



**TOWN OF MAMMOTH  
MINUTES OF A SPECIAL MEETING  
OF THE MAMMOTH TOWN COUNCIL  
HELD ON  
August 27 2020**

These are the Minutes of a Special Meeting held by the Mammoth Town Council  
On August 27, 2020 pursuant to the notice required by Law.

\*\*This is a "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.

Vice Mayor Anaya has allowed Town Manager Don Jones to preside over this meeting.

1. CALL TO ORDER – This meeting was called to order at 1:00 PM Don Jones
2. PLEDGE OF ALLEGIANCE Veteran John Schempf
3. ROLL CALL

**PRESENT MEMBERS**

Councilwoman Martínez  
Councilman Bustamante  
~~Mayor Dietz~~  
Vice Mayor Anaya  
Councilwoman Amparano  
Councilman Martinez  
Councilman Romo

**PRESENT STAFF**

Attorney S Cooper  
Town Manager D Jones  
Town Recorder S Christiansen  
W. Gort

**ABSENT MEMBERS**

Mayor Dietz

Don Jones has excused absent member due to the meeting being an Emergency Meeting

Council Members, Staff, and the General Public were given notice that the meeting would be by phone and the public was encouraged to call in and listen to the presentation and they would be given three minutes to make a statement or ask questions at the end.

Call in at: 1877-309-2073      Access Code: 565468741#

**4. NEW BUSINESS**

- A. Approve Resolution 2020-08 a Resolution of the Town of Mammoth Declaring the Town a Colonia as defined by the United States Department of Agriculture

**Colonia Qualifications:**

Town of Mammoth Existed Prior to November 28, 1990

Town of Mammoth is located within 150 miles of the United States/Mexico Border

Town of Mammoth has an identifiable community boundary

Town of Mammoth meets the objective criteria chosen by the State, including lack of potable water supply, lack of adequate potable water distribution system, lack of adequate sewerage systems and lack of decent, safe, and sanitary housing.

Town of Mammoth will use the Colonia set-aside funds to benefit Colonia residents.

Town of Mammoth is a unit of general local government that has the capable Town staff and expertise to use Colonia set-aside funds properly and effectively for the improvement of the Community to correct current deficiencies in its water distribution system and sewage systems.

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

Telephone  
(520) 487-2331 V/TDD

Mailing: P.O. Box 130, Mammoth, Arizona 85618  
Street: 125 N. Clark Street, Mammoth, Arizona 85618

FAX  
(520) 487-2152

**Don Jones-** this is the last funding available for our infrastructure water and sewer system, to include all new pipes, valves, pumps, to have everything updated in the town. It is a \$5million part grant part loan. We must be able to make the loan payments. This Colonia Funding is needed to complete this project.

**Councilman Romo-** is this amount shared with other towns? We qualify in all the requirements.

**Don Jones-**No, that would be for only Mammoth. We need to do this as soon as possible.

**Mr. Cooper-**We apologize for having this emergency meeting, we were only made aware of this last Friday. I spoke to Mr. Lanford and all monies for Rural Development have been appropriated except for this Colonia Fund. We will be working on getting an agreement for some of this funding. This will be grant monies and some may be on loan forgiveness. This money is set to be used or lost by the end of the year. That is why the urgency to get this designation. Lastly, a hurricane just hit Texas and Louisiana. Motions to rehabilitate those areas will probably be on their next agendas. We cannot guarantee that if we do not move forward now that these funds will still be available after this catastrophe. So it would be my strongest recommendation that you adopt this resolution 2020-08 and that we move forward as soon as possible.

**Wendy Gort-**The process will be, the town needs to designate as a Colonia, then we go to Pinal County Board of Supervisors to approve that designation. We are trying to get that done so we can get on the meeting scheduled for September 9<sup>th</sup>. So we need to get this on their agenda by tomorrow at noon in order to make on that September 9<sup>th</sup> meeting. If the Pinal County Board of Supervisors agree with the designation, then what would happen is the USDA would officially recognize The Town of Mammoth under this program and we would be able to apply for funding. This is the first step in the process and without this step we cannot move forward.

**Motion is to Approve 2020-08 A Resolution of the Town of Mammoth declaring the Town as a Colonia, as defined by the United States Department of Agriculture.**

**Motion by: Councilwoman Amparano      Second by Councilman Romo**

**Roll Call**

|                              |            |                              |            |
|------------------------------|------------|------------------------------|------------|
| <b>Councilwoman Martinez</b> | <b>YES</b> | <b>Councilman Romo</b>       | <b>YES</b> |
| <b>Councilman Bustamante</b> | <b>YES</b> | <b>Councilwoman Amparano</b> | <b>YES</b> |
| <b>Councilman Martinez</b>   | <b>YES</b> | <b>Vice Mayor Anaya</b>      | <b>YES</b> |

**Motion Passed Vote 6-0**

**\*\*Note to Minutes\*\*** There was some confusion on the agenda items, the town recorder had a draft copy originally and after discussion received the current and final Agenda for this meeting and the meeting is continued.

