



**TOWN OF MAMMOTH
MINUTES OF A REGULAR MEETING
OF THE MAMMOTH TOWN COUNCIL
HELD ON
OCTOBER 17, 2019**

These are the Minutes of a Regular Meeting held by the Mammoth Town Council on October 17, 2019 pursuant to the notice required by Law.

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

PRESENT MEMBERS

Matthew Rash (unsworn)
Councilwoman Martinez
Councilman Bustamante
Mayor Dietz
Vice Mayor Anaya
Councilwoman Amparano
Councilman Martinez

PRESENT STAFF

Attorney S Cooper
Town Manager D Jones
Town Recorder S Christiansen

ABSENT MEMBERS

Councilman Bustamante

Motion to excuse Councilman Bustamante from this meeting

Motion by: Councilwoman Amparano Second by Councilman Martinez

Motion Passed Vote 6-0

Attorney S. Cooper administered the Oath of Office to Matthew Rash
Congratulations to Councilman Rash!!!!

By order of Mayor Dietz we will be moving item 8A the presentation by the WLB Group to this slot on the Agenda for tonight.

- 8A Presentation by WLB Group and Possible direction to Staff to begin process to annex 81 acre property into Mammoth Town Limits. Presenter Robert Longacker

This presentation is to decide whether to continue discussions concerning the annexation of 81 acres of property just south of the Annexed Cielo Project, off Hwy 77 near Oracle, AZ. After presentation and a short discussion, the attorney gave Council some procedural information on the process of annexation and it was determined by the Council to proceed with discussion on the annexation. (**See Map Attached**)

Motion by Council-- is to direct staff to continue preliminary discussions and communications with WLB Group concerning the annexation of the 81 acre Property.

4. **CALL TO THE PUBLIC**

- a. **Terry Adams**- Concerning the overhead Lights on Hwy 77, concerns are that lights are still out and it is getting dark much earlier and this presents a danger for the elderly and those using the walkways along this roadway, also it makes the town look bad. (Council states lights have been purchased but the town is having trouble locating a lift to install these lights) Water Rates-After doing some calculation from the meeting or study session last night (his estimation) a 2% increase over 5 years would have us paying 111.00 for 1000 gallons of water. Someone who has a variety of vegetation during the summer months when it is hotter I need to water every other day. In the summer I can use anywhere from 15,000 to 20,000 gallons of water a month, so how much is my water bill going to be? There is also talk of raising the sewer rates. They mention that Mammoth

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

rates are lower than the surrounding towns. Well these towns are managed by Arizona Water and are a for profit entity of course they are going to be higher they are in it to make money. If we are in this to make money then let's unincorporated and let the county take over. At least then we would get decent roads. They also brought up that we could ask for help from the state and charities. We should not have to go to somewhere else and beg for money to pay our bills.

