



**TOWN OF MAMMOTH
MINUTES OF A REGULAR MEETING
OF THE MAMMOTH TOWN COUNCIL
HELD ON
NOVEMBER 19 2020**

These are the Minutes of a Regular Meeting held by the Mammoth Town Council
On November 19, 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 7:04 PM Vice Mayor Anaya
2. **PLEDGE OF ALLEGIANCE** Councilman Martinez
3. **ROLL CALL**

PRESENT MEMBERS

Councilwoman Martinez
Councilman Bustamante
Mayor Dietz
Vice Mayor Anaya
Councilwoman Amparano
Councilman Martinez
Councilman Romo
Mayor Elect Armenta
Councilman Elect Adams
Councilman Elect Brewer

PRESENT STAFF

Attorney S Cooper
Town Manager J. Schempf
Town Recorder S Christiansen
Police Chief R Lujan

ABSENT MEMBERS

Mayor Dietz Excused
Councilman Romo Excused

Call in at: 1866-899-4679 Access Code: 805737117#

4. CALL TO THE PUBLIC

- a. **Joe Brewer**-This is a Farce Agenda, The Manager Contract has nothing for the Town of Mammoth should he leave. The new Council is not even seated yet and yet he is tying the hands of the new Council, this is unheard of. This has to be bordering on illegal. Our Town Attorney should make any contract that is written. This town does not make contracts with any employees. Because of legal ramifications that arise when people are dismissed. This is a very serious matter, so you all need to think about this. You are opening a can of worms if you allow this. Thank you.
- b. **Terry Adams**-I agree with Mr. Brewer, the current council needs to table the contract as it does not allow any input from the council waiting to be seated. I also agree that it goes against precedence, when the new council is not seated immediately. It goes against policy and if the outgoing council votes on this contract it gives the incoming council no control. It is not right, this should be tabled and the new council should have say in this matter, as well as be able to interact with this manager before making that decision. Thank you.
- c. **Cliff Dethridge**-I have lived here all my life and have seen many councils, everything changed when Don Jones came in, it was all about money. Making contracts guaranteeing his wages. I am going to tell you the way it is, the COUNCIL rules this town. The council hires and the council fires. We have never made contracts here. Times have changed, I was very upset when the water rates went up, now it makes sense after reading the miner about this grant. But, how about the Food tax, the garbage and the cemetery? Somebody needs to think of the people. When you raise

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(520) 487-2152

the water you should give the people a break somewhere else. We are in a depressed area, mining and work is shut down, and now we have this virus, come on the people need help. The people that voted you in can vote you out. We have never done contracts, it needs to be the decision of the council. Thank you.

- d. **Al Barcelo**-I'm not going to beat a dead horse, because they already have said it. We do not do contracts with staff, they work at the will of the council. We shouldn't even be looking at a contract, it is at THE WILL OF THE COUNCIL. You guys sitting there should not be voting on this, the new council should be seated and they vote, they have to work with the manager. Thank you.
- e. **Councilwoman Martinez Response to Public Comment**-To Dethridge-The food tax is something that Councilman Bustamante and I feel strongly about and we are working on this. This does need to be addressed, it was temporary and needs to be removed which will alleviate some of the burden caused by the water issues. We appreciate your comment and thank you for bringing that up.

(There is Council/Public discussion and a Point Of Order was called for by Councilman Bustamante and Vice Mayor Anaya)

5. APPROVAL OF MEETING MINUTES

- a. **October 15, 2020 Regular Meeting**
Motion by: Councilwoman Martinez
Motion Passed Vote 5-0

