

**TOWN OF MAMMOTH  
MINUTES OF A REGULAR MEETING  
OF THE MAMMOTH TOWN COUNCIL  
AUGUST 18, 2022**

**These are the Minutes of a Regular Meeting held by the Mammoth Town Council  
On August 18, 2022 pursuant to the notice required by Law.**

**Due to the COVID-19 Virus and our efforts to slow the spread, and to keep all members and attendees safe in this time of crisis. We require that all those in attendance are adhering to Social Distancing Measures.**

**1. CALL TO ORDER – This meeting was called to order at 7:00 PM Mayor Armenta.**

**2. PLEDGE OF ALLEGIANCE Vice Mayor Bustamante**

**3. ROLL CALL**

**PRESENT MEMBERS**

Mayor Armenta  
Vice Mayor Bustamante  
Councilwoman Martinez  
Councilman Martinez  
Councilman Dietz  
Councilman Brewer  
Vacant Seat

**PRESENT STAFF**

Attorney S Cooper  
~~Town Manager J. Schempf~~  
Town Clerk A. Sanchez  
Police Chief H Muller  
~~Town Recorder S. Christiansen~~

**ABSENT MEMBERS**

**4. CALL TO THE PUBLIC –**

**Marti Buzan—Asking if the town would be holding a Community Cleanup in September like they did last year. Also stating that attempting to get vouchers from the County was extremely difficult. Council stated that we would be putting together another Community Cleanup in the fall.**

**Mary Turner—Questioned whether the election that just took place was to fill seats that have or are set to expire and not for anything else. Council replied yes. Questioned if she were to want to comment or question an item on the agenda, could she be called upon at the time of the agenda item to address her concerns. The attorney stated that the Mayor could allow for that but that there would still be a 3 minute limit and that it is not 3 minutes per agenda item, it is 3 minutes in total.**

**Dennis Oswalt--It's my understanding, you're going to be voting on a dog ordinance parking ordinance this evening, perhaps, or it's at least going on in your heads. I believe it's time for our council to put forward proper dog ownership and responsibility. And that vote would be credible step forward and making life here tolerable. I have a phone with a lot of recording design. And I'm sure you don't want to sit here and listen to this dog barking. But I listen to it. Night after night after night, over and over and over to the point it is driving us from our home. And if something doesn't change, we will be moving. Because we can't tolerate it anymore. Chief Muller responds, regarding responding to noise complaints, one issue that we run into from an enforcement standpoint is, we have to have a willing victim and we have received calls the person wants to remain anonymous, they don't want contact. You know it doesn't mean we have to show up to your house. But if you request that you want contact by phone, we can take enforcement action and have a victim for disorderly conduct. If there's some sort of issue with your peace being disturbed. So if we get we get a call and the person is not wanting contact, and we're not observing anything, sometimes we're not always getting the full story of what's going on, we show up, there's no dogs barking. What are we to do at that point? And it seems like it's also situational at times, too. It could be somebody was walking through the neighborhood started up the dogs, and they're already gone. Animals that are coming through coyotes, and whatnot.**

**5. CONSENT AGENDA**

- A. STAFF RECOMMENDATIONS AND REPORTS (Copies of all Reports can be found on the Agenda page of the website for this meeting)
  - 1. Town Manager
  - 2. Town Clerk/Treasurer
  - 3. Police
  - 4. Public Works
  - 5. Library
  - 6. Planning and Zoning
- B. APPROVE ACCOUNTS PAYABLE For Payment and Filing for July 2022
- C. APPROVE MEETING MINUTES FOR
  - Regular Meeting of June 16, 2022
  - Regular Meeting of July 21, 2022
- D. APPROVAL OF LIQUOR LICENSE FOR BLESSED SACRAMENT CHURCH
- E. APPROVAL TO INSTRUCT THE TOWN MANAGER TO DIRECT PUBLIC WORKS TO FILL IN HOLE ON FENCE LINE NORTH OF COMMUNITY CENTER, SAFETY ISSUE
- ~~F. DIRECT TOWN MANAGER TO REVIEW GAS USAGE BY PUBLIC WORKS AND TAKE HOME VEHICLE POLICY AND INVENTORY OF TOOLS/EQUIPMENT~~
- G. DIRECT TOWN MANAGER TO REVIEW TOWN SURPLUS MATERIALS, EQUIPMENT, VEHICLES, ETC. FOR SALE/AUCTION TO RECOUP MONIES FOR TOWN
- H. APPROVE USE OF COMMUNITY CENTER FOR ONE DAY IN OCTOBER FOR A COMMUNITY FIRE PREVENTION EVENT