- b. **Juan Ponce- Item 9C on the agenda tonight-Concerning Mammoth Fire Dispatching Fees- (Council states that this item should not have appeared on this agenda and urged Mr. Ponce to continue his discussion)** Another thing I have issues with is that I have been trying to get a copy of a resolution or document that states the classifications, salaries and wages for Town Positions. I got a partial, but it does not say what, where, or when. This should be public record, you should have this information. This type of resolution has always been in effect until about 4 years ago. I want to know what the manager is making and how much staff is doing, this will also affect the water rates. I would recommend to Council that they prepare a resolution that contains all this information, the taxpayers have a right to this information. Categories, number of employees job descriptions and salaries or wages per hour. We are not receiving this information and if we come down here we still do not get the information. Thank you.
- c. **Ricardo Romo-Concerning 9D Notice of Public Hearing #3-You people were elected by the people of Mammoth and I think what you need to do is—you need to go out and address this issue with the people who are going to pay your water and sewer rates. You need to speak to those who cannot or will not attend that public hearing and hear from them. Giving them 3 minutes to discuss this is not fair to them. I think they need a good explanation on why they are paying for this and how it is going to be spent. These people have entrusted you to do the best for Mammoth, and they deserve to get decent answers to their questions as to why these rates are going up. You have one month to ask these people how they feel about this rather than just make a vote and that's it. Thank you. (***)Councilwoman Martinez made a statement that she is always available for any resident to contact her and voice any comments or ask any questions and she will respond—giving her phone number to the public seated- I work Monday thru Friday until 5PM and I will call you back. If you need me to come to you, I will do that. You put me here to advocate for you and that is what I will do. Mayor Dietz also stated that he has an open door policy and any resident may contact him at any time as well***)**
- d. **Annie Martinez-as Mammoth Resident- I put in a public records request, according to Arizona Statutes you have a certain amount of time to process those requests. I put my request in at the beginning of last week and I called on Friday and it was not ready. I called this week on Tuesday and it was not ready they stated they forgot. We cannot have this. I was not only asking as a resident but also as a Town Councilman. I should not have to wait 2 weeks to get public records that should have been given within 24-72 hours. If you want town involvement then you should follow the law. Part of that is making sure that our administration and clerks are doing their job. So you as Council need to direct the manager to fill these requests for public records as they come in. One because the public deserves it and two because Arizona law mandates it. The next item is, every time you shut off the water you put the town at risk. This last outage, no one notified the fire department about the shut off. This presents a problem should there be a fire in that area, they are unaware and would need to locate outside sources to battle a fire. Public Works should be notifying them anytime there is a shut down. Posting it on the Town Website is not enough. They cannot be staring at the computer waiting to find out if there is a shut down that may affect their abilities to do their job and protect our citizens. Also we need to start protecting our employees a little better, I saw a work order that was put in the beginning of October for a door lock, something this simple. It just got done today and it is the 17th. This is unacceptable, to have that long of a delay in their safety. We need to make sure that all our employees are safe when they are at work. The last thing is I know for a fact that the employees in the town hall are not always here. I called for a public records request at 2 o'clock in the afternoon and there was no one answering phones, my husband comes down here and there is no one here, they are closed up. We are paying these people an hourly wage. Where are they going and who gave them permission to leave. The town manager should be holding them accountable and if they are not there, then someone should be covering the offices. If not we need to change the hours of operation. I understand that things happen but put a sign up letting people know you're closed or you'll be right back. We need to**

take care of our citizens and employees and a start is to fill those public records requests. Thank you.

e. (CLOSE CALL TO THE PUBLIC)

5. APPROVAL OF MINUTES

a. For September 20, 2019 Regular Meeting

Motion by: Councilwoman Martinez Second by: Councilwoman Amparano

Motion Passes Vote 6-0

6. MAYOR AND COUNCIL COMMENTS

a. Councilwoman Martinez-I put something in for the agenda that should have been on tonight's agenda and for whatever reason it did not get placed on the agenda. Arizona State Law states that if a majority of the Council wish for an item to be placed on the agenda it must be placed. So, I spoke to Mr. Cooper earlier and I have some items I wish to have placed on the next agenda. I am going to give these to you today and I do have copies. These items have 3 signatures right now if you need the fourth I can get it tomorrow. The first one is the one that is in your packet and was denied. It is for Police Officer Bonuses. This is something we at least need to discuss. There are officers that have served us for a long time and a one-time bonus is not going to hurt. The next one concerns getting an independent audit to be done on our finances. We would like someone suggested from the League of Cities and Towns. We have been using the same auditor for the past several years and this is an auditor that was brought in by Don Jones. We would like the independent audit to ensure our financial status is correct. This was triggered by a discussion between Pat Walker and Chief Lujan at the budget meeting concerning government retirement. We believe her comments to be incorrect and this has caused concerns over our financial budgets. The last one is because of all the different abuses of power, uses of town equipment and maintenance workers over the past several months. We would like to revisit Mr. Jones's Employment. One of the things I would like to mention is that I asked for a copy of the resignation letter for one employee and I have a copy of the applications for another employees hired the same day, in which there was no advertisement for this position nor did we pull from previous applications we already had on file. We are not operating a good ole boy system here, this is not how this council should operate. So, we want to revisit his employment because we do not feel he is acting in the best interest of the town. Thank you.

Councilwoman Amparano-began to discuss certain employees and was told not to discuss personnel issues at this time.

