



**TOWN OF MAMMOTH  
MINUTES OF A REGULAR MEETING  
OF THE MAMMOTH TOWN COUNCIL  
HELD ON  
October 19, 2017**

These are the Minutes of a Special Meeting held by the Mammoth Town Council on October 19, 2017 pursuant to the notice required by Law.

1. **CALL TO ORDER** – This meeting was called to order at 7:00PM by Mayor Dietz.
2. **PLEDGE OF ALLEGIANCE** – Councilwoman Medina
3. **ROLL CALL**

**PRESENT MEMBERS**

Councilman Martinez  
Councilman Sloan  
Councilman Bustamante  
Mayor Dietz  
Vice Mayor Anaya  
Councilwoman Amparano  
Councilwoman Medina

**PRESENT STAFF**

Attorney S. Cooper  
Town Manager D. Jones  
Librarian S. Christiansen

**ABSENT MEMBERS**

4. **CALL TO THE PUBLIC** Pursuant to A.R.S. §38-431.01 (H)

**Joe Brewer**

Presented a document showing revenues from the 2012 and 2015 audits as well as the tentative budget for 2017-18. Comments as follows: Highlighted on these sheets you will see the revenues for water sewer and garbage, this shows \$400,000 plus in revenues. 2015 shows a surplus all the way down after raising the rates, the 2017 tentative budget shows a decrease of nearly \$41,527. It is hard to understand why we are losing money all the sudden. I think the Courtesy Fee to use the card to pay the water bill instead of using cash is the problem. Most people do not want to pay the fee and pay in cash. Cash is a bad thing to have on hand. I would bet if you get rid of the Courtesy fee and stop taking cash payments, miraculously that fund would begin to go straight up in the air and you will not be losing money there anymore. It is something to consider and I hope to see it on the next agenda to remove that courtesy fee. Thank you.

**Marty Ponce**

Concerning Dispatch Console-We have gone another month with no tones on our radios. We understand that they are working on it right now. My concern is that we had a fire today, it happen to be a stove fire and the resident was able to put it out with an extinguisher. Again there was no tone for this fire. With the weather changing more people are going to be using the stove more often and the chance for fires will increase. I hope that we can get this console squared away by the next council meeting. This is needed very much. Thank you.

**Rudy Romo**

Last meeting I was not allowed to talk, for what reason I do not know. I was on the agenda. I am on a call to the public tonight; this dispatching issue has gone on for too long. Do we need to fill these chambers up with fire district taxpayers, so they can come in here and voice their opinions? There are a lot of people who do not know what is going on. There is a big liability caused by this issue. It seems to me that the town is not working in the best interest of the Town's Citizens. I would like to see something in place by the next meeting. Thank you.

**Anthony Armenta**

I am also very concerned about the dispatching repairs, we need an update as to what is going on? Is the radio being repaired, do you have the parts? We are losing valuable time every time we respond to a call. Sooner or later we are going to lose a life. There have been a couple of close calls because of

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communication problems. We need to get the radios fixed, this is a liability. Does anyone have anything to say?

**Mayor Dietz responded**, I am on top of this they are doing their best. The PO has been approved and we are just waiting for it to all come in and be programmed, we are pushing it as much as we can.

**Albert Martinez**

I am giving my time to Annie Martinez,

**Mayor Dietz responded** that this is no longer done that way. Each person only has three minutes.

**Annie Martinez**

I want to talk to you about the proposed ordinance 14-27-12, This has so many flaws in it I can't even begin to tell you how horrible this is. I am amazed that your town attorney approved it. First of all, Sharon can tell you that I have been dealing with fowl issues since June. They have been running amuck and I have been getting crap all over my yard. My pool was destroyed this summer because of feathers getting in the filters. If people want to own fowl they should keep them penned and take care of them, this is not happening. You guys are pushing this ordinance through saying that it is going to help the town people, but I'm telling you its not. There is nothing in this ordinance that stipulates what kind of housing they must have, or how far from another residence they must be. There is nothing that addresses noise. If you look at (other towns) they all have ordinances that state "NO FOWL on less than ½ acre" there is a reason for this. Taxpayers like me should not have to pay for other peoples animals getting into my yard. There was a situation involving Officer Shelton the blew up and Vice Mayor Anaya had to come and remove the chicken from my yard because your officer told my husband and I that it is not his job to be chasing chickens. I understand that it is not a police issue but if you seven people are going to pass this ordinance as it stands and those chickens get out, then it is a town issue, you guys are responsible for having your officers come into my yard and removing or confiscating them and getting them back to their owners. This is a town issue, you guys need to address this. Florence who is just like us, state no livestock or fowl within 100 ft of any residence other than the owners. Coolidge does not allow them at all because of the noise. And you have in here 20 of them. Seriously! So I can get 20 roosters and take them to your house, buy the property next door and put a pen next to the property line and at 2 in the morning all 20 roosters can crow at your door. This is ridiculous you need something that is going to address these concerns. Penalize those people who are doing this inappropriately and make sure you officers know that they need to be out here enforcing you ordinances because this situation cannot go on anymore... You need to take some action and do something that the entire town benefits from not just the ten people who live in River Ranch. Thank you  
**CLOSE OF CALL TO THE PUBLIC**

