and I am moving back to Florida for several reasons."

Mayor Escapule; “Thank you very much! Hopefully, Marshal, about thirty days you can put that in there? In the new City Hall, Marshal Office.”

Marshal Randall; “Hopefully!”

There being no further Call to the Public Participants, Mayor Escapule closes Call to the Public and moves forward on the agenda.

VII. APPROVAL OF MINUTES

Regular Council Meeting, Tuesday, November 13, 2018 at 7:00 p.m
Regular Council Meeting, Tuesday, November 13, 2018 at 7:05 p.m.

MOTION by Councilmember Davis, SECOND by Councilmember Bachman to approve the Regular Council Meeting Minutes of Tuesday, November 13, 2018 (7:00 p.m.) and the Regular Council Meeting, Tuesday, November 13, 2018 (7:05 p.m.).

DISCUSSION: None

VOTE: 6/0

MOTION: Carried

VIII. NEW BUSINESS

A. DISCUSSION AND/OR ACTION: Approval of Accounts Payable in the amount of $ 197,099.70 (November 1, 2018 through November 30, 2018).

MOTION by Councilmember Bachman, SECOND by Councilmember Davis to approve Accounts Payable in the amount of $ 197,099.70 (November 1, 2018 through November 30, 2018).

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

B. DISCUSSION AND/OR ACTION: Approval of any recommendations made by the Southwest Risk Pool Attorney and/or the City Attorney on information discussed in the Executive Session.
MOTION by Councilmember Barlow, SECOND by Councilmember Davis, to approve recommendations made by the Southwest Risk Pool Attorney and/or the City Attorney on information discussed in the Executive Session.

DISCUSSION: None

ROLL CALL VOTE:

- Councilmember Salcido: Yes
- Councilmember Barlow: Yes
- Councilmember Davis: Yes
- Councilmember Bachman: Yes
- Mayor Escapule: Yes

5 Yes Votes, 0 No Votes

VOTE: 5/0

MOTION: Carried

C. DISCUSSION AND/OR ACTION: Acknowledgement of donation of Parcel: 109-25-023F9, consisting of 43,572 square feet of land, approximately one acre off Skyline Trail, subject to existing easements, described in Parcel 2 Description Attachment. Land donated to the City of Tombstone by the Honorable Dustin L. "Dusty" and First Lady Cheri Escapule for the exclusive and sole use of a water facility.

MOTION by Councilmember Barlow, SECOND by Councilmember Davis, to acknowledge donation of Parcel: 109-25-023F9, consisting of 43,572 square feet of land, approximately one acre off Skyline Trail, subject to existing easements, described in Parcel 2 Description Attachment. Land donated to the City of Tombstone by the Honorable Dustin L. "Dusty" and First Lady Cheri Escapule for the exclusive and sole use of a water facility.

DISCUSSION: Mayor Escapule; “I would like to say Ladies and Gentlemen that Cheri would like to have been here to tonight. I am not sure if any of you understand her health situation but she is unable to be here. Her only request is we are donating this one acre of land to the City for a water facility, to put a new well in because we seriously need a new well. We know the City does have the money to buy the property for a well. The only thing that she is asking; and I don’t think it is out of line is recognition for one, the one acre that was donated by Cheri and I to the City of Tombstone and two; that there is a plaque placed at the Tombstone Cemetery, that my great grandfather donated back in the 1880’s to the City of Tombstone, it has never been acknowledged. It’s been a matter of record; for years and years and she wants to make sure there is a plaque that goes up at the front gate of the cemetery acknowledging the fact that the Escapule’s did in fact donate the land that the cemetery is sitting on. One of the stipulations my great grandfather had was any person that lived in Tombstone one year preceding his death did not have to pay for a plot and that is still on record today! The majority of the local families that have been here for decades,
generation after generation have never paid to be buried at the old part of the cemetery and it is still that way today! There are still part of Tombstone families that are being buried there today because of that stipulation! So those are the stipulations and it is an honor for Cheri and I to actually continue to be part of the community and donate this land to the City of Tombstone for a water facility. Thank you!”

City Attorney Bays; “Mr. Mayor, if I may also, I will donate those plagues. If I could just get the City Clerk perhaps to get a quote on how much it is going to cost. I will pay for them!”

Mayor Escapule; “The first lady has already made them do that before I could do that! So she said you get the quotes and make sure that it’s going to happen because she has been promised this before!”

City Attorney Bays; “So I think we just need Public Works to go out there and …”

Mayor Escapule; “We’ll make it happen!”

City Attorney Bays; “Number two, I believe Mr. Mayor that today is your 42nd wedding anniversary!”

Mayor Escapule; “Yes, today is our 42nd wedding anniversary!”

Councilmember Barlow; “You and I served on several council’s through the years and every Council we had this discussion of the water current and future problems that we know that were coming somewhere down the road. On behalf of the Council and the people of Tombstone I would like to say: thank you, to you and to Cheri for your efforts to donate the land and prepare us for the future because you and I talked about getting the grant for a well and getting City property which most people in this town doesn’t have an idea that we don’t own water tank hill up there! This is a great move for the City and I think it is something that is paving the way for better things down the road when it comes to water!

Mayor Escapule; “Thank you Bill!”

ROLL CALL VOTE:

Councilmember Salcido               Yes
Councilmember Barlow                Yes
Councilmember Davis                  Yes
Councilmember Bachman                Yes
Mayor Escapule                        Abstain

4 Yes Votes, 0 No Votes, 1 Abstain

VOTE: 4/0/1

MOTION: Carried
D. DISCUSSION AND/OR ACTION: Approval of Heinfeld, Meech & Co., P.C. to conduct an independent audit on Boothill Gift Shop and Bed Tax Records.

**MOTION** by Councilmember Barlow, **SECOND** by Councilmember Bachman to approve Heinfeld, Meech & Co., P.C. to conduct an independent audit on Boothill Gift Shop and Bed Tax Records.

**DISCUSSION:** None

**Roll Call Vote:**

- Councilmember Salcido: Yes
- Councilmember Barlow: Yes
- Councilmember Davis: Yes
- Councilmember Bachman: Yes
- Mayor Escapule: Yes

5 Yes Votes, 0 No Votes

**VOTE:** 5/0

**MOTION:** Carried

E. DISCUSSION AND/OR ACTION: Acceptance of David Bruster’s resignation as Fire Chief.

**MOTION** by Councilmember Davis, **SECOND** by Councilmember Bachman to accept David Bruster’s resignation as Fire Chief.

**DISCUSSION:** Mayor Escapule; "Mr. Bruster, are you in the audience? Dave come up here. I want to personally thank you for the time that you spend with the City of Tombstone, when Chief Perotti turned this over to you. You had your hands full and you have done an outstanding job and continued to put the Fire Department in good repair. You have good equipment. The Marshal is not happy with the fact that you took a grant from him but never the less you... never the less Dave has done good for the City in acquiring grants not only for the Fire Department, for other areas in the City. I complement you and I wish you the best of luck in your new endeavors and I guess you know how cold it is back there in Iowa right now! Good luck to you Dave and thank you very much!"

**VOTE:** 5/0

**MOTION:** Carried

F. DISCUSSION AND/OR ACTION: Approval of appointment of Christopher Alleman as Fire Chief.

**MOTION** by Councilmember Barlow, **SECOND** by Councilmember Bachman to approve Christopher Alleman as Fire Chief.
DISCUSSION: Mayor Escapule; “When Chris came in with David and said that he wanted to be the Fire Chief but, didn’t want to get paid. I thought there was a real bad catch to this! This can’t be right! In fact he has agreed to come in as the Fire Chief without pay. He already carries a big position with Arizona Ambulance and I appreciate the fact that he is willing to be a part of the community and help the community move forward with our Fire and ambulance service. I want to say welcome to Tombstone! Welcome aboard the Tombstone staff!

VOTE: 5/0

MOTION: Carried

G. DISCUSSION AND/OR ACTION: Approval of request from the OK Corral for the renewal of the annual 2019 special use permit for a static display which consist of a Fire Hose Cart, Buggy and 3 Coffins to be displayed at 325 E. Allen Street during daylight hours.

MOTION by Councilmember Barlow, SECOND by Councilmember Davis to approve request from the OK Corral for the renewal of the annual 2019 special use permit for a static display which consist of a Fire Hose Cart, Buggy and 3 Coffins to be displayed at 325 E. Allen Street during daylight hours.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

H. DISCUSSION AND/OR ACTION: Approval of request from the Tombstone Vigilantes for a special use permit for the 2019 Calendar Year for the use of Allen Street for the following events; impromptu Gunfight Skits every second and fourth Sunday of each month, Annual Vigilante Days, February 16, 17, 2019, 10 K Run, August 11, 2019, Showdown Celebration, August 31, September 1, 2019, and Helldorado Celebration, October 20, 21, 22, 2019.

MOTION by Councilmember Davis, SECOND by Councilmember Bachman, to approval request from the Tombstone Vigilantes for a special use permit for the 2019 Calendar Year for the use of Allen Street for the following events; impromptu Gunfight Skits every second and fourth Sunday of each month, Annual Vigilante Days, February 16, 17, 2019, 10 K Run, August 11, 2019, Showdown Celebration, August 31, September 1, 2019, and Helldorado Celebration, October 20, 21, 22, 2019.

DISCUSSION: Mayor Escapule; “I would like to mention that running out a year like this, in the event that there is another event, a bigger event or something larger scale that would come in that the Vigilantes should be able to accommodate this additional event and I think it needs to be made of record that this is stipulated on the Vigilantes being able to work with a new event that may be coming in. For example: one of the big famous stars that would come in.
That may bring a lot more people in rather than just the regular Vigilante Sunday. I would like for everybody to understand that this permit is contingent upon them working with a new event that may be coming in! I think this is only fair going this far out in the year!"