7. CONSENT AGENDA

a. Staff Recommendations and Reports

- i. Town Clerk/Treasure Report
- ii. Public Works Report
- iii. Library Report
- iv. Planning and Zoning Report
- v. Town Managers Report

b. Staff Reports

- i. Police Report
- ii. Treasure/Town Clerk Report

c. Account Payable for Payment and Filing

Motion for Staff Reports to be presented orally after the Consent Agenda has been voted.

Motion by: Councilwoman Amparano Second by: Councilwoman Martinez

Motion passed Vote 6-0

Motion is to Accept Consent Agenda and Accounts Payable for Payment and Filing, excluding Police Report and Treasure/Town Clerk Report.

Motion to Accept Consent Agenda

Vote Roll Call	Councilman Rash	YES	Councilman Martinez	YES
	Councilwoman Martinez	YES	Vice-Mayor Anaya	YES
	Councilwoman Amparano	YES	Mayor Dietz	YES

Motion Passed Vote 6-0

Treasure Report-Sharon Christiansen (Town Recorder) began to give financial update- Councilwoman Martinez stated that she would like the report presented by the Interim Town Clerk Don Jones. – Beginning Balance of \$794,693.15 Revenues of \$256,226.54 Expenses of \$112,431.83 Ending Balance of \$938,487.86 Which is a positive Month addition of \$143,794.71

Motion to Accept Treasurers Report

Motion by: Councilwoman Martinez

Second by: Councilman Martinez

Motion Passed Vote 6-0

Police Report-Chief Lujan-gave statistical report for September 2019—Child Safety Kits through the Police Department. MPD is waiving all fingerprint fees for children who participate in the child safety program, this is not just for children in Mammoth but the surrounding areas as well. This kit is to be used in the case of a missing child, it will instruct the parent not only by the use of fingerprints, but how to retain a DNA sample as well as record any birthmarks, scars, or dental work. This could save precious time when a child is missing and in the process of identification when the child is found. Sharon Christiansen has asked if a program were to be set for a special day at the library would an officer be on hand to do the fingerprinting for that event? Chief replied that he would insure an officer or himself would be there, this is a very important program from both a Police standpoint as well as a way to have the parents create a quicker path to recovery should that child go missing. This program also is to make the child aware of “Stranger Dangers”. This is one way we can promote safety for the community, our residents, and our children.

My next topic is a letter we received, one of my best resources is my employees. That is one reason I appreciate the bonus options discussed. In the past year my department has procured around \$80,000-\$100,000 worth of items including tasers, rifles, cars, and other need assets. And we just received this letter from the Apache Gold Casino. (Bella who is our dispatching supervisor, she has work diligently to get this grant. She also does all background checks and scheduling.) “Dear Ms. Gabriella Lopez, Congratulations, we are pleased to inform you that your organization has been selected as a recipient for this year’s funding distribution cycle. It is a privilege to be able to contribute to your organization for such a worthy cause. We hope that the award of \$7,027.00 will further progress your endeavors.” This money is going to go to new computers for the department. “We are requesting that you and three other individuals attend our Annual Veteran’s Day concert on November 2nd, 2019. We will be recognizing your organization as a recipient of this funding.” I think she deserves a pat on the back, she worked hard on this and put in many hours. Not only did she put hours into this but she also in the process of hiring officers by completing the backgrounds. Please join me and I hope she can hear us, give her a round of applause. Congratulations Bella from all The Council, Staff and the Public you serve.

I also have another officer that I will be flying up to Rapid City on October 28th to pick up a car, it is an HR3 we got from the military. It costs nothing but the cost of a plane ticket which will cost \$80.00. This will be another police car. My department is also having the military help in locating the town a man-lift to work on the lights. We found a couple of trucks but they were either not in good shape or way too big for our needs.

As you know, we got the \$17,000 for the radio recordings, with the help from DPS we may get them for a little less than expected. Those monies came from the RICO FUND. We thought the town would need to put in about \$1,000 but now it is looking like the town will pay nothing. Also over the last couple months we have had a lot of graffiti around town, my officers have worked hard to find those responsible. I am pleased to report that we caught the suspects. Pinal County was also looking for them as they were also tagging San Manuel High School, but we caught them. They are juveniles and at this time we are awaiting a cost to repair damage and then we can proceed with how to charge them.