MOTION TO APPROVE CONSENT AGENDA ITEMS A,B,C,D,E,G,H  
 MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILMAN MARTINEZ  
 MOTION PASSED 6-0

ITEM F WAS PULLED FOR ORAL EXPLANATION  
 Councilwoman Martinez explained we pull that item, we're asking that the Town Manager review those gas logs, and sit down with the Public Works supervisor to determine what is driving that high on the gas usage. For an entire fleet, I could see maybe having to put in \$50 every couple of days, but for one vehicle to put in \$50 one day and then \$50 the next day and then two days later, \$50, it's getting pretty costly, to be fiscally responsible with your money, we are directing him to look into that usage and come up with a suitable amount and explanation.

MOTION TO APPROVE ITEM F. DIRECT TOWN MANAGER TO REVIEW GAS USAGE BY PUBLIC WORKS AND TAKE HOME VEHICLE POLICY AND INVENTORY OF TOOLS/EQUIPMENT  
 MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILMAN MARTINEZ  
 MOTION PASSED 6-0

6. OLD BUSINESS

- ~~A. TOWN MANAGER TO REPORT ON THE FOLLOWING:
 
  - 1. FALLEN OFFICER MEMORIAL
  - 2. CDBG PROCUREMENTS
  - 3. COMMUNITY CENTER RESTROOMS
  - 4. NATIONAL NIGHT OUT EVENT
  - 5. UPDATE ON BARKING DOG ORDINANCE AND LEASH LAW
  - 6. COVID UPDATE AND RETURN COUNCIL MEETINGS TO TOWN HALL~~
- ~~MOTION TO~~

**THIS ITEM IS BEING TABLED AS REQUESTED BY COUNCIL DUE TO TOWN MANAGER BEING OUT WITH COVID.**

- B. APPOINTMENT OF COUNCIL MEMBER TO BE SEATED UNTIL NOVEMBER 2022 COUNCIL MEETING WHEN NEWLY ELECTED COUNCIL MEMBERS WILL TAKE THEIR SEATS.**

**MOTION TO APPOINT IRENE GERMAN TO COMPLETE THE TERM VACATED BY MR. PONCE UNTIL NOVEMBER 2022 WHEN THE NEW MEMBERS WILL BE SEATED.**

**MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILMAN DIETZ  
MOTION PASSED VOTE 6-0**

**(NOTE: AT THIS TIME IRENE GERMAN IS SWORN IN BY ATTORNEY MR. COOPER.)**

- C. DISCUSS AND APPROVE RETURNING THE COUNCIL MEETINGS TO TOWN HALL BEGINNING WITH SEPTEMBER MEETING.**

**MOTION TO TABLE FOR THE NEXT MEETING**

**MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILMAN DIETZ  
MOTION IS TABLED VOTE 7-0**

- D. DISCUSSION AND UPDATE ON CELL TOWER NEGOTIATIONS. DISCUSSION ONLY**

**ATTORNEY COOPER--**Mayor, council members, I gave you a copy of an email, which is the last one that I received from the cell tower people. We had suggested some changes from the council meeting and the fact that they had some provisions on there. I'll just walk you through really quickly with what's going on there. What they claim is that the cell tower service that went if you approve it, they are going to have a matrix, national carrier will be on the cell tower. And it's not AT&T, current provider that you have here. They claim that somehow they negotiated an agreement for \$1,200 with the town, which I don't believe that we did. And even if we did, it isn't a deal until the council approves this. They are firm about the \$1,200, we have proposed going back at \$1500, and you'll need to give me direction afterwards as to what that amount will be. They did agree to a couple of other things, they agreed to reduce the renewal terms from 10 years to five years. And they are willing to basically give an increase in the adjustments of the agreement at 2% annually on there. So that so basically, if you whatever the amount you agreed to, they agreed to increase that amount 2% Every year, which isn't much, but it is something they also claim that they will not be using any utility easements for electricity or power to get to their cell systems. So we would not be required to charge them for using our right away. And they agree that there's a dispute, we're going to litigate it in Arizona instead of I believe it was Connecticut or someplace like that on the East Coast. And they would like to get some idea from the council as to what your direction is on that. But what I would tell you is that I thought that the sticking points that you would put provided were the price. The fact that those renewal terms, this pushed us out almost 50 years, which I don't believe the tower would have that kind of life, because I think the future is going to be a lot smaller and shorter systems as you go down the road. And they did agree to 2% increase. And they are promising us a new carrier major carrier on there, which might help the cell service in the community and there might be a benefit to the citizens by having it and also for the ability to do some kind of streaming service, which might help your TV and certainly educational opportunities for your children. So that's basically the report. I'm not asking you to approve anything, but I do need you to tell me on the rental amount to give me some direction as to what I should tell them. I told them I would respond to them first thing tomorrow morning.

**Council directed Mr. Cooper to return negotiations as follows Council will agree to \$1200 lease with 2% increase for five years, but would like to have some camouflage to make the pole more pleasing to the eye.**

**E. DISCUSS STATUS OF PROPOSED BUS SERVICE AND POLL/SURVEY RESULTS AND DIRECT STAFF**

**Vice Mayor Bustamante**—stated that there are more than 50 surveys at this time and the question is one, there is a need and two, what is the availability in the area. There are transportation monies out there. Why not continue with the survey? Let's keep this thing alive as long as we can. I remember a bus service that ran from Tucson and they stopped the Winkelmann. And it was a 9 and a 12. Passenger. They picked you up right here and, I know they stopped down there at the Fox Theater back then. I think this is something that we need to look at. We need to study more. But let's be prepared to shift into gear because one of the things that I would not want us to see is, is that we're late on acting and the availability of funds in the 23 or 24 funding cycle.. But I'd like to see where quite possibly it could run from Mammoth to Catalina, Bashas, then you go over to Walmart, then you go over to like the Target have a four hour layover, then come back. That would be the, the early bird. And then the night run. Would be an evening run where it's after five. But you're going somewhere like maybe to the Walmart area in Oro Valley where there's the entertainment district, you catch a movie, what have you come back, you get a little bit of relaxation, entertainment. You might be able to do some shopping, go buy prescriptions or what have you. So one would be business, the other would be what have you. As soon as I get to Oro Valley. I could just say, you know, I want to get on the Sun transit system. And that's all I need. I'm good. And then if I time things, right, maybe I could come back and catch it on the way back to Mammoth. But it's something to think about for the future. And the future is coming, it's coming fast.

**F. NIEGHBORHOOD WATCH UPDATE**

**Vice Mayor Bustamante**--Okay, Today I received some a package of material at the police department. I want to thank the Chief and his people for helping out and attending the meetings. The Police and Fire attend and anybody else we've been working on reconditioning of signs. Also one of the things that we have discussed is activities in the park system, gradually rebuilding the park system. We're talking about fixing the horseshoe pit, here in this area, and keeping an eye on people who are home alone and what have you. I am having a meeting every month, I'm thinking of having a follow up meeting in August, because I think that vigilance is a deterrence. And this just shows that the community is serious about doing this. I'll put a notice, well, in advance of the next meeting and the location, we have tried to get the lions club.

We've met at the lions a couple of times. But it seems that this is a better location to have the meetings. Plus, part of the strategy of the lions was that we could get people down there and recruit some people for their organization. One organization helps the other organization. So we have a coalition of law, Police, Fire, your Lions Club, your citizens at large and what have you. That's how you get stronger and better.

**Councilman Brewer**--We did touch on security cameras. There's a fence right up out there. Northeast corner fencing, fixed the chain fencing and a new top rail on it. Next week they pushed it down again. Now they use it for a shortcut and just the other day I was at the little league field and in there right center, up against the highway perimeter fences, somebody took the top rail to that fence too. We have to patrol this area more. And if cameras are here, we could help monitor it ourselves.

