

adolescence using marijuana. So we need to educate our youth as to the dangers. How are these items controlled once in the home? I'm going to tell you one story of a youth that unfortunately was hospitalized a 21 month old in Maryland. The mother had Edibles and this youth got into this container and decided to eat 15 of them because they look like gummy bears. They weren't locked up and it's important that we teach parents how to do that. For many of these items the marketing and advertisement targets not just adults. It may look like a regular Jolly Ranchers or Cheetos bag but can be very dangerous. Just one of those little gummies has about 10 milligrams of THC. The studies associate psychosis with the level of THC use, which is dangerous in itself. But now we start to add impaired driving to the list. One in sixteen who repeatedly use marijuana, became addicted. We don't have the resources in our rural towns to be able to get them the help that they need. So again, prevention and intervention are extremely important.

So, what can we start to do? Well, we need to take action in our communities. You are able to control the local ordinance. You may want to consider specific signage for your community, educate the youth with programming and we will coordinate with you all in that. And then of course parents. We need to provide parents with talk kits which we will be doing at our National Night Out event on October 5th. We will provide lockboxes for families at this event. That's important to make sure that it's under their control parents need to lock up their substances. Are there any questions that you all have for me?

Councilman Brewer asked if we could get some help from the FBI to assist with all of the deaths, we have had recently due to drugs in our community? Mr. Mathews stated that we could seek assistance from the Pinal County Sheriff's office.

Vice Mayor Martinez asked if we could get flyers to put in the library and around town where we have kids to inform them and their parents who are not able to attend the National Night Out? Mr. Mathews stated that he would provide flyers to the town as well as lock boxes to give to parents. The council thanked Mr. Mathews for his presentation.

The Town Manager asked if he would send us a copy of his presentation, and Mr. Mathews agreed.

4. CALL TO THE PUBLIC

A public body may make an open call to the public during a public meeting subject to a three-minute limitation to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of the call to the public individual members of the public body may respond to criticism made by those who address the public body. They may ask staff to review a matter or have the 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.

Diana Lopez lives at 507 Crenshaw, spoke to the council and stated that she uses the pool daily during adult swim. She stressed the need for the council to keep the pool open. She stated she takes care of her grandkids and the pool is her only sanctuary. She requested the council vote to approve the extension of the pool agreement.

6. 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 OF EVENTS.

The mayor stated the Town Manager would give his report orally, but the Town Manager asked to wait until after the pool to give his report.

Motion to approve the consent agenda including staff report, accounts payable and the minutes with the exception of the Town Managers report.

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 7-0

7. OLD BUSINESS

A.1 Consideration and Possible Approval to Re-Organize and Remove Manager and Go Back to Town Clerk-Council Form of Government

John Schempf Town Manager asked to address the council:

I wanted to take just a minute to talk about the past year. It's been a year on the 29th that I have been here. There are a couple things that I wanted to draw your attention. Number one, is that we've received five CDBG, grants that adds up to around 500,000. I'm proud of the fact that we were able to get those by working with the county. I also wanted to mention that. I'd like to talk about the project briefly, number one, for the record. The water project is \$7.467 million. I'm not taking credit for the for the project, everybody worked hard. I was here when it was finally passed. We have to wait to get the money because it was left over in the colonial Grant system. I also knew that the people at USDA were telling us that there's enough money to fix less than half of our system, which bothered me. I made a personal vow to myself, that I would try to do all we could to maximize the pipe in the ground. I took over the local management of the project and saved \$20,000. I also worked with CDBG and lobbied for funds for emergency generators and the SCADA System. It really means, supervisory control and data acquisition. It's the brains that tell the pumps, when to come on and shut off water to the tanks. The emergency generator we're getting has wheels so we can use it in other locations. Which we're actually going to get through the CDBG grants so, we're saving \$130,000 for pipe in the ground.

I also wanted to mention that I'm comfortable about the project Chad Crockett from Bowman Consulting is one of the best Engineers that I've seen. So, I think that he's going to produce a good project. If we plan it carefully and make sure we get the most out of our money there might be some ways to make the dollars go further rather than having them being paid top dollar for the construction. This is a federal project and they're going to be making big bucks, but maybe we can do some of the grunt work and make those federal dollars go a little further. So, I guess Bottom line is I'd like to see this project to completion, and I'm asking that you consider that when you're looking at reorganizing. Thank you.