Councilwoman Martinez requests that a “Notice of Possible Quorum” be posted for the Casino Event on November 2nd as several of the Council and Staff would like to be there to show appreciation for the accomplishment and recognition of Bella and Mammoth PD.

Motion to Accept Police Report

Motion by: Councilwoman Martinez

Second by: Councilwoman Amparano

Motion Passed Vote 6-0

8. OLD BUSINESS

b. Consideration and Possible Approval of the First Amendment to the Intergovernmental Agreement between Pinal County and the Town of Mammoth for Building Plan Review and Inspections Services.

Mr. Cooper-Last month this item was tabled because we did not have a copy of the agreement. You have that in front of you now. This is an intergovernmental agreement allows Pinal County to do inspections for us. They set the fee which we then pass on to persons needing this service. Because the county is doing it, it is on their terms. This works in our favor because if not we would need to hire someone with those talents to do our inspections. This could take more than one person. There are many types of inspections that may be needed. This is just an amendment to the terms and then we can proceed if that is what the council wishes.

Motion to Approve the First Amendment to the Intergovernmental Agreement with Pinal County for building revues and inspections.

Motion by: Councilwoman Martinez

Second by: Councilman Martinez

Motion Passed Vote 6-0

9. NEW BUSINESS

a. Consideration and Possible Approval of Closing the Financials from the Town of Mammoth Fiesta Committee and discussion of repayment of funds advanced by the town.

Sharon Christiansen- In front of you are the financial accountings of the Fiesta Committee. This shows a beginning year start of \$541.13, an accounting of the fundraisers for this year at gross sales of \$1663.70 less Supplies of \$558.64 we also advanced from the town Corporation Fees of \$600 Fiesta Costs of \$211.95 and \$43.24 in added expenses. Which leaves \$249.87 plus our original \$541.13 and our Petty cash of \$30.00 which leaves us to bank a total of \$821.00 for next year and we have paid the town the total owing of \$811.95 leaving us a ZERO account payable to the Town of Mammoth for 2019. Thank you.

Motion is to Accept Financial Closing of the Fiesta Corporation for the Tax Year 2019

Motion by: Councilwoman Amparano

Second by: Councilman Martinez

Motion Passed Vote 5-0 (Councilwoman Martinez abstains from vote due to her participation in the Fiesta Committee)

b. Discussion of Sand Pit Park and Pond. Discussion only and Presentation by Council member Bustamante

Motion to Table this item for the next meeting as Councilman Bustamante could not be present

Motion by: Vice Mayor Anaya

Second by: Councilman Martinez

Motion is Tabled Vote 6-0

c. Consideration and Possible Waiver of Fees for Dispatching Service Agreement with Mammoth Fire District.

Councilwoman Martinez stated that at the last meeting this item was declared dead and should not have reappeared on this agenda. Due to some back and forth discussion at the last meeting this item was mistakenly placed on this agenda.

Motion is to take no action on this item

Motion by: Councilwoman Martinez

Second by: Councilman Martinez

Motion Passed No Action Taken Vote 6-0

d. Third Notice of Intention to Increase Certain Water and Wastewater Rates, Charges, and Fees.

This is a Notice to the Public

Notice is hereby given that a Public Hearing will be held at ta Regular Meeting of the Town of Mammoth Town Council to be held on Thursday, November 21, 2019 at 7:00PM in the Council Chambers, 125 N Clark St Mammoth Arizona 85618, to hear and receive written comments by Mammoth citizens regarding the proposed increase to certain water and wastewater rates, charges and fees. After the public hearing, Council will consider an

increase to certain water and wastewater Rates, charges and fees. Effective date January 1, 2020. A copy of the documents supporting the increase to certain water and wastewater rates will be available in the office of the Town Clerk commencing on or before October 21, 2019.

10. Possible Executive Session – NONE

11. Adjourn

Motion is to Adjourn meeting at 8:07PM

Motion by: Councilwoman Martinez Second by: Councilwoman Amparano

Motion Passed Vote 6-0

I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held October 17 , 2019. I further certify that the meeting was duly called and held.

Don Jones, Town Manager