VOTE: 5/0

MOTION: Carried

I. DISCUSSION AND/OR ACTION: Approval of request from the Wild West Detachment Marine Corps League, Tombstone for a special events permit for the use of Allen Street from 7:00 a.m. to 5:00 p.m. for street activities, gunfight shows and a parade for the 10th Annual Tombstone Wild West Days to be held on Saturday, March 16, and Sunday, March 17, 2019.

MOTION by Councilmember Davis, SECOND by Councilmember Bachman to approval request from the Wild West Detachment Marine Corps League, Tombstone for a special events permit for the use of Allen Street from 7:00 a.m. to 5:00 p.m. for street activities, gunfight shows and a parade for the 10th Annual Tombstone Wild West Days to be held on Saturday, March 16, and Sunday, March 17, 2019.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

J. DISCUSSION AND/OR ACTION: Approval of request from the Tombstone Lions Club for a special use permit for the use of Allen Street, City Park and the City Parking Lot next to the Art Gallery on Saturday, May 25, Sunday, May 26 and Monday, May 27, 2019 from 5:00 a.m. to 6:00 p.m. for Wyatt Earp Days events.

MOTION by Councilmember Davis, SECOND by Councilmember Bachman to approval request from the Tombstone Lions Club for a special use permit for the use of Allen Street, City Park and the City Parking Lot next to the Art Gallery on Saturday, May 25, Sunday, May 26 and Monday, May 27, 2019 from 5:00 a.m. to 6:00 p.m. for Wyatt Earp Days events

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

K. DISCUSSION AND/OR ACTION: Approval of request from the Tombstone Lions Club for a special use permit for the use of the Allen Street, City Park, and City Parking Lot next to Art Gallery on Friday, June 28, Saturday, June 29, and
Sunday, June 30, 2019 from 6:00 a.m. to 6:00 p.m. for Freedom Days Celebration.

**MOTION** by Councilmember Bachman, **SECOND** by Councilmember Davis to approval request from the Tombstone Lions Club for a special use permit for the use of the Allen Street, City Park, and City Parking Lot next to Art Gallery on Friday, June 28, Saturday, June 29, and Sunday, June 30, 2019 from 6:00 a.m. to 6:00 p.m. for Freedom Days Celebration.

**DISCUSSION:** None

**VOTE:** 5/0

**MOTION:** Carried

**L. DISCUSSION AND/OR ACTION:** Approval of request from the Tombstone Lions Club for a special use permit for the use of Schieffelin Hall on Friday, June 28, Saturday, June 29, and Sunday, June 30, 2019 from 9:00 a.m. to 10:00 p.m. for Freedom Days Celebration.

**MOTION** by Councilmember Backman, **SECOND** by Councilmember Davis to approve request from the Tombstone Lions Club for a special use permit for the use of Schieffelin Hall on Friday, June 28, Saturday, June 29, and Sunday, June 30, 2019 from 9:00 a.m. to 10:00 p.m. for Freedom Days Celebration.

**DISCUSSION:** None

**VOTE:** 5/0

**MOTION:** Carried

**M. DISCUSSION AND/OR ACTION:** Approval of request from Tombstone Forward Association for a special use permit for the Second Annual Wine Celebration Event that will take place in the City Park on Friday, April 5, Saturday, April 6, and Sunday, April 7, 2019. Second request for the use of the parking lot that is located next to the Art Gallery to be used as a loading and unloading area.

**MOTION** by Councilmember Barlow, **SECOND** by Councilmember Davis to approve request from Tombstone Forward Association for a special use permit for the Second Annual Wine Celebration Event that will take place in the City Park on Friday, April 5, Saturday, April 6, and Sunday, April 7, 2019. Second request for the use of the parking lot that is located next to the Art Gallery to be used as a loading and unloading area.

**DISCUSSION:** None

**VOTE:** 5/0

**MOTION:** Carried
N. DISCUSSION AND/OR ACTION: Approval of request from Tombstone Forward Association for an Application for a Special Event Liquor License for Saturday, April 6, and Sunday, April 7, 2019 for the Second Annual Wine Celebration Event that will take place in the City Park on Friday, April 5, Saturday, April 6, and Sunday, April 7, 2019.

MOTION by Councilmember Bachman, SECOND by Councilmember Davis to approve request from Tombstone Forward Association for an Application for a Special Event Liquor License for Saturday, April 6, and Sunday, April 7, 2019 for the Second Annual Wine Celebration Event that will take place in the City Park on Friday, April 5, Saturday, April 6, and Sunday, April 7, 2019.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

O. SWEARING IN OF CHRISTOPHER J. ALLEMAN AS FIRE CHIEF

Mayor Escapule swears in Christopher J. Alleman as the new Fire Chief for Tombstone, AZ.

IX. MOTION TO ADJOURN

Mayor Escapule entertains a motion for adjournment.

MOTION by Councilmember Davis, SECOND by Councilmember Bachman to approve the motion to adjourn the Regular Council meeting.

DISCUSSION: None

VOTE: 5/0

MOTION: Carried

The Regular Council Meeting for Tuesday, November 13, 2018 thereby adjourned at 7:41 p.m.

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Dustin Escapule, Mayor

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Brenda A. Ikirt, Interim City Clerk