**B. Discussion and Action to Appoint an Interim Town Manager/Town Clerk.**

**Mr. Cooper-**At your last meeting, you appointed John Schempf as your Interim Town Manager. We did not set a salary for him to serve as Interim Town Manager. We will need to do two things; Mr. Schempf will need to address the council as to whether he agrees with the Councils recommendation for salary and we will need to designate an Interim Town Clerk for signing documents for the Town. My suggestion to the Council would be that if you move forward and appoint Mr. Schempf as Interim Town Manager and set a Salary that you also appoint him as Interim Town Clerk as well until such time as you appoint another Interim Town Clerk or hire a Town Clerk.

**After some Council Discussion**

**Councilwoman Martinez-**My comment would be to begin him at \$55,000 for 6 months and reevaluate at that time taking into account the positions and job performance.

**Councilman Martinez-** Agrees with Councilwoman Martinez

**Councilman Romo-**All town employees are at the will of the Council and can be hired or fired at will. So there is no real Probationary Period. I think his experience will make him a good Town Manager.

**Councilman Bustamante-**I think we should stay with our procedures and I don't think we should be discussing monies for this position in the public arena. Wages can be discussed in another forum.

**Motion is to Appoint John Schempf as Interim Town Manager/Town Clerk**

**Motion by: Councilwoman Amparano      Second by Councilman Martinez**

**Roll Call**

|                              |            |                              |            |
|------------------------------|------------|------------------------------|------------|
| <b>Councilwoman Martinez</b> | <b>YES</b> | <b>Councilman Romo</b>       | <b>YES</b> |
| <b>Councilman Bustamante</b> | <b>YES</b> | <b>Councilwoman Amparano</b> | <b>YES</b> |
| <b>Councilman Martinez</b>   | <b>YES</b> | <b>Vice Mayor Anaya</b>      | <b>YES</b> |

**Motion Passed Vote 6-0**

**Mr. Cooper-**Could you please for the record state that salary and start date so there is no confusion for the staff doing payroll and for the Council knowing what is being paid for this position. I would suggest that you ask Mr. Schempf when he can start and the salary he is looking for on an interim basis. As pointed out this is an "at will" position and the council can change and end the relationship at any time.

**John Schempf-**Officially my start date would be Monday August 31, 2020. I would like the hourly arraignment that you town manager currently has.

**Don Jones-**Mr. Cooper did you get that?

**Mr. Cooper-**Yes, Could you please state your hourly pay so that the Council knows and there is no misunderstandings.

**Don Jones-**Yes, it is \$34 and they should know that. The lowest paid manager in the Copper Corridor.

**Councilwoman Martinez-**I would like to go on record and point out that if you pull up the minutes from the November 28<sup>th</sup> meeting, it was never agreed upon to give the manager that much money. It was brought to us, we said no, and it was tabled and it was never brought back up. Going based on what he makes right now is not a valid point because he should not have been making that much money when we did not agree to give it to him. So, again I go back to if he really wants this position we could start him at \$55,000. If after a couple months we feel he is doing a good job, and he needs a bump up in pay to hold more than one title, then yes the council will do that. But I don't think we should start someone out based on a figure that was not agreed upon.

**Councilman Martinez-**I agree

**John Schempf-**It is in the advertisement at \$65-75,000

**Don Jones-**Mr. Cooper do you want to comment on that?

**Mr. Cooper-**I do not have the minutes in front of me, so I cannot comment on the dollar range. We did send a notice to the league of Arizona cities and towns and the draft that I sent to staff to put on the website had a range of \$60-80,000. That was the range you determined you would pay based on their qualifications.

**Motion to begin rate of pay for Interim Town Manager/Clerk at \$60,000 per year.**

**Motion by: Councilwoman Martinez**

**Don Jones-**Mr. Cooper. We do not have this on the agenda, would you advise putting this on the next meeting? We already made a motion and passed Item B. We are now talking about stuff that is not on the agenda.

**Mr. Cooper-**yes the agenda sent to me does not have a salary range on there. However I believe it appropriate to have that salary so that Mr. Schempf and the Council knows what we are paying him. I realize this is not a great time for this discussion, but as Mr. Schempf pointed out Mr. Jones last day will be August 31, 2020 and we need to have someone on board by Tuesday September 1<sup>st</sup>. I think by doing this we will clear up any misconceptions or bad feelings by basically moving forward and everyone knowing what the agreement is.

**Don Jones-**I have worked with John for a week now and I think he is a good pick. The lowest paid Town Manager is from \$90,000 up. So we got to get it out of our heads this \$47,000 and so forth. \$34.00, I told the Council I made that in my 30's years ago. Mr. Cooper I feel we should put this on the next agenda as far as wages go. You've got a town manager now and I want to go over Public Works with him now, well tomorrow. And then I have fulfilled my part of the bargain.

**Councilman Bustamante-**I just need to make it clear to everyone concerned, and the gentleman. A lot has happened. ASARCO and Mining is not running, that is a fact. With that said the economy and what we can afford to pay, the big employers are shutting down. So let's work with this guy, everybody needs to bend a little. He is willing to work with us, I am will to work with him.

**Councilwoman Martinez-**So if the range is 60-80 then we should go low right now and see how it works out. We can always move up. If you start high, it is hard to go back down. We should start were we can afford, and we can factor in the Public Works Position. At some point we will need to separate these positions to have a town manager and a public works director. I think \$60,000 is good for right now, especially for our area. As Don said we are a Colonia, we are income challenged and do not have that much money. We have a lot of problems that need fixed in the town and we need to save money where we can. I have already made the motion at \$60,000.

**Don Jones-**Mr. Cooper do you want to step in and put this on the next agenda?

**Mr. Cooper-**I have made my recommendation to Council. I can't really add any more to it than that. I think it is appropriate for both side to know what the agreement is.

**John Schempf-**I don't want to get into a bargaining situation but, you offered 60. I wanted 70, I will split the difference at \$65,000.

**A motion was previously made by Councilwoman Martinez**

Councilwoman Martinez will amend her motion as follows:

Motion is to start rate of pay at \$63,000 for six months and review job performance at that time.

Motion by: Councilwoman Martinez      Second by: No Second was made

Motion Dies for Lack of a Second

Motion is to start rate of pay at \$65,000

Motion by Councilwoman Amparano      Second by Councilman Romo

Councilman Bustamante-My question is on procedure, we need to go slow so we don't make a mistake here. I have here to appoint an Interim Town Manager and we have done that, we can haggle the wages in a different forum. It is not a good position to be bargaining out in the open. I just want to make sure we are not going to run into problems with procedures.

Councilman Romo-The issue is not the money, it is whether he can perform the job as needed. We need to be sure he is going to earn that \$65,000.

Roll Call

|                       |     |                       |     |
|-----------------------|-----|-----------------------|-----|
| Councilwoman Martinez | NO  | Councilman Romo       | YES |
| Councilman Bustamante | NO  | Councilwoman Amparano | YES |
| Councilman Martinez   | YES | Vice Mayor Anaya      | NO  |

Motion is Tied and Defeated Vote 3-3

Councilwoman Martinez-I would like to ask Mr. Schempf if he would take the \$63,000 for now and in 6 months we can review his progress and our state of affairs as far as our finances are concerned, with the understanding that if everything is good, we would look at giving him a raise then. Would he be willing to accept that?

Mr. Schempf-Clarification, this is not for 6 months, this is for an Interim Position and I will assume that the Council will have a permanent Town Manager within 6 months. It should be a month or two, and with that you will have contract negotiations. This is not a contract, I will split the difference with you and offer \$64,000.00.

Motion is made to pay \$28.00 per hour

Motion by Councilwoman Martinez      Second by: No Second Made

Motion Dies for Lack of Second

Motion is to start rate of pay at \$64,000 for six months and review job performance at that time.

Motion by: Councilwoman Amparano      Second by: Councilman Romo

Roll Call

|                       |     |                       |     |
|-----------------------|-----|-----------------------|-----|
| Councilwoman Martinez | NO  | Councilman Romo       | YES |
| Councilman Bustamante | YES | Councilwoman Amparano | YES |
| Councilman Martinez   | YES | Vice Mayor Anaya      | NO  |

Motion PASSED Vote 4-2

5. Possible Executive Session – NONE

6. Adjourn

Motion is to adjourn meeting at 1:52 PM

Motion by: Councilwoman Amparano

Second by: Councilman Romo

Motion Passed Vote 6-0

I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held August 27, 2020. I further certify that the meeting was duly called and held.

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Don Jones, Town Manager



**NOTICE OF SPECIAL MEETING  
OF THE TOWN COUNCIL  
OF THE TOWN OF MAMMOTH  
THURSDAY AUGUST 27, 2020  
1:00 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 27, 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.

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 **565468741#**.

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

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

**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. NEW BUSINESS**
  - A. Approve Resolution 20-08 a Resolution of the Mammoth Town Council Declaring the Town a Colonia as defined by the United States Department of Agriculture.**

**Council Action: \_\_\_\_\_ Pass, \_\_\_\_\_ Defeated, \_\_\_\_\_ Tabled \_\_\_\_\_**

- B. Discussion and Action to appoint Interim Town Manager and Interim Town Clerk**

**Action Item: Appoint Interim Town Manager and Interim Town Clerk.**

**Council Action: \_\_\_\_\_ Pass, \_\_\_\_\_ Defeated, \_\_\_\_\_ Tabled \_\_\_\_\_**

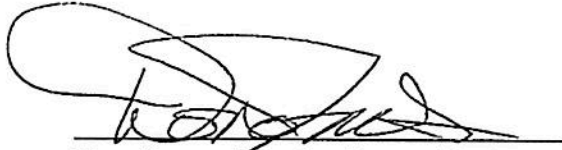
- 5. Executive Session:**
  - A. A.R.S. § 38-431.03(A)(1),(3),(4) and (7) for legal advice for any Agenda Item above.**

- 6. Regular Session**

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

## 7. Adjourn

The undersigned hereby certifies that a copy of this notice was posted at the Mammoth Town Hall on August 25, 2020 by 4:00 p.m.

A handwritten signature in black ink, appearing to read "Don Jones", written over a horizontal line.

**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.**