Councilman Brewer stated after listening to the Managers comments I would ask permission to withdraw this to a further date. I thought that getting rid of his wages and putting it back into the town would mean getting another police officer or raises for people in town. I don't think this is what the council wants. With your permission I will withdraw this item.

Councilman Ponce stated he had a lot of comments which he went over earlier and I think we should give the Manager more time, but he has to realize that we have a lot of work to do with Public Works. If the council will allow me to work with the Manager to help him get a handle on these issues.

Vice Mayor Martinez spoke: I can understand, this has come up several times in the past. I think we need somebody to manage things in the town and the Water Project is a very big part of that. We definitely need somebody and you've been doing a very good job managing on the ground so far. You've done an excellent job, but there's a lot of other areas where you're lacking. All of the council members, I know at one point have come to you on certain subjects and told you that they have a problem with something. Instead of stepping in and taking care of that problem. You've continued to facilitate that problem continuing to happen. We have certain areas like Mr. Ponce said with Public Works, that need a lot of direction. And I don't know if it's a good ol boy system where we're not going to ruffle feathers and just going to leave things how they are but that needs to stop. If you're going to be the town manager, you need to manage. I came to you tonight and asked you earlier this week about an item that's on the agenda. I express the concerns that not just myself, but other members of the council have had in the past. I asked you right now before the meeting happened to, please get that person on the phone, so that we could try to take care of this, like, adults. And your response to me was I'm not going to do that. I don't know where you got the idea that you are the only one in charge and that what you say, goes and the buck stops with you, but I hate to be the one to tell you the buck stops with the seven of us. So, if you're going to stay on as a town manager, it's a lot more than just the grant. You're doing an amazing job with the grant. But you need to manage and you need to when the council makes a decision and we vote on something, you need to make sure that whatever we're voting on is happening. That it's being seen all the way through. We had problems with the police department we got the Chief in here and it got handled. However, other departments, where we voice concerns and they just get left by the wayside. We can't have these issues, you're opening the town up with liability, by not putting your foot down in enacting the directive of the seven of us. It's leaving us open for liability. And in the end, if you stay in and see this to fruition and you leave, and we have a lawsuit that we're paying on for the next 10 years, how much did we really save by having you on? Those are my concerns about keeping you on? I think it would be good to keep you on, but I think you really need to work on managing every aspect of what you're in charge of rather than just the ones that you feel, you're opposed to, if that makes sense. And that's my comment.

Councilman Brewer stated that he was directed not to speak to anyone at Public Works and he is the Commissioner.

Mayor Armenta stated she had a meeting with Councilman Ponce, Town Manager and Town Clerk and we resolved many of these issues.

Councilman Martinez stated there are a lot of holes in the street, there's one at Author and Owens where the pipe was fixed but hole not covered and on San Manuel Drive there are a lot of holes that need to be repaired. Public works needs to check all of the streets to see what needs to be fixed.

Angela Sanchez Town Clerk stated we have covid funding for the next two years and when covid funding is gone, we are going to be back to bare bones because our tax revenues are low. We're losing our food tax money. We are going to be in a world of hurt in two years. So, we have two years to do a lot of things. Number one is the Water Project. Number two, we have many flood control issues in this town

that we need to address. We also have street problems that we need to address. As soon as monsoon season is over, we will go back and put material in those and fill those holes.

We have a huge HURF debt to pay off over \$600,000 and we've got two years to do something about that before our covid funding goes away. We can't we can't fix 10 years' worth of neglect in one year. We need your patience, but we also need your support. So, thank you.

Councilman Brewer stated that the town did not used to have such flood problems. The state came in and put in coverts so maybe we can get some help from the state.

Councilman Bustamante asked to make a record that he is in favor of the pedestrian overpass and wants to make sure the town pursues this project with the state.

Motion to take no action on this item.

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Roll Call Vote:

Councilman Bustamante (by Phone) YES

Councilman Martinