



**TOWN OF MAMMOTH
MINUTES OF A REGULAR/SPECIAL MEETING
OF THE MAMMOTH TOWN COUNCIL
HELD ON
AUGUST 20 2020**

These are the Minutes of a Regular Meeting held by the Mammoth Town Council
On August 20, 2020 pursuant to the notice required by Law.

This is a "in chambers" and "by phone" conference call meeting

Due to the COVID-19 Virus and our efforts to slow the spread we have chosen to use a technological virtual meeting room to keep all members and attendees safe in this time of crisis. All those in attendance in Council Chambers are Masked and adhering to Social Distancing Measures.

1. CALL TO ORDER.— This meeting was called to order at 7:02 PM Mayor Dietz
2. PLEDGE OF ALLEGIANCE Chief Lujan
3. ROLL CALL

PRESENT MEMBERS

Councilwoman Martinez	Chambers
Councilman Bustamante	Phone
Mayor Dietz	Chambers
Vice Mayor Anaya	Phone
Councilwoman Amparano	Chambers
Councilman Martinez	Phone
Councilman Romo	Chambers

PRESENT STAFF

Attorney S Cooper	Chambers
Town Manager D Jones	Chambers
Town Recorder S Christiansen	Phone

ABSENT MEMBERS

Call in at: 1877-309-2073 Access Code: 411477253#

4. CALL TO THE PUBLIC

- a. Terry Adams-First is the Water Rate, I know it passed but when you first discussed this it was only going to raise \$10-\$15 per month, Mine is more than double. I believe you made a grave mistake and you hurting a lot of people. You need to revisit this at some point and drop it back down then raise it in increments and not all at once. This is killing people in this town. You're going to force people to let things die or move out of town. The water rates are too high. You're getting an extra million dollars each year and come next year you're going to want more money because you spent it all. It's just not right. Second, the mandate on wearing masks. This should be left to the individual, if they want to wear one that's fine. But you should not force them to wear one. Those with medical conditions have trouble breathing with a mask. Three, Town Hall should not be closed, they have a large piece of plastic around the whole counter with a little hole and slot to pass things through. You can't even hear them through the glass, if you don't read lips, you have a problem. It won't hurt to open town hall up for even 3 hours a day so that people can pay their water bills or find out what their charges are. Thank you.

5. APPROVAL OF MEETING MINUTES

- a. Regular Meeting 07-16-2020
 - b. Special Meeting 07-27-2020
 - c. Special Meeting 07-31-2020
 - d. Special Meeting 08-14-2020
- Motion by: Councilman Martinez
Motion Passed Vote 7-0

Second by: Vice Mayor Anaya

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

6. MAYOR AND COUNCIL COMMENTS

- a. **Vice Mayor Anaya**-Response to Mr. Adams-we want everything here in Mammoth, but the people have to understand that if we need to give the police department a raise and all the other, then we have to have the money to do that. The Town belongs to the people and if they want something they have to pay for it. We can't just pull the money out of our pockets. If the people want things done we have to have the money.
- b. **Councilwoman Martinez**-Census, if you have not already done so please fill out your census. If you did not get a packet, you can go online to uscensus.gov, put in your address and fill it out there. The census is very important to our community, because it helps us determine our share of the government pie. The more people that do not fill out the census, the lower the amount of funding we receive as a town. Second I would also like to make the people aware that after the last budget meeting, Pat Walker informed me that she was unaware that we may be hiring a public works director and that the \$47,000 for a public works director was not figured into this cycles budget. So just be aware that when looking at the line item for public works that it does not include a salary for a public works director.
- c. **Councilman Romo**-Responding to water issue. My water had almost doubled, and I questioned it. They showed me a graph of my water usage and it showed that there was 2 days when I left my water on in the yard. So, if anyone has questions on why the rates or water is so high, come in here and ask questions. They can show you a graph of your water usage each day. I know that your water rates did go up, if you have questions come in and check why, don't go running around with gossip and rumors about the water being too high.
- d. **Councilwoman Amparano**-I have spoke to some people and the water rate is not that bad compared to San Manuel, Oracle and Hayden. The town put in the new radio meters and they count every drop, if you have a leak, fix it. Those new meters are very accurate.
- e. **Councilman Bustamante**-Just a comment on the water. The San Pedro has been strained due to the big housing developments near Benson. This puts strain on the piping system. We do not control the water and we do not control the electric. San Carlos controls the rates; it is out of our hands. I am also trying to see we can have a Neighborhood Watch and get something going there. Another thing we need to be mindful of, is ASARCO, they have been guilty of unfair labor. We have a major employer, who is going from whatever their current status is, to not being part of the mining anymore. This is going to make for more unemployment, we need to be mindful of this. We do have more problems than water, we do have back water account billing that needs to be refunded. The AZ Cares Act, I don't know what the rules are, but we need to find out so that we know how to use these funds. Thank you.

