



**Town of Mammoth
MINUTES OF A REGULAR MEETING
OF THE MAMMOTH TOWN COUNCIL
HELD ON
DECEMBER 17, 2014**

Minutes of a Regular Meeting of the Mammoth Town Council held December 17, 2014, pursuant to the notice required by law.

1. Call to Order

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

2. Pledge of Allegiance

Tommy Morris led the Pledge of Allegiance

3. Roll Call

Councilmembers Present

Vice Mayor Wickham
Mayor Jones
Councilman Brewer
Councilwoman Medina
Councilman Sloan
Councilman Gallego

Staff Present

Letha Miller, Librarian
Stephen Cooper, Attorney
Steve Nash, Interim Police Chief
Rudy Burrola, Interim Public Works Director
April Lopez, Utility Clerk
Erica Garcia, Finance Clerk

Councilmembers Absent

Councilman Romero

Staff Absent

Patsy Large, Town Clerk

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

4. Mayor Comments

Mayor Jones stated that we have some issues going on with Hurf funds. He said the town has been operating by "putting all the funds into a pot" and disbursing funds as money comes in and paying checks out. Everyone knows that there's supposed to be a budget and supposed to follow the budget, and when money runs out of money, you are out of money. You can't be transferring funds back and forth. Mayor Jones said that he talked with the attorney and he said some of it is allowable. If one line item is low you can transfer back and forth.

Attorney Cooper stated that Hurf funds are under Arizona law, they are restricted funds that are to be used for road improvements, sidewalks, ADA barrier removal for pedestrian areas. They can also include vehicles that are used solely for patrol of the state highways. For example a police car if they are devoted to that portion of it, that can be part of the highway user fund. Unfortunately these funds are restricted. They cannot be a credit line for other governmental functions. They must be put in a separate account and utilized for purposes solely related to highway user. He said that there are a number of communities in the state of Arizona over the years, because of budgets or whatever reasons would dip into the Hurf funds and use those for general governments payments and towards the end of the year as revenues come in would put them back sort of speak. The auditor General frowns on that type of a practice and they have issued letters in the past to many communities. Sometimes this is an issue, and I'm talking in general, not specifically about the town. Sometimes it's an accounting issue, not properly documenting what is a true highway user expense. They're audited periodically by the auditor general and it's my understanding, I believe that the town did received a letter from the auditor general's office as to the Highway users funds and it was dated in September of this year. He said that he doesn't recall if it was ever an agenda item before the council, he believes it might have just been discussed incidentally in some of the reports from the council. He then said what they need to be aware of is that in his understanding, one of the concerns they had with the town was that we have not had previously audits finished for some certain years. He then said that it is his understanding that one of the audits, our auditor is getting very close to having it completed which may alleviate the problem or some of the problems involved with the highway user funds. He then stated that another problem we have is that our piece of "the pie" that has attributed to the town of Mammoth is shrinking because of population estimates. Our town isn't growing, so our piece is shrinking. Surrounding areas are growing and we are staying the same, so our funds are getting smaller.

The Mayor then stated that they removed the speed bumps near the softball field on Bluebird, because they had many complaints and people going around through the back of the field to avoid the speed bumps. They will be replaced.

Mayor Jones advised the town about the automatic debit that takes place when paying with a check.

Mayor Jones stated that we have a MasterCard that is attached to our building on Highway 77. He stated that the building brings in \$800.00 from Michoacanas and \$600.00 from the Meat Market. He stated that our loan of \$800,000.00 has been paid and the payment is \$1000.00, so that leaves us with \$400.00. But, the credit card has a \$25,000.00 line of credit and it was issued for building repairs. It is not for dog food, and we have \$15,000.00 charged against that credit card. We have yet to get far enough to see how much was for the building.

Mayor Jones stated that we have some issues with the police radios. He said it's an issue when the town workers are talking on the police channels and the police are trying to write a report. He stated its going to cost some money to go to another channel. The cost is between \$6000.00 and \$8000.00. He said that maybe the town workers can get some 2-way radios.

The Mayor stated that everything is out for bid on the RO system. He stated that the next meeting will be a walk through meeting.

The Mayor stated that the senior appliances at the community center belong to the seniors, so the appliances need to either be donated to the Town or taken out because the seniors do not belong to the town. He stated that he will need to talk to councilwoman Medina and the senior group to discuss it, because that's how he is being directed.

Mayor Jones stated that there is nothing in the Policy book about comp time. He said that we need to restructure police department so they are not getting overtime pay. He said they are working on maybe going 8 hour shifts. The Mayor said he has come up with the comp time having a limit of 32 hours on the book.

The Mayor stated that we take in \$93000.00 a year in waste management and pay out \$107,000.00. He said that we are in the hole \$17,000.00. He stated that we will need to raise the rates. Mayor Jones gave examples for San Manuel, Mammoth and Oracle and we were a lot lower in prices than the other towns. He stated be prepared for increases.

Sue Burrola stated that the main question will come from families on a fixed income wondering how much the increase will be. Juan Ponce stated that the town should sit with Waste Management and negotiate something with them.

