

**MINUTES OF THE REGULAR MEETING
OF THE MAMMOTH TOWN COUNCIL
HELD ON NOVEMBER 21, 2013**

Minutes of a Regular Council Meeting of the Mammoth Town Council held November 21, 2013, pursuant to the notice required by law.

1. Call to Order

Mayor Barcelo called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

Mayor Barcelo led the Pledge of Allegiance.

3. Roll Call

Council Members Present

Councilwoman Wickham
Councilman Barcelo
Councilman Gallego
Mayor Barcelo
Councilman Brewer
Vice Mayor Medina

Staff Present

Patsy Large, Town Clerk
Letha Miller, Librarian
Stephen Cooper, Attorney

Council Members Absent

Councilman Romero

Staff Absent

David Garcia, PW Director
Chief McIntosh, Police Dept.

4. Call to Public

Mr. Sloan stated that he is available for inquires for Medicare and Medicaid.

Handicapped individuals with special accessibility needs may contact the ADA Coordinator for the Town of Mammoth at (520) 487-2331 (V/TDD)

Mr. Larry Estrada stated that the new storage yard is not legal to use as a 30 day impound, but could be used as vehicle seizures only. He also stated that the Town cannot charge a fee of \$15.00 per day because the Town charges an administrative fee of \$150.00, and it becomes a conflict of interest for the Town to charge both fees.

Mercy Telles, President of the Mammoth Seniors Organization, stated that on October 23, 2013, all who attended the seniors meeting agreed to unite as one group forming one Mammoth Senior Citizens Group. At a meeting held on October 29th, officers were elected among the members who attended. The officers are: Mercy Telles, President, Debora Foster, Vice President, and will be replaced by Wanda Rash, Nancy Large, Treasurer, and Betty Esquivel, Secretary. Ms. Telles also stated that an average of 25 seniors have been attending the gatherings for dinner on Tuesday evenings and lunch on Thursdays at noon. The seniors are raising money to pay for food and supplies. They are currently making dolls to sell, have opened a checking account with Vantage West Credit Union, and plan to continue delivering food to homebound senior citizens.

Capi Goff stated that Joe Brewer has been harassing her family way too long. She stated that two years ago her family went on vacation and upon returning that found that Mr. Brewer had dug up the sewer line to block it off and planted a mesquite tree above the sewer line. Ms. Goff asked Mr. Brewer what happened when the roots of the mesquite tree gets into the sewer line and who will pay for the damages? His reply was the Town (of Mammoth) will; they paid for it last time. She stated that that statement is recorded in the court records.

She went on to say that one morning at 3:00 a.m. she let her dog outside, and she saw Mr. Brewer intoxicated, sitting outside. Mr. Brewer started yelling obscenities and cursing. Ms. Goff called the cops and the police told him to go inside and sleep it off. After going inside he called 9-1-1 and accused the police officer of pushing him down. Capi said that it wasn't true, that the officer never touched Mr. Brewer. He has set three cameras to monitor her yard, two are directed to her children's windows and one is at her kitchen window along with spotlights. They (the Goff's) have placed aluminum foil over the windows to block out the lights. The cops don't do anything. Mrs. Goff stated that Mr. Goff caught Mr. Brewer on his roof taking pictures of her children's windows. Her husband called Mr. Brewer a pervert and other choice words so Mr. Brewer placed a restraining order against Mr. Goff. Not only does he have lights and cameras on her yard, she also stated that he has audio and they can't talk without him hearing and recording everything.

The Goff's purchased a 5 ft. 11 ½ inch fence and after getting about half the fence up Mr. Brewer placed another camera and spotlight facing into her backyard. I reported this to the cops she said and still the cops did nothing. Ms. Goff stated that this man is harassing me and I am scared for my family, for our lives. Still, nothing is done by the Mammoth Police Department. But our guns are loaded and close by because I'm scared of that man.

Capi stated that she doesn't understand how a man like this could sit on the Council; he thinks he's above the law. I call for the Council to kick him off and the cops to do their job. Thank you very much. I have said my say.

Debora Foster stated that she went to the Mammoth Police Department on 10/13/13 and requested in writing a copy of all of Joe Brewer's public records. On 10/15 I was notified that I could pick them up, so I did. Ms. Foster stated that one of the reports stated that Joe Brewer had forced a 10 year old to touch his (Joe Brewer's) penis through his pants. In the report it stated that Joe stated that he didn't remember doing it and that he must have been drunk. Ms. Foster stated that that tells me that he is not only an unconvicted pedophile but also an alcoholic, and he has blackouts when he drinks. So who knows what he is capable of doing. She went on to say that it was brought to her attention a few years back that Mr. Brewer has audio and video cameras with lights facing the neighbor's children's bedroom windows. This is consistent with the 10 year Old's incident. The neighbors put up a privacy fence and Joe raised and moved his cameras to shine in the children's windows again. Debora stated to Mr. Brewer, "You're just sick Joe". How can you sit up there with a straight face and tell some else that they should not be in the library. Shame on you.

Ms. Foster continued by saying there was a young man who died in Joe's house on October 27, 2008. I spoke with the young man's brother who informed me that Joe was the one who supplied the drugs to the young man, and that why he overdosed. Is this the kind of person that we want on the Council to represent us? I don't. Ms. Foster spoke to Mr. Brewer by saying "Joe you have brought shame to this Town and its citizens. You should resign from the Council-immediately.

Albert Mendibles , representing the Mammoth Softball League presented a "thank you" note to the Council. He stated that he wanted to thank the Council, Police Department, Public Works Department and Patsy for being helpful and supportive during the past season. He asked to be placed on the December agenda to discuss improving the softball field. He also asked that the Town install the scoreboard and the softball field and consider buying a new control or hard wiring a remote to the scoreboard can be usable. He also stated that he would like to discuss enlarging the concession stand. By enlarging the concession stand, he felt that it would increase the revenues from sells. Mr. Mendibles also stated that he would like to place a mural on the concession stand stating "welcome to Mammoth Softball, home of the Rebels" He also stated hopefully we can work this out before the beginning of the next softball season, and he hoped that the girls have the Council's support.

Diane Theobald thanked the Council and all the people involving in improving the quality of life in Mammoth. Specifically the Tiger Drive area she appreciates the improvements made there. And she sincerely hopes we can all continue to work together and put the quality of life back into this Town.

Bud Payne stated that from the beginning he has had a fall prevention program, and have been asked several times to install handicap grab bars for people. He stated that he does triads for the "home alone safe program". Mr. Payne said that they also sweep chimneys to prevent fires.

Mr. Payne stated that his wife was out doing this kind of thing when the Mammoth Fire Chief followed her all over Town. It scared her. We do all this for free and as far as I know it's not against the law, and we will continue to do it.

5. Consent Agenda

A. Approval of Minutes

1. Minutes of the Regular Meeting held October 17, 2013
2. Minutes of a Special Meeting held October 25, 2013

B. Approval of Staff Recommendations and Reports

1. Town Clerk/Treasurer's Report
2. Police Report
3. Magistrate Report
4. Public Works Report
5. Library Report
6. Attorney's Report
7. Senior's Report

C. Approve Accounts Payable for Payment and Filing

Vice Mayor Medina motioned to approve the Consent Agenda. A second was made by Councilman Barcelo. Motion passed.

6. Old Business – Discussion and/or Action on the following:

- A. Updates from NCS- Ram Narasimhan and/or Steve Wedwick
- B.

Mr. Narasimhan updated the Council on the following items:

Task Order #1: - Water Quality Master Plan, PER and Design

Report Completed, land survey has been completed and the letter of intent to acquire property was sent on December 2 (submission date)

Task Order #2: - Fire Flow and Water System Model

Study has been complete, the design is substantially complete and an estimate of \$130,000 for construction costs.

Task Order #3: -Water System Steel Tank Assessments

Task Complete.

Task Order #4: - Environmental Assessment

Task initiated since property acquisition is initiated.

Task Order #5: - CDBG Grant Administration

Approval letter received October 31, 2013 for \$224,000 from regional account.

Wasko Subdivision

Will continue and follow-up with David Williamson from Fairfield Homes.

Grant Funding

NCS will continue to follow up with USDA for follow up meeting. Approximately \$250,000 is available through Pinal County Flood Control. NCS and members of the Town's staff will attend a workshop at the Pinal County Flood Control in Florence on December 4, 2013.

7. New Business – Discussion and/or Action on the following:

- A. Adopt Resolution #2013-08 – Relocation Assistance Plan as required by the Department of Housing – NCS Engineers

Councilman Barcelo motioned to adopt Resolution #2013-08 – Relocation Assistance Program. A second was made by Councilman Gallego. Motion passed.

- B. Present Recognition Plaque to the Tamayo Family for 12 years of dedication of Public Service, received from the League of Cities and Towns – Mayor Barcelo

Councilman Barcelo advised the Council that no one from the Tamayo family were able to attend because of a family urgency.

Vice Mayor Medina motioned to table this item for a future meeting. A second was made by Councilman Barcelo. Motion passed.

- C. Introduction of the newly appointed Board Members of the Mammoth Senior Citizen Committee – Mayor Barcelo

Previously discussed in Call to Public. Board members are: Mercy Telles, President; Wanda Rash, Vice President; Nancy Large, Treasurer; and Betty Esquivel, Secretary.

- D. Appoint Commissioner to the Senior Citizen's Organization – Mayor Barcelo

Mayor Barcelo appointed Vice Mayor Rogina Medina as the Commissioner to the Senior Citizen's Organization.

- E. Senior Citizen's Organization Reports – Chairperson Mercy Telles and Treasurer Nancy Large

Reports were made during Call to Public.

F. Intergovernmental Agreement between the Gila/Pinal Work Force Investment Board and the Town of Mammoth- Letha Miller, Librarian

Letha Miller, Librarian, explained to the Council that the agreement with the Gila/Pinal Work Force Investment Board is to establish an access point to allow individuals do job searching and create a resume' for job applications. The Gila/ Pinal Workforce agency is to supply paper, ink and signage.

Vice Mayor Medina motioned to approve the IGA with the Gila/Pinal Work Force Investment Board. A second was made by Councilman Barcelo. Motion passed.

G. Adopt Resolution No. 2013-09 – Setting storage and vehicle impound fees at the Town of Mammoth storage/impound yard – Chief McIntosh and Stephen Cooper, Attorney

Councilman Barcelo motioned to adopt Resolution No. 2013-09 setting storage and vehicle impounds fees, to be effective in 30 days. A second was made by Councilman Gallego. Roll Call Vote: Councilwoman Wickham- No; Councilman Barcelo –Yes; Councilman Gallego – Yes; Mayor Barcelo- Yes; Councilman Brewer – No; Vice Mayor Medina – Yes. Motion passed 4-Yes votes to 2-No votes.

H. Remove from Surplus: 1997 Dodge Caravan and allow Senior Citizens use – Mayor Barcelo

Vice Mayor Medina motioned to remove the 1997 Dodge Caravan from the surplus list and allow the Senior Citizens use it. A second was made by Councilman Barcelo. Roll Call: Councilwoman Wickham – No; Councilman Barcelo – Yes; Councilman Gallego – Yes; Mayor Barcelo – Yes; Councilman Brewer – No; Vice Mayor Medina – Yes. Motion passed 4- Yes votes to 2-No votes.

8. Executive Session Pursuant to A.R.S. 38-431.03.3

A. Discussion or consultation for legal advice with the attorney or attorneys of the public body

No Executive Session necessary

9. Council Comments

Councilman Brewer stated that that was a well-orchestrated call to public. I will get the fictitious police report and find out who the officer was that filed the fictitious report. He stated that someone made a report on the special meeting held on October 24th. A special article had been written on him "boycotting" the special meeting. He said he couldn't make out who it was because nobody would sign it. He admitted to going in and out of the Council Chambers checking the time, and reason he didn't sit down for the meeting was because it was illegal because the agenda wasn't posted 24 hours in advance and the second meeting called to order at 10:25 wasn't even posted. Yes he said he did go

outside and announce that there wasn't a quorum and he was leaving. He also stated that everybody that comes to the meetings knows that he tried to put something on the agenda but the Mayor won't allow it to be put on the agenda.

Mr. Brewer stated that the article in the newspaper mentions \$600,000. He said that he didn't say that it is missing but misused. He said that the Huff fund, account #91858 had \$622,000(+) and Huff could have been paid off but No didn't do it. All it is you people "showboat" to make yourself look good. You were hoping I'd get up and walk out – it's not going to happen your games are coming to an end; your laughter is coming to an end. He also stated that two complaints had been filed with the Attorney General for him, (1) the first meeting was held with a 16 hour notice and the second that started at 10:25 wasn't even advertised. Thank you.

Mayor Barcelo stated to Mr. Brewer so you are an authority on that? He said that Patsy posts the meetings appropriately and has witnesses including the Police Chief and the dispatchers who log the information on the log book. Then Mayor Barcelo thanked everybody for coming and hearing the Council.

Councilman Barcelo stated that maybe Mr. Brewer's name plate should be changed to "Mr. Wonderful". Everything we do, no matter what it is, it's going to be a problem to this guy. Why don't you go out there is find out what's going on instead of talking and criticizing the Council. We are doing the best we can; everybody knows we don't have much money. We are doing what we can to help out the Town.

Councilwoman Wickham stated that the reason she votes "no" on the van was because she's wanted one for years for the seniors and at a previous meeting when it was brought up to surplus she questioned why and you (Mayor Barcelo) stated that it was a piece of garbage and it wasn't something they could use. Then all of the sudden it's operable and they are going to use it. Also I want to comment that I feel that it is very disrespectful when the agendas are thrown on the ground, they (the agendas) have been put on my car, and I have found them under my car when it is windy. She said in the past they have said respectfully councilwoman now they are just showing up with a name and I have been told some show up without a name. We are elected officials, some of us, three are appointed, but I think respect should be there as we try to be respectful. She said that she doesn't appreciate the agendas being delivered at 8:30-9:00 at night. She stated that she doesn't even know who the police officers are-they are going through a revolving door-I look at one and don't know if they're going to be there the next day.

She went on to say that she didn't get to speak under staff recommendations and reports. On one the title is Payment Approval Report and the other is Combined Cash Investments and that she had sat with a couple of accountants to have them explain this to her. It took them hours to go over where the money is, because now all of the sudden \$60,000 has appeared here. She said I'm just commenting that I'm looking at these and she hopped the Council is looking at them because we are

dealing with tax payers money We don't want to see a lot of miscellaneous it should be totally blank. Thank you.

Vice Mayor Medina stated that she would like to thank the seniors and mention that the girls are doing a fabulous job and the food is good too. And I just want to thank them.

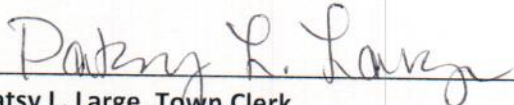
Mayor Barcelo also thanked the Senior Citizens. He stated that they have really done a good job and have raised over \$1,000 in donations. They have done a good job and are really organized. Mayor Barcelo stated that the Public Works Department is working hard making improvements, all the workers are contributing; the whole Town is moving forward. Except that we have a couple that think everything is wrong even the accounts. We have accountants and CPAs and invited the Council to ask questions when they come here. Mayor Barcelo thanked everyone for coming.

10. Adjourn

Vice Mayor Medina motioned for adjournment. A second was made by Councilman Barcelo. Motion passed.

The meeting adjourned at 8:13 p.m.

I certify that the preceding are a true and correct copy of the minutes of the Mammoth Town Council Meeting held November 21, 2013. I further certify that the meeting was duly called and held.


Patsy L. Large, Town Clerk