Mr. Cooper Addressed the Council. There are Three (3) Critical Issues on tonight's agenda. The Election Canvas, which must be within 20 days of the election. We have Candidate Interviews for Town Manager and you must pick an Interim Town Manager as Mr. Jones employment ends at the end of the Month. Due to the weather tonight and technology, I am concerned that we may have a power outage which would cause us to lose this meeting. I am recommending that Items 9B (Interview Candidates) Be brought forward and that it be conducted in Executive Session and that you direct who should attend, obviously the Council, Both Candidates, Don Jones Town Manager, Myself for Legal Advice and The Town Recorder who will manage the Phone Portion for those Council members on the Phone. The Executive Session will not be recorded nor will the public be in attendance by phone. No Action will be taken in Executive Session there will be an agenda item after the Executive Session if Council wishes to take action at that time. We have Two Candidates here to be interviewed this evening and I saw Patsy Large (another applicant) outside and who is now on phone. I do not know whether you are interviewing other candidates at this meeting.

Mayor Dietz calls for an Executive Session

Councilwoman Martinez motions to enter Executive session with attendance by The Council, the Attorney for Legal Advice, the two scheduled Candidates at 7:22PM for One (1) Hour to reconvene at approximately 8:23 PM.

Roll Call	Councilwoman Martinez	Present	Councilman Romo	Present
	Councilman Bustamante	Present	Councilwoman Amparano	Present
	Councilman Martinez	Present	Vice Mayor Anaya	Present

Mayor Dietz

Present

ALL RECORDING IS STOPPED

Council enters Executive Session at 7:22P

RECORDING RESUMES

Council Resumes Regular Session at 8:25PM

Council has MOTIONED TO CONTINUE EXECUTIVE SESSION FOR ADDITIONAL THIRTY (30) MINUTES approximately 9:00PM

Roll Call	Councilwoman Martinez	YES	Councilman Romo	YES
	Councilman Bustamante	YES	Councilwoman Amparano	YES
	Councilman Martinez	YES	Vice Mayor Anaya	YES
	Mayor Dietz	YES		

ALL RECORDINGS ARE STOPPED

Council enters Executive Session at 8:26PM

RECORDING RESUMES

Council Resumes Regular Session at 9:00PM

9B Consideration of Appointment of Town Manager and setting salary and date of beginning of Employment.

Mr. Cooper addresses the Council-Tonight your options are to Table this Item, Interview More Candidates, Nominate One of the Candidates Interviewed this evening and designate certain officers such as the Mayor and Vice Mayor or other Council Members (limit of 3 members) to negotiate an Employment Agreement with that individual,

MOTION#1 TO ACCEPT ERIC DUTHIE FOR THE OFFICE OF TOWN MANAGER/PUBLIC WORKS
MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILWOMAN AMPARANO

COUNCIL DISCUSSION OF CANDIDATE

Roll Call	Councilwoman Martinez	YES	Councilman Romo	NO
	Councilman Bustamante	NO	Councilwoman Amparano	YES
	Councilman Martinez	NO	Vice Mayor Anaya	NO
	Mayor Dietz	YES		

MOTION IS DEFEATED 4-NO 3-YES

MOTION#2 TO ACCEPT JOHN SCHEMPF FOR THE OFFICE OF TOWN MANAGER/PUBLIC WORKS

MOTION BY COUNCILMAN ROMO SECOND BY COUNCILMAN MARTINEZ

COUNCIL DISCUSSION OF CANDIDATE

Roll Call	Councilwoman Martinez	NO	Councilman Romo	YES
	Councilman Bustamante	NO	Councilwoman Amparano	YES
	Councilman Martinez	NO	Vice Mayor Anaya	NO
	Mayor Dietz	NO		

MOTION IS DEFEATED 5-NO 2-YES

COUNCILWOMAN MARTINEZ STATEMENT-I understand that Councilman Martinez would like another candidate. However, if she really wanted the position she should have been here. She has interviewed with us before; she could have shown up and asked to be interviewed. She had the right to show up and she didn't. Patsy Large was her at 7:00. She was on the phone incase anyone wished to ask her any questions. Your candidate could have done the same if she really wanted the job. She chose not to. We have less than two weeks before our Town Manager leaves to decide, and you want to hold it up for someone who could not take time to be here.