The Mayor stated that Police Departments lose bucks in every town except for the larger cities. The mayor said that the ticket ratio was zero for the month of November. He said that he has a

talk with the PD and this month the PD has given 20 tickets this month. He stated that a past manager did a report and to eliminate the PD was a savings of \$250,000.00. He then stated that he got a report that it would cost our town \$150,000.00 more to get rid of our PD. Vice Mayor Wickham stated that the past mayor asked for a quote from sheriff Babeu and he would eliminate everyone including dispatchers. He said it will take some time to come up with something. He said we have to regroup on the schedule for the PD.

Mayor Jones stated that the audit for 2012 has been done for 2 months. He stated that it is minus a few items. He said that no one had contacted the person. The mayor says that he wants a copy of everything that comes in so he can know everything that is going on. He said he didn't know anything about the article that was in the Miner because he never seen the letter that went out on September 29th.

Councilman Sloan asked if it would be possible to run our own waste. Juan Ponce said we gave it up and closed it, so he doesn't think we can re-open it.

Vice Mayor Wickham stated that Clerk Patsy Large should have documentation on what it would cost and it wasn't feasible.

5. Agenda:

1. Approval of minutes

1. Minutes of the Special Meeting held on November 17, 2014
2. Minutes of the Regular Meeting held on November 20, 2014
3. Minutes of the Special Meeting held on November 25, 2014

Vice Mayor Wickham motioned to approve the minutes for meetings held on November 17, 2014, November 20, 2014 and November 25, 2014. A Second was made by Councilman Sloan. Motion passed.

2. Approval of Staff Recommendations and Reports

1. Town Clerk/Treasure's report-Patsy Large

Patsy Large was absent, didn't discuss report.

2. Police Report- Interim Police Chief Steve Nash

Interim Police Chief Steve Nash stated that since he has been back the majority of his calls have been animal calls. He stated that he plans to crack down on the problem. He stated that he would like to call animal control every time he has a dog call, but it very expensive. He stated that he plans to stat citing the owners of the loose animals. He stated that it can be up to \$500.00 fine.

3. Public Works Report-Interim Public Works Director-Rudy Burrola

Rudy Burrola stated that they did major clean-up with safety issues, cleaning up near the highway cleaning the brush. He said they put up the fences near the well sites #4 and #5. He said he has kept the mechanic busy lately servicing all the vehicles and some police cars.

4. Library report-Letha Miller

Letha Miller stated that Santa Clause would be at the library on Christmas Eve and free pictures would be taken. New Guitar videos are available and guitar lessons are Wednesday from 5-6. Letha stated that they have been speaking with county to help understand the ins and outs of the webpage. Letha stated that the Town of Mammoth has a beautiful webpage that needs updated information from the department heads and council. Letha stated that April and Erica from Administration helped get various prices from recreations, to water prices etc... Letha stated that she would want the Police department to have a webpage, maybe to post police reports or something. Mayor Jones stated that he would like to see the minutes and other council information on the webpage. Letha Miller stated that is very important and she plans to upload that information. Letha stated that she has access to give all town employees an email, so that way it's more professional. Letha said we are not allowed as a Town to have an out of date webpage. Letha stated that she is opening the links as the information is updated.

5. Attorney's Report-

The Attorney stated that he turns in a monthly report that is stated on the monthly bill.

3. Approve Accounts Payable for Payment and Filing

Vice Mayor Wickham motioned to approve accounts payable and Filing. A second was made by Councilman Brewer. Motion passed.

6. Old Business-Discussion and/or action on the following:

A. Update and information from NCS-Ram Narasimhan and/or Steve Wedwick

Mayor Jones stated that he talked with Ram Narasimhan and they are putting everything out for bid and a lot of bids have gone out.

7. New Business-Discussion and/or action on the following:

**A. Presentation of the process of the acquiring and/or expending the CDBG funds.
(Community Development Block Grant)-Alana Urban-CAG**

Alan Urban said he works for Central Arizona Government, meaning he works for "you". He said in January the town will be asked to conduct its first public hearing which will be a presentation for the public on how the system works. He said at that meeting a list will be made on what projects the next CDBG money will be used. He said that he strongly emphasizes to invite the public to make recommendations and express concerns what project needs to be done. He said for each cycle inviting the public is a must. He said the towns funding is on a 2 year cycle. Alan Urban said that this year the project that Ram was going to speak about, the water tank #2 renovation, is the last allocation CDBG money we are using for. The project should start off early spring. Alan Urban said that a walk through will be made, then a bid package can be picked up if the contractor decides to bid. Alan Urban stated that the RO should never be talked about during the tank project because they are not the same thing. Alan Urban stated that they are encouraged to hire local.

B. Planning and Zoning Report- Diane Theobald, Chairman

Diane Theobald stated that she would like to request permission to work directly with Public Works, Rudy Burrola. Mayor Jones stated yes, that he doesn't need permission! Vice Mayor Wickham stated that it was already approved. Diane Theobald stated that there is a solution to financial whoa. She stated that everyone needs to pull together and make a difference. She stated that we need to build the community. Vice Mayor Wickham asked about the property on Highway 77. She asked if they were given a time limit as to when they would finish getting it done. Diane Theobald said no, there wasn't a deadline given. Vice Mayor stated that maybe they should consider giving a deadline. Mr. Ponce asked when the property was changed from residential to commercial. Diane Theobald stated it was the last council meeting.