Second by: Councilwoman Amparano

6. MAYOR AND COUNCIL COMMENTS

- a. **Councilwoman Martinez**-I have an issue with this agenda, it goes against our town precedence. Our town code section 2.1.7 states that the oath is given after the canvas of the general elections that was in August to be seated directly after the consent agenda has be completed. There will never be a time when old business is completed as the old council goes out. By placing this oath and seating at the end you deprive this council of one month of their term that was voted on by the people of Mammoth. (Citing previous history) This item needs to be moved. Second, I was informed that we had a theft in the public works department, this theft went unreported to the police department. There was not even a formal written reprimand. I take issue with this, Police should have been notified of missing equipment and of the identity of the prospected thief. If they are stealing from their employer, what comes next? We need policies for signing out equipment to workers so we know who had what when or if it comes up missing. A Theft is a theft no matter how minor or major and should be treated as such. I am very upset that this was not pursued legally. To the incoming council, we really need to look at our policies and procedures.
- b. **Councilman Martinez**-Agrees with Councilwoman Martinez and was told that the person in question was given a warning. I believe that this person should have been fired immediately.
- c. **Councilwoman Amparano**-Concurs with both previous speakers. The supervisor needs to keep better watch.
- d. **Councilman Bustamante**-Asked for clarification of some item on the Cassel Spreadsheet, answers to be given when available. He spoke of the state level pawning debts down through the county and ultimately the towns to pay. This causing small entities like Mammoth to struggle. People need to understand that we cannot always get help from outside, some must come from within. Example is the Desert Weed Company, maybe we can have employees do this and save this money for other needs. There may be other services that we can cut out and take care of ourselves.

7. CONSENT AGENDA

- A. **Staff Recommendations and Reports**
 - a. **Public Works Report**
 - b. **Library Report**
 - c. **Planning and Zoning Report**

- B. **Approve Accounts Payable for Payment and Filing**

Motion is to approve Consent Agenda for November 19, 2020
Motion by Councilwoman Martinez Second by Councilman Martinez
Motion Passed Vote 5-0

Councilwoman Martinez requests that Item 10-Convene Newly Elected Council be moved to this slot
Move was approved by Council and the Current Council will Adjourn @7:32PM
Motion by: Councilwoman Martinez Second by: Councilwoman Amparano
Motion Passed Vote 5-0

This Council has Adjourned

COUNCIL ELECT MEMBERS P.ARMENTA, T.ADAMS, AND J.BREWER ARE GIVEN THE "OATH OF OFFICE" BY ATTORNEY S.COOPER

Call to Order @ 7:35PM

Roll Call	Councilwoman Martinez	Councilman Martinez
	Councilman Anaya	Councilman Bustamante
	Councilman Adams	Councilman Brewer
	Mayor Armenta	

8. ORAL STAFF REPORTS

A. Town Treasurer Report (Oral by Town Recorder) October 1 – October 31, 2020

Beginning Balance	\$326,828.86	Revenues/Credits	\$410,243.31
Expenses/Debits	\$381,201.04	Ending Balance	\$355,871.13
This was a POSITIVE MONTH OF			\$ 29,042.27

Motion to Accept Treasure Report

Motion by: Councilwoman Martinez Second by: Councilman Martinez
Motion Passed Vote 7-0

B. Police Report (Oral by Chief Lujan)—Began with a Statistical Report for the month of October, 2020. Working with the Town of Coolidge putting together an IGA for (2) two radar units which will be free of cost. These usually cost about 1200-1500 dollars each. We have been meeting with the Town Manager and we have a 2001 GMC which was an asset forfeiture vehicle, the town has been in need of a truck and we will consider an IGA with the Town to lease this vehicle for \$1.00 per year, as long as they need use of it. I have been trying to hire a couple more officers, we are shorthanded. We do have some reserve officers but they only work 16 hours per month. I know some people are saying that the Chief is not here, but I am covering those shifts and sometimes I am both officer and dispatcher at the same time. If there is no officer to cover as in the day I had to be in Superior, I make arraignments with the Sheriff's Department to cover our area during that time. I do what needs to be done to make sure that the town is always covered. There was an incident concerning shots fired. Officer Chase and I worked that case for hours, we have evidence, we have witnesses and we have a picture of the suspect. He is a very violent felon. He is also wanted in several other towns as well. He is currently still out there, he does not live in Mammoth but does come here. Mayor Armenta asked how many dispatchers there are in the department. Chief responded that they are six dispatchers, 2 will be leaving soon and they will be promoting to the lead dispatcher from within. (There was a short discussion between the Mayor and the Chief concerning vehicle speed and travel on Hwy 77. There was a suggestion for the Public to place cameras along 77 and around town to be a watch method for the police department. Councilwoman Martinez comments that Councilman Bustamante in connection with the Police are working at a neighborhood watch. Urging all residents to call on those suspicious sightings. You know your neighbors and your neighborhoods if you see something that is not right let us the town and the council know about this, be proactive. If you have cameras or the Ring Door Bells, check your surveillance once a day if you see something suspicious call us let us see it and we can proceed to do something about it. Cameras are eyes when we are not looking. Help us to help you by using your technology to help, it might just be odd to you but it may be the missing piece of information that the Police need to make a case. Let's all take care of each other

