

SPECIAL COUNCIL MEETING
TUESDAY, JANUARY 17, 2012
4:30 P.M.
SCHIEFFELIN HALL

- I. **CALL TO ORDER** Mayor Henderson called the Special Council Meeting to order on January 17, 2012.
- II. **PLEDGE OF ALLEGIANCE** Mayor Henderson led the Common Council and the general public in a recitation of the Pledge of Allegiance.
- III. **ROLL CALL**
- | | |
|------------------------------------|---------|
| Councilman Steve Troncale | Present |
| Councilman James Doherty | Present |
| Councilwoman Stacey Korbeck-Reeder | Absent |
| Councilman H Randall Davis | Absent |
| Mayor Jack Henderson | Present |

A QUORUM WAS DECLARED

IV. **NEW BUSINESS**

- A. **DISCUSSION AND/OR ACTION: ORDINANCE #2012-01**, an Ordinance of the Mayor and Council of the City of Tombstone, Arizona revising the Commercial Waste Hauler License Fee.

MOTION by Councilmember Doherty, **SECOND** by Councilmember Troncale to approve Ordinance #2012-01,

DISCUSSION: City Clerk Barnes corrects the Ordinance number to read 2012-01. States that ordinance was prepared at the request of the Council. He continued that the proposal has two elements. One is the absolute amount and the second is the allocating it as quarterly payments.

Mayor Henderson states that it will cost the City some of the services that the other hauler was covering and so we will be supplementing commercial garbage pick up. States that he would like to look at this at a later date as currently another City is looking at raising their Commercial Hauler fee.

City Clerk Barnes states that another option is if Council was to make it \$250.00 per quarter that would off set the loss on the other side of our agreements with any other companies.

Councilmember Doherty stated he disagreed with that because of the fact that by having two haulers in at this price the different is the City is minus \$550.00. Which is about ten dollars a week. To get competition for our business I think we can afford this, he stated.

Councilmember Troncale agrees with Councilmember Troncale and states that he believes it is necessary for competition.

Mayor Henderson closes discussion.

VOTE: 3/0

MOTION: Passes

- A. DISCUSSION AND/OR ACTION:** Proposal by the Goldwater Institute, Center for Constitutional Litigation to represent the City of Tombstone in the matter of City of Tombstone v. United States of America, et al, case Number CV 11-845 TUC-FRZ.

MOTION by Councilmember Troncale, **SECOND** by Councilmember Doherty to approve proposal by the Goldwater Institute, Center of Constitutional Litigation to represent the City of Tombstone in the matter of City of Tombstone v United States of America, et al, case number CV 11-845-TUC-FRZ.

City Clerk Barnes explains that the Goldwater Institute is interested in the situation with the Forrest Service and the City of Tombstone and is interested in representing the City of Tombstone at a certain level in Federal Court. He further explains that the City would still have to retain special council for water. There is no charge to the City of Tombstone.

Mayor Henderson closes discussion.

VOTE: 3/0

MOTION: Passes

V. ADJOURNMENT

Mayor Henderson entertains a motion for adjournment.

MOTION by Councilman Troncale, **SECOND** by Councilman Doherty to adjourn the meeting at 4:40 P.M.

VOTE: 3/0

MOTION: Passed

Jack Henderson, Mayor

George Barnes, City Clerk