COUNCILMAN BUSTAMANTE CALLS FOR A POINT OF ORDER

MR. COOPER RESTATES THE OPTIONS FOR THIS VOTE AND THE NEED TO MAKE A DECISION

MOTION#3 TO ACCEPT ERIC DUTHIE FOR THE OFFICE OF TOWN MANAGER/PUBLIC WORKS

MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILWOMAN AMPARANO

DON JONES TOWN MANAGER GIVES HIS THOUGHTS CONCERNING THE TWO CANDIDATES CHOSE TO BE INTERVIEWED AT THIS MEETING. After meeting with them for several hours each, after making reference calls on both, after looking at their backgrounds and qualifications; Mr. Jones gave his reasons for suggesting these two candidates for the position of Town Manager/Public Works Director.

Councilwoman Amparano stated that Mr. Jones has been employed in these positions for a long time and know the skills and qualifications needed for this position. She suggested that the council listen to Mr. Jones suggestions. She also stated that a decision should be made so that Mr. Jones may pass on important knowledge and transition information.

Councilwoman Martinez gives her reasons for the candidate of her choice. Stating qualifications that were relayed by the candidate that would be very useful to situations that Mammoth currently has. Thus we may be able to cut cost in some areas and save money.

Vice Mayor Anaya is concerned that the amount of salary requested by one of the candidates was much higher that the amount being paid for the same employment currently.

Councilman Martinez expressed that other candidates who submitted resumes should be interviewed.

After further discussion by all Council Members the motion continues

We have a MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILWOMAN AMPARANO

Roll Call	Councilwoman Martinez	YES	Councilman Romo	NO
	Councilman Bustamante	NO	Councilwoman Amparano	NO
	Councilman Martinez	NO	Vice Mayor Anaya	NO
	Mayor Dietz	YES		

MOTION IS DEFEATED 5-NO 2-YES

**MOTION#4 TO ACCEPT PATSY LARGE FOR THE OFFICE OF TOWN MANAGER
MOTION BY COUNCILWOMAN MARTINEZ SECOND BY THERE WAS NO SECOND MADE
MOTION DIES FOR LACK OF SECOND**

**MOTION#5 TO ACCEPT ANGELA SANCHEZ FOR THE OFFICE OF TOWN MANAGER
MOTION BY COUNCILMAN MARTINEZ SECOND BY VICE MAYOR ANAYA**

Roll Call	Councilwoman Martinez	NO	Councilman Romo	NO
	Councilman Bustamante	YES	Councilwoman Amparano	NO
	Councilman Martinez	YES	Vice Mayor Anaya	YES
	Mayor Dietz	NO		

MOTION IS DEFEATED 4-NO 3-YES

MR. COOPER ASKS THE COUNCIL IF THERE IS ANOTHER MOTION-HEARINF NONE IT IS DETERMINED THAT THE COUNCIL HAS TAKEN "NO ACTION" ON THIS ITEM

RETURNING TO THE REGULAR SEQUENCE OF ITEMS

7. CONSENT AGENDA

A. Staff Recommendations and Reports

a. Town Clerk/Treasure Report

i. For the Month of July 1-July 31, 2020

1. Beginning Balance	\$225,510.64
2. Revenues/Credits	\$261,531.30
3. Expenses/Debits	\$149,559.68
4. Ending Balance	\$337,482.26
5. Positive Month	\$111,971.62

b. Public Works Report

c. Library Report

- d. Planning and Zoning Report
- B. Staff Reports
 - a. Police Report (Pulled for Oral Presentation per Councilwoman Martinez)
 - b. Town Manager Report
- C. Approve Accounts Payable for Payment and Filing for June, July and August to Date, 2020.

Motion is to approve Consent Agenda for August 2020

Motion by Councilwoman Martinez	Second by Councilwoman Amparano			
Roll Call	Councilwoman Martinez	YES	Councilman Romo	NO
	Councilman Bustamante	YES	Councilwoman Amparano	YES
	Councilman Martinez	YES	Vice Mayor Anaya	YES
	Mayor Dietz	YES		

Motion Passed Vote 6-1

Police Report (Oral by Chief Lujan)—Gives statistical report for July 2020-Also noted that concerning the dogs, there were 6 citations issued and the fines are at \$500. We also received a \$10,000 grant from the State Attorney General for the Covid Crisis, We can only use it for Public Safety Issues. We bought 2 sets of 4 tires and the Impala that we got from the military will be detailed (decals), we got 5 bulletproof vests, and first aid kits for all patrol vehicles, ammo, and much more.

Councilman Romo Question-If the power should fail do we have a generator for back up

Chief Lujan-Yes it is mostly for the police department

Don Jones-It backs up the entire building

Councilman Bustamante-Concerning the Neighborhood watch, some of the decals are really faded and need replacement. The neighborhood watch is a good thing for the community.

Chief Lujan-Mr. Bustamante is trying to restart the neighborhood watch program and he gave me the job of trying to find some stickers. We are going to buy them, there will be 500 stickers to put in the windows. We will also be putting up some signs around the town.

Councilman Romo-Other towns have volunteers that help the police department. Can that be used here?

Chief Lujan-We do not have any in the community, the closest we have is 6 reserves who are certified police officers. That could be a good idea if you want to get it started up.

Motion is to Accept Police Report

Motion by: Councilwoman Martinez

Second by: Councilwoman Amparano

Motion Passed Vote 7-0

8. OLD BUSINESS

- A. Consideration and Possible Suspension, Termination or Modification of Emergency 2020-01 Order of Temporary Closure of Town Hall, Town Buildings, Police Department, Senior Center, and other Public Facilities During Corona Virus Pandemic.

Motion is to Extend the Emergency Order 2020-01 Temporary Closure of all Town related public buildings and Parks with the exception of Town Hall which would post a sign limited to one person in the building at a time and masks must be worn until September 30, 2020

Motion by: Councilwoman Martinez

Second by: No Second was made

Motion Dies for Lack of a Second

Councilman Bustamante stated that the town should use some kind of signage as was discussed at the previous meeting? Residents are still using the basketball courts and parks. Signage will go a long way in stopping the confusion.

Motion is to Extend Emergency Order 2020-01 Temporary Closure of all Town related public buildings and Parks including Basketball Courts through September 30, 2020

Motion by: Council Amparano Second by: Councilman Romo

I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held June 18 2020. I further certify that the meeting was duly called and held.

Don Jones, Town Manager



NOTICE OF REGULAR MEETING
OF THE TOWN COUNCIL
OF THE TOWN OF MAMMOTH
THURSDAY AUGUST 20, 2020
7:00 P.M.

Pursuant to A.R.S. § 38-431.02(B), notice is hereby given to the members of the Town Council and to the general public that the Town Council will hold a Regular Town Council Meeting which is open to the public on Thursday, August 20, 2020 at the Mammoth Town Hall located at 125 North Clark Street, Mammoth, Arizona. The Town Council may hold an Executive Session, A.R.S. § 38-431.03(A)(3) and (4) for legal advice, which will not be open to the public, to discuss any Agenda items set forth below.

Due to the impacts of the COVID-19 pandemic, which have prompted declarations of a public health emergency at both the state and federal levels, this meeting will be conducted using measures to protect public health. Members of the public are encouraged NOT TO ATTEND THE MEETING IN PERSON but instead to attend and listen to the meeting remotely by telephone. Some members of the Council will be in attendance in the Council Chambers as well as some speakers, in accordance with and subject to Executive Order 2020-40 and amendments thereto ALL IN ATTENDANCE MUST WEAR MASK OR FACE COVERING AND MUST ADHERE TO THE REQUIREMENTS OF SOCIAL DISTANCING AND SPACING.

To participate in the meeting telephonically follow the instructions below:
Tele-Conference Participant:

1. At the specified time, dial the Access Number 1-877-309-2073.
2. When prompted, enter your Participant Code followed by #.
3. Your Participant Code is 411477253#.

Participant Star Commands:

- *4-Volume - Pressing *4 will increase/decrease the volume.
- *6-Mute - Participants can mute/unmute their own lines by pressing *6.

Public access to the Mayor and Council Chambers will be restricted in order to prevent a large or close gathering of the members of the public and to promote social distancing. Additionally, some items on the agenda may be shortened, continued to a future meeting or taken out of order. These steps are part of the effort to limit the number of people who

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must be physically present, or who might desire to be physically present, at the meeting, and to limit the time of the public meeting.