**Chief Muller**--If I can touch on that, it's actually a great idea because there's other communities similar to ours that have implemented that, they're having a lot of problems in Superior at their park over by the trains off the 60. And they actually have, in their patrol room, they have basically a live feed. And they can watch all these cameras throughout the town in real time. And, it helps because when a call comes in, or before there's even a call you can see what's going on. But if you're not watching that camera, call comes in you can see what you're walking into ahead of time or you can be proactive and you can see what people are up to, see if some sort of criminal damage taking place that we can we can head off. They've got those implemented wireless cameras in different parts of their town specifically like the parks where they're having problems.

**General Comments**—Concerns about not having any WIFI to work cameras, and the fact that motion lights had been placed at the Little League field to work as a deterrent that have never worked properly. Another suggestion was to use cell service cameras, it doesn't mean the Wi Fi and they are not that expensive. Under \$200, you can buy a three pack or a six pack you can watch it on your phone.

**G. UPDATE ON DISPATCH TRANSITION TO PCSO**

**Chief Muller**-- So far, it's been really smooth. The only little hiccup that we're having is, we still haven't gotten word out to everybody in the town that the non-emergency numbers change. 911 obviously is still the same. Thankfully, you know, that's taken care of, that's the biggest things. So we're just going to have to

try to do a little bit better job out there getting the word out. My suggestion, if the council will approve it, is that we send out notices in the water bills noting the change of non-emergency phone numbers.

I really can't thank the council enough for investing in our safety because having the deputies hear us and us hearing them in real time is potentially a lifesaver. And not just to the officers, but to the community. Because if they can hear, we're transporting somebody to jail, and we're not here to community, because we only had one officer at the time. And they have a deputy that's down the road and San Manuel or they are coming back from Dudleyville and they hear a call kick out here where somebody is in serious trouble. We're getting in real time immediate help from the county emergency, and the ability to be able to hit this orange button and get 10 seconds of airtime where everybody else is cut off that's talking on the radio, and we get priority. We get an open mic without even having to key up if we're in the middle of you know, life or death fight or you know, God forbid, we're not able to communicate, and they can at least know that we're in trouble and we're in distress and they need to get an officer to our location, it'll be even better once we get the MVCs because they'll have a point on a map where they can pinpoint. The transition is taking place in short, but it's going smoothly. It's just a matter of getting the word out to the community as far as a non-emergency number.

**So, can you explain to me and some people in the audience-- when they call for medics, let's say Mike's having a heart attack, and I've tried to get him out, so I call 911. That call gets routed where?**

To AMR, directly. AMR is supposed to be dispatching.

**How are you guys picking up on that call to respond to provide aid until fire gets there?**

So when it's a serious medical emergency of some sort like having a heart attack, when that happens, and its life or death, PCSO will send it to AMR, but they will also notify us. They'll open up a call that there is a medical in our area. And that way officers can respond quickly.

**Concerning those who come to the PD office and there is no one in the building.....**

We're going to take another step. Another proactive step is we want to put in a CALL BOX for those that don't have good cell service, because there are people that still have Verizon, and don't receive good service. To help them out to where they're used to walking down into PD, if there's an officer that's out, or if they're not at the station, or they are out patrolling, then they can hit that call box, and it'll be sent directly to the dispatch, and they can tell them what they have. And the officer then knows to respond and meet them at the station. Take the complaint or the concern. We do have the 24/7 coverage. It's just somebody wasn't at the station like during off hours. We're keeping the lobby during the week, regular business hours like town hall. But if they're not patrolling and somebody comes knocking on that door outside those hours, and they're at the station, somebody knocks on the door, they are to respond to that knock. We have the National Guard looking at different equipment, something that they can procure, possibly even for free for us. So Sergeant Morgan, and the National Guard's working on that, it is one of the projects that we have listed. I know I've seen it other places it's worked pretty effectively. Thank you.

## **7. NEW BUSINESS**

### **A. ELECTION RESULTS AND CANVAS OF RESULT CONSIDERATION AND APPROVAL OF RESOLUTION 22-06 APPROVING THE CANVAS VOTE TOTAL BALLOTS CAST 895--NEEDED TO BE DECLARED WINNER 112**

<b>BARCELO</b>	<b>128</b>	<b>(W)</b>	<b>BUSTAMANTE</b>	<b>164</b>	<b>(W)</b>
<b>GALLEGO</b>	<b>122</b>	<b>(W)</b>	<b>GERMAN</b>	<b>156</b>	<b>(W)</b>
<b>MARTINEZ</b>	<b>100</b>		<b>HAUN</b>	<b>84</b>	
<b>DIETZ</b>	<b>88</b>		<b>JONES</b>	<b>50</b>	

**DIRECT ELECTION OF MAYOR--PROP 468-- 163 IN FAVOR 38 AGAINST**

**MOTION TO APPROVE ELECTION RESULTS AND RESOLUTION 22-06  
MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILMAN MARTINEZ  
MOTION PASSED VOTE 7-0**

### **B. APPROVAL OF RQUEST FOR EXCUSED ABSENCE FOR COUNCILMAN MICHAEL MARTINEZ FOR JUNE 16 2022 REGULAR MEETING MOTION IS TO EXCUSE ABSENCE FOR COUNCILMAN MICHAEL MARTINEZ FOR JUNE 16 2022 REGULAR MEETING**

**MOTION BY COUNCILMAN BREWER SECOND BY COUNCILMAN DIETZ  
COUNCILMAN MARTINEZ DID NOT VOTE  
MOTION PASSED VOTE 5-1 COUNCILWOMAN MARTINEZ VOTED NO.**

**COUNCILWOMAN MARTINEZ**--I know that we're able to ratify a previous vote. But are we able to go back and undo a non-excuse to change it to excuse.

**S COOPER**-- Mayor, council members, you had worked on some policies and procedures to council members. I don't have the final draft in front of me. But the council has sole judge of its conduct of office and how council members served. Without researching it further. If you asked me for an off the cuff opinion, I believe that the council would have that authority.

**COUNCILWOMAN MARTINEZ**-- the policies that in order to be excused from a meeting you had to notify council before you had to notify mayor or the town manager or vice mayor that you were not going to be here? And that's what's in our policy? That's what we adopted?

**S COOPER**— I believe and I might be wrong. But I believe Councilmember Martinez did provide something to the council pointing out the fact that that was a special meeting. And it started an hour earlier than the other council meeting. And that's why he was asking to be excused.

**COUNCILWOMAN MARTINEZ**- he actually didn't ask to be excused. I had the minutes change on that one because he has been down as excused. But he hadn't asked the council to excuse. It wasn't until we asked to put it on the agenda to correct that, that he asked to be excused from that. The new policies states with a 24 hours notice or that you let them know before the meeting happens. And the reason that I bring this up is because that's Councilmember Martinez, third absence within a calendar year and according to our policy, once you miss three, you're done. This isn't the first time that something's come up within the last year that he hasn't shown up, and he hasn't called to let anybody know that he was going to be absent. There's been three times for three meetings on the June meeting, October 4 meeting and there was a September meeting that he no showed to all three of those. Those are within a calendar year and for our policy, it says right here an excused absence from the Council for a period of three meetings per fiscal year is reason to have the seat be deemed vacant.

**Councilman Brewer**-It has already been voted on by Council and it is done.

**Councilwoman Martinez**- I wanted to have it noted for the record, that I don't think the council has the ability to do that per our policy. It's already been decided it shouldn't have even been on here to vote, and I would like the attorney to look into that.

**Mayor Armenta**--noted that this would be looked into.

**C. DISCUSSION AND POSSIBLE APPROVAL OF BANNER OR FLAG FOR TOWN**

**Vice Mayor Bustamante**--This item is the request from neighborhood watch for some type of a banner. And there's a sketch of a rough two by four banner with the logo of "neighborhood watch", the "neighborhood's watch symbol of Horus the burglar", and the "town of mammoth" to be included in the logo, "the town seal" and then the local neighborhood watch this is something that I think would be helpful when Neighborhood Watch goes to our activities Neighborhood Watch was a participated in the last national night out and we didn't have anything to identify ourselves except the old signage but it's good to have something like this just for the purpose of identification when you're out the public having your meetings and all that.