**5. APPROVAL OF THE MEETING MINUTES REGULAR MEETING OF September 27, 2017**

Motion to Approve the Minutes as written for September 27<sup>th</sup>, 2017

MOTION BY: Councilwoman Medina

SECOND BY: Councilman Martinez

MOTION PASSES BY A VOTE OF 7-0

**6. MAYOR AND COUNCIL COMMENTS-**

**Councilman Bustamante**—Just a comment on my part. The minutes are real good. I want to thank the person who takes the minutes and puts it into type form. Some of the presentation of the budget slide show, you get a chance to review it again with the paperwork that we got and look at the notes here. It is very helpful to get an understanding of how a budget works. And I will say this; it takes a very long time to learn the mechanics of a budget. Someone with that time professionally working on it, they got it. But, when you come up and your rusty and you look at all these numbers and they come down this column and you go to tis page and you read the notes and that, then you go across and you have different figures. It helps to be able to have this type and then go back and look at it again. With the adopted budget and the notes to look at, I found it was very helpful to me. I think it is something for the other council to think about, nobody wants to say they are still learning but we are all still learning. You are never to old to learn some of this stuff. It was very good and that is my comment.

**7. CONSENT AGENDA – ALL ITEMS SET FORTH BELOW ARE CONSIDERED TO BE ROUTINE MATTERS AND WILL BE ENACTED BY ONE (1) MOTION AND ONE (1) ROLL CALL VOTE OF THE COUNCIL.**

- A. Approval of Staff Recommendations and Reports  
Town Clerk/Treasure's Report

Police Report  
Public Works Report  
Library Report  
Planning and Zoning Report

B. Approve Accounts Payable for Payment and Filing

**Motion to Approve Consent Agenda Item (A)**

**Motion to Approve Consent Agenda Item (B)**

**MOTION BY: Councilman Sloan**

**SECOND BY: Councilwoman Medina**

**MOTION PASSES BY A VOTE OF 7-0**

## **8. OLD BUSINESS**

**Discussion and update on sewer issue at Cecil Trucking Yard and Possible Approval award of contract in the amount of \$ 23,000.00 to Harry Clark to complete sewer line installation at Cecil Trucking Yard.**

**Vice Mayor Anaya** There is not to be any town equipment used on this job. He supplies all equipment and employees. (The Council is all in agreement)

**Motion is to accept the bid by Harry Clark in the amount of \$23,000. To complete the sewer lines at Cecil Trucking Yard**

**Motion by : Councilwoman Medina Second By: Vice Mayor Anaya**

**Motion Passes by a vote of 7-0**

## **9. NEW BUSINESS**

**A. Presentation by Terry Adams questioning residency of Town Clerk and Payment for services.**

**Terry Adams**

I would like to address the issue of the town clerk here in Mammoth. It seems like we are paying for a service that we are only partially benefiting from. I would like to read from the paper I was given from the town on the duties and responsibilities of the town clerk. #1. They are to prepare the statements and reports on town financial affairs to office, town council, and the general public, directs preparation of revenue, expenditure, debt, cost and other statements. #2. Consult with and advise town council on financial conditions of the town, and makes recommendations for specific courses of action. #3. Directs receipts, deposits and investment of all town monies together with records thereof. Here is the kicker... #4. Prepare agenda for all council meetings, attends all meetings of the town council, keeps minutes of precious meetings, proposed ordinances and other documents, and keeps official record of all council actions. #5. Answer questions, distributes minutes on council meetings and issues information concerning council action. #6. Check and attest to official actions of council supervises preparation indexing and filing of official minutes and keeps the corporate Seal of the Town.

I just recently began attending the town council but since I have been attending that clerk is not here. We have Sharon and this is no reflection on her, but she is doing the job of the clerk. She does the Roll Call, she does the minutes, why are we paying a clerk. Come to find out the clerk is an employee of Pat Walker. So now we are paying Pat Walker for doing what is suppose to be the clerks job. So now we pay a clerk and consulting. The town is saying we don't have money for this and that but we have money to pay for two jobs that we don't benefit from. I am not opposed to not having the clerk live in the town limits, I understand that it is the towns privilege to do this. But what I am opposed to is that the clerk does not keep regular business hours here at the town. They need to have two days a week to do the job of the town clerk here in Mammoth, and be able to answer questions from the citizens of the Town of Mammoth. I went to town hall and asked to see the clerk, they said she was not here. I asked when she would be here, and was told she does not keep regular business hours. I think she will be here Thursday. I came on Thursday, no she changed her mind. Okay well I need to call her what is her number, We cant give that out. Ok you call her and have her call me. I received no phone call. Friday afternoon I go back to town hall they say you can email her. Ok I email her, I have some questions, I live in Mammoth can you call me or can you email me. To this day if have not heard from her. So we are paying for services we **are not receiving as a town. As a citizen of this town I think the Council is wasting our**

**money.** You're paying for something your not getting in return. If we need to put this on a future agenda which I hope all of you will say you know you have some valid points here and lets put this on the agenda and talk about this. The town cannot function without a town clerk. It has to have a town clerk and she must be here at least two days a week. I would recommend Wed and Thurs or Thurs and Fri so they could attend to town council meetings. Thank you.

**Councilman Bustamante,** in the old days we had the traditional clerk and you had that connection, they were like the go to person, and I would like to see that again, I understand some of your comments and I thank you for your comments. We can keep an open mind on this matter.

**Councilman Sloan,** Pat Walker is not an employee it is a contract job.

**Terry Adams,** I have no problem with Pat Walker but the service that Pat Walker supplies to the town, if you look that is the clerk's job. The clerk is to provide to the council the financial health of the town, make recommendations to the town on revenue and how to improve the situation. So I have no problem with Pat Walker but if your going to hire her, then hire her as the town clerk and let her be here for all town hall meetings not just special meetings. According to you guys this is the responsibility of the town clerk. It does not say we have to have a town clerk and a financial consultant. If the town clerk is unable to do her job then it is your responsibility to find someone who can. Thatcher which is where I was told she comes from is a lot farther than Tucson or Oro Valley and I'm sure someone from there is qualified and can make it here two days a week and do the work. Thank you.

**B. Discussion and Consideration of Purchase of 2,000 gallon pressure tank in an amount not to exceed \$ 5,000.00.**

**What is the tank going to be used for.** The houses up by Tank 2 have very little pressure and it needs to be replaced. The house above the tank need the added boost and it pops bi weekly. It really needs to be replaced.

**Motion to replace 2,000 gallon tank in an amount not to exceed \$5,000.00**

**Motion By: Vice Mayor Anaya Second By: Councilman Martinez**

<b>Roll Call Vote</b>	<b>Councilman Martinez</b>	<b>Yes</b>	<b>Councilman Sloan</b>	<b>No</b>
	<b>Councilman Bustamante</b>	<b>Yes</b>	<b>Mayor Dietz</b>	<b>Yes</b>
	<b>Vice Mayor Anaya</b>	<b>Yes</b>	<b>Councilwoman Amparano</b>	<b>Yes</b>
	<b>Councilwoman Medina</b>	<b>Yes</b>		

**Motion Passes Vote 6-1**

**These next 2 items will be served with one vote of the council.**

**C. Approval of Resolution No. 17-04, Declaring as a Public Record, those certain documents filed with the Town Clerk entitled "TOWN OF MAMMOTH LAND CODES ARTICLE 14-27, PROPERTY MAINTENANCE CODE AND PUBLIC NUISANCES".**

**D. Consideration and possible Approval of Ordinance No. 208, Repealing Mammoth Town Codes 14-14 and 14-26 and Approving Town of Mammoth Land Codes Article 14-27, Property maintenance Code and Public Nuisances**

Sharon Christiansen, You each have received a copy of this new code and a couple of things have been pointed out to me today by Ms. Martinez who called me earlier. I have given you all a copy of the addendum to this article which I have already spoke to Mr. Cooper about adding to this Article. It basically states that for chickens as well as the goats the pens can be no closer than 10 feet from any neighboring property line. What the definition of Free Roam would be. It also states what a pen should consist of, which is for chickens a roosting house and a walk about that is fully enclosed. We have allowed a prevision for chickens to be in a free roam status as long as there is a responsible adult supervising and they are returned to the coop when unattended. If the ordinance is passed, these will pass with them.

**Councilman Bustamante:** There is another correction on 14-27-29 B change the wording Gila to Pinal.

**Motion is to Accept Town of Mammoth Land Codes 14-27, repealing Article 14-14 and 14-26 with adopted addendum and Correction of 14-27-29 B. Listed as Resolution 17-04 and Ordinance 208**

<b>Motion By: Councilman Bustamante</b>	<b>Second By: Councilwoman Medina</b>			
<b>Roll Call Vote</b>	<b>Councilman Martinez</b>	<b>Yes</b>	<b>Councilman Sloan</b>	<b>Yes</b>
	<b>Councilman Bustamante</b>	<b>Yes</b>	<b>Mayor Dietz</b>	<b>Yes</b>
	<b>Vice Mayor Anaya</b>	<b>Yes</b>	<b>Councilwoman Amparano</b>	<b>No</b>
	<b>Councilwoman Medina</b>	<b>Yes</b>		

**Motion Passes Vote 6-1**

- 10. **Possible Executive Session**
  - i. **No Executive Session Required for this Meeting**
- 11. **Adjourn**

**Motion is to Adjourn this meeting at 7:51 PM**  
**Motion By: Councilman Sloan**                      **Second By: Councilman Bustamante**  
**Meeting is Adjourned at 7:51 PM**

**I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held October 19, 2017. I further certify that the meeting was duly called and held.**

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**Don Jones, Town Manager**