Motion is to Accept Police Report

Motion by: Councilman Martinez Second by: Councilman Anaya

Motion Passed Vote 7-0

C. **Town Managers Report (Oral by John Schempf)**— There has been a lot of activity on the water project. We have advertised and selected a design engineer. It will take six to nine months to gather all the information, including coming here and digging holes to see where things are and where things may go. One thing we will be working on for example is we had a water leak on a line that we did not even know was there. They cannot design something until they know where everything is. They will be doing ground radar and Arial photography to map these areas. They are a national company with local Arizona Branches, and gave a very good proposal. They have been hired and approved by the USDA. Everything we do must have the permission of those giving the Grant. We have been working hard to stay on top of this matter. This has occupied most of my time over the past month, however I will be sending out a list of things that we believe will be of interest to this Council. We would like you to look it over and at a future meeting let us know your thoughts and/or concerns. This way we can get some communication going on what the future of this town needs. It has been kind of fun to draft this list, because I am new, I have been able to ask staff and get their feedback which has been forthcoming. Good Ideas and Possibilities are on the horizon. Just like when Councilwoman Martinez and I were going over some of the Accounts Payable, she made some suggestions that could cut costs. I like this because I have only been here two and a half months and I don't know about everything yet. But, that was a good idea and now we are working to lower some of the costs. Mayor Armenta asked who the Water Company would be answer was Bowman Consulting. Who is going to do the work? Answer: that will be determined after all the design is complete. This whole project is a two year minimum project. We as a town will have opportunity to give our input as to how the project proceeds. Ultimately USDA has final say. USDA would like to come in December and talk to the council concerning all these questions. Councilwoman Martinez asked if Wendy Gort accepted the position of Project Manager. Answer: Yes she did.

Motion to Accept Town Managers Report

Motion by: Councilwoman Martinez

Second by: Councilman Martinez

Motion Passed Vote 7-0

9. OLD BUSINESS

- A. Consideration and Possible Approval of Eliminating the Utility Late Fee of \$25 Effective December 1, 2020 and Continuing During Corona Virus Pandemic to Expire April 30, 2021**

Motion is to Approve Elimination of Late Fee of \$25 Effective and Backdated to November 1, 2020 to Expire on April 30, 2021

Motion by: Councilwoman Martinez

Second by: Councilman Martinez

Motion Passed Vote 7-0

- B. Consideration and Possible Approval of the Town Manager Contract**

Motion is to Table this matter to the December 10th, 2020 Meeting to complete negotiations.

Motion by: Councilwoman Martinez

Second by: Councilman Martinez

Motion Passed 7-0

- C. Direct staff to prepare a Special Meeting of the Council for**

November 24, 2020 @ 6:30 pm to Appoint Vice- Mayor and Commissioners.

December 10, 2020 @ 7:00pm for the Special/Regular December Meeting

December 14, 2020 @ 1:00pm for Meeting with Rural Development on Water Project.

Motion by Councilwoman Martinez

Second by: Councilman Martinez

Motion Passed 7-0

*****Just an added note to Minutes on December 1, 2020 Sheriff Lamb will be at the Community Center at 11:00 AM*****

10. Adjourn

Motion is to adjourn meeting at 8:26 PM

Motion by: Councilwoman Martinez

Second by: Councilman Martinez

Motion Passed Vote 7-0

I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held November 19, 2020. I further certify that the meeting was duly called and held.

John Schempf, Interim Town Manager