C. IGA with Pinal County Elections (if necessary) One time override for TY 2015-16-Frances Wickham

Vice Mayor Wickham stated that she was at a meeting and she found out as an option the Town can get a onetime override. Vice Mayor Frances Wickham turned it over to the Town Attorney. Town Attorney Cooper stated that a onetime override is what's allowed over state law. He said that Home Rule is a constitutional amendment to the state constitutions that limited the amount of increase in expenditures that governments can impose or create. As a result of that, that caused some funding issues in Arizona. A home rule is that the city has ability to go beyond the expenditure limitation. Under the current state constitution there is a formula where the town can only spend a certain amount of funds. The attorney stated that without the Home Rule option the Town of Mammoth would be limited to expend less than a million dollars per year. The Home Rule option allows the town to approve expenditures in excess to what the home rule cap is. That means that the Town is able to spend money that is collected. The Home Rule does not increase property tax or sales tax. Home Rules basically allows what town what they will be allowed to spend.

Vice Mayor Wickham motioned to set up an IGA with Pinal county elections for a onetime override for fiscal year 2015-16 or Home Rule. A seconded was made by Councilman Sloan. Motion passed.

D. Post for letters of interest for Parks and Recreation Committee-Frances Wickham

Frances Wickham stated that they will be posting for Parks and Recreation commission. She stated that everyone from Planning and Zoning and Parks and Rec. every commission or board that you are member of will have open meeting law training, because they are the same laws. Vice Mayor Wickham stated that anyone whom is interested put a letter of interest into the Town Hall.

E. Adoption of newly revised Mammoth Public Library Policy and Procedures-Letha Miller, Librarian

The policy started off as 2 pages and is 20 pages now. Based on the library bill of rights, they are not allowed to be biased. As a librarian they don't have a right to protect them from vulgar material, because they are not allowed to be biased. So, they added the right of the parent to deny the right of the child to check out vulgar material.

Vice Mayor Wickham motioned to adopt the Policy and Procedure book. A second was made by Councilwoman Medina. A roll call vote was made

Councilman Sloan-no
Vice Mayor Wickham-yes
Mayor Jones-yes
Councilman Brewer-no
Councilman Gallego-no
Councilwoman Medina-yes

F. Donation for the Mammoth Lion's Club Christmas Program-Rudy Romo

On behalf of the Lion's Club, Rudy Romo was seeking donations to help for the Christmas stocking for the children. Mr. Romo stated that last year the council, as well as town clerk Large and the attorney, made a donation. Mr. Romo stated that last year the council donated \$100.00.

Councilman Brewer motioned to donate \$200.00 for the Christmas program. A second was made by Vice Mayor Wickham. Motion passed.

8. Call to Public

Ernest Bustamante- had general comments regarding legislation. Mr. Bustamante is asking for the people to come support the land exchange bill.

9. Council Comments

Councilman Brewer stated that he made a statement at the prior meeting something to the effect that they were elected to do the job and they were going to do it, not that they didn't need the town to help. He stated that if anyone has any ideas to come forth. He stated that this is the first time that the agenda has been posted a full 7 days in advance for the people to know the meeting is going to take place. Councilman Brewer then stated that there was an article that came out in the newspaper regarding the Hurf funds. He stated that the Town Manager stated to the public that everyone was going to be pleased with the Hurf fund audit because they were very pleased with the road work, curbing and sidewalks and that the girls were mistakenly were paying off the Hurf fund because they were putting money into the wrong account. Councilman Brewer then stated that he read in the Miner that they were going to cut off the Hurf fund. Councilman Brewer stated that he didn't know anything about that and he just like the public had just read it. Councilman Brewer then stated that at the cemetery a new headstone had been placed that was against the town's rules and regulations. He stated that the Town manager approved of it and it didn't go in front of council. Councilman Brewer then stated that there is an issue on the seized pickup issue. He stated that the dates are different with Pinal county and Mammoth police departments. Councilman Brewer said that the officer sent in a notarized statement until after they claimed they had seized the truck. He said the officer said that the reason they seized the truck was because they believed he had used the vehicle to sell drugs. He said there are too many different stories coming in, so not until further investigating they will know what's going on. Council Brewer asked the attorney to ask the county to send him the papers. He stated that its public records and wants everything on the vehicle. Councilman Brewer stated that he would like to read everything first, then turn it over to the attorney.

10. Adjourn

Councilman Gallego motioned for adjournment. A second was made by Councilman Gallego. Motion passed.

The meeting adjourned at 9:17 p.m.

I certify that the preceding is a true and correct copy of the minutes of the Mammoth Town Council's Special Meeting held on December 17, 2014. I further certify that the meeting was duly called and held.


Erica M. Garcia, Interim Town Clerk