2x4 foot banner with town seal in upper left, Horus the Burglar in the left to center with Mammoth above it and Arizona below it, and Neighborhood Watch Program center to right side

**MOTION TO APPROVE PURCHASE OF BANNER FOR NEIGHBORHOOD WATCH NOT TO EXCEED \$100**

**MOTION BY COUNCILWOMAN MARTINEZ**

**SECOND BY COUNCILMAN DIETZ**

**MOTION PASSED 7-0**

9. **MAYOR AND COUNCIL COMMENTS (No comments at this time)**  
**COUNCILMAN DIETZ & COUNCILMAN MARTINEZ**-Congratulated Newly seated Councilwoman German
- COUNCILMAN BREWER**- Yeah, there's a couple things I wanted to say. And in looking at the previous agenda PUBLIC WORKS REPORT the cemetery is by looking good. It's all trashy looking. And you go to cemetery and see people laying in the seat and feet hanging out. You know this. If they were to tell me what day they do their cleanup. I have a fantastic camera and I love to take pictures and prove what I'm telling you when they are up there working, they are very laid back. But anyway, something's got to be done. Because this place is getting trashed.
- Second on that, if you read his report, he says that all the equipment is in good working order. Great. We go two backhoes and yet we need a backhoe what is going on down there? We use a lot of gas. Thank you.
- COUNCILWOMAN MARTINEZ**—Congratulated Councilwoman German and all those who won seats in the election. We didn't get to hear the update on national night out. But I do want to just briefly mention that national night out this year was amazing. We had Police. We had Pina Rural Fire, we had Mammoth Fire here. We were missing some of our big players because Arizona Department of Public Safety didn't show up this year, shame on them. But I think even without them, we had an amazing time the kids all had a blast. We handed out a lot of prizes, we had a lot of food, and there was a lot of laughs. So hopefully next year will be bigger and better. And I just want to thank the police department and the fire department, both of them for coming out for everybody working together to provide an amazing day for the kids and for all of the people who showed up. And to all the council members who showed up, stuck it out, worked it. Thank you
- Councilman Bustamante**-- Just briefly, Congress has passed the Inflation Reduction Act. There's a lot of goodies in there. I was hoping that people on Medicare, and that insulin costs would make it into the bill. Somehow there's got to be a way for Congress to lower the price of some of these prescription drugs like insulin for the general public. I do believe there was an opening. But I will that if you're gonna hold out, I would not have held out for a tax loophole for the rich, I would have said you know what, let's put this cap of \$35 a month for insulin costs and other caps on these drugs that people need and put it in that bill and pass it with just the 50 votes. Let whoever break the tie, but that's how I would have used my political capital. I'm going to help the Medical Plan.
- Mayor Armenta**-- And I just wanted to say a little bit more. Neighborhood Watch, the Fire Department provided all the hot dogs and buns. We provided the sodas and the water and the kids love water balloons. The police quarters are now working, they've been sleeping there several times already. It's right next to the library. So the only thing is when you go to the door, it goes right into the bathroom. So they're going to move the door to the front. But it's nice, it still needs a little work. And for the council, we're going to have special meeting next week sometime, because we did not get to the election to a town clerk. We did call them and tell them, that we will be calling them next week sometime to set up a date to do interviews. There are two candidates and we will do it here.
- COUNCILWOMAN GERMAN**-- Thank you for your congratulation from everybody, my main objective is to work for the town, not to use this position for a personal vendetta to get it even with anybody. I want to do what's best for the town. And I hope that we can work together. Whether somebody on the council doesn't like me. This is not. I like you. I don't like you. And I hope that that's the way it runs. I'm hoping that's the way it goes. So thank you and whoever voted for me thank you very much for your votes.

10. **ADJOURN**  
**MOTION TO ADJOURN AT 8:09PM**  
**MOTION BY COUNCILWOMAN MARTINEZ      SECOND BY COUNCILMAN DIETZ**  
**MOTION PASSED 7-0**

**I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held AUGUST 18, 2022. I further certify that the meeting was duly called and held.**

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**John Schempf, Interim Town Clerk**