This meeting will be held remotely through technological means, as permitted under Arizona law.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
 - a. Possible consideration to excuse Councilmember(s) from Meeting pursuant to Mammoth Town Code 2.04.3
4. Call to the Public

Pursuant to A.R.S. § 38-431.01(H):

A public body may make an open call to the public during a public meeting, subject to a three (3) minute limitation to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

5. Approval of Meeting Minutes:

Regular Meeting July 16, 2020
Special Meeting July 27, 2020
Special Meeting July 31, 2020
Special Meeting August 14, 2020

6. Mayor and Council Member Comments.

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 TOWN COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS UNLESS A COUNCILMEMBER SO REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM

THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

A. Approval of Staff Recommendations and Reports

1. Town Clerk/Treasurer's Report
2. Public Works Report
3. Library Report
4. Planning & Zoning Report

B. Staff Reports:

1. Police Report
2. Town Manager Report

C. Approve Accounts Payable for Payment and Filing for July and August 2020.

MOTION TO APPROVE CONSENT AGENDA BY ROLL CALL VOTE.

Council Action: _____ Pass, _____ Defeated, _____ Tabled _____

8. OLD BUSINESS

- A. Consideration and Possible Suspension, Termination or Modification of Emergency 2020-01 Order of Temporary Closure of Town Hall, Town Buildings, Police Department, Senior Center, Town Pool and other Public Facilities During Corona Virus Pandemic.**

Action Item: Possible action on Possible Suspension, Termination or Modification of Emergency 2020-01.

Council Action: _____ Pass, _____ Defeated, _____ Tabled _____

- B. Consideration and Possible Approval of Modification of Moratorium on Utility Disconnections During Corona Virus Pandemic set to expire May 22, 2020.**

Action Item: Approve Disconnection Moratorium.

C. Discussion on dogs running at large in Town and Adoption of Resolution 2020-06 a Resolution of the Town Council of the Town of Mammoth Declaring as a Public Record the Pinal County Animal Control Ordinance and setting forth the Master Fine Schedule for Violations of the Town Animal Control Ordinance.

Action Item: Possible action on directing staff to enforce lease laws.

Council Action: _____ Pass, _____ Defeated, _____ Tabled _____

9. NEW BUSINESS

A. Approve Resolution 20-07, Canvas of Vote for Primary Election held August 4, 2020.

Council Action: _____ Pass, _____ Defeated, _____ Tabled _____

B. Interviews of Candidates for Office of Town Manager of the Town of Mammoth. Interviews will be conducted in Executive Session.

Action Item. No Action Appointment will occur in Public Meeting in Item C below.

Consideration of Appointment of Town Manager and setting salary and date of beginning of Employment.

Action Item: Approve Appointment of Town Manager and setting salary and date of beginning of Employment.

Council Action: _____ Pass, _____ Defeated, _____ Tabled _____

C. If Necessary if No Town Manager is hired or Town Manager cannot start work immediately. Discussion and Action to appoint Interim

Town Manager and set appointment start date and salary due to resignation of Don Jones as Town Manager effective August 31, 2020.

Action Item: Appoint Interim Manager, set start date and set salary.

Council Action: _____ Pass, _____ Defeated, _____ Tabled _____

D. Consideration and Possible Increase of Rate of Pay of Police Personnel at the Minimum Rate of \$1.00 per hour.

Action Item: Increase pay for Police Department Dispatchers, Officers and Police Chief.

Council Action: _____ Pass, _____ Defeated, _____ Tabled _____

E. Consideration and Possible Approval of Variance for Jose Frisby 748 N. Old Hwy 77 for placement of 16' X 76' Mobile Home.

Action Item: To Approve Variance for Placement of 16' x 76' Mobile Home on Property located at 748 N Old Hwy 77

Council Action: _____ Pass, _____ Defeated, _____ Tabled _____

F. Request of Town Manager Don Jones to be Compensated for serving as Public Works Director for Past Fiscal Year. The Request is for Compensation in Addition to Pay Received as Town Manager. Request is for \$47,000.00 dollars.

Action Item: Discussion and Consideration of Compensation in possible amount to be determined by Town Council.

Council Action: _____ Pass, _____ Defeated, _____ Tabled _____

10. Executive Session:

A. A.R.S. § 38-431.03(A)(1),(3) and (4) Interviews of Town Manager Candidates and Possible legal advice.

B. A.R.S. § 38-431.03(A)(1),(3),(4) and (7) for legal advice for any Agenda Item above.

11. Regular Session

Direct Mayor and/or Town Manager, or Town Attorney to proceed as directed in Executive Session.

12. Adjourn

The undersigned hereby certifies that a copy of this notice was posted at the Mammoth Town Hall on August 19, 2020 by 4:00 p.m.



Don Jones, Interim Town Clerk

Copies of the agenda are available for public inspection at the Mammoth Town Hall and the Mammoth Public Library. Persons with disabilities needing accommodations should contact the Mammoth Town Hall coordinator at (520) 487-2331. If possible, such requests should be made 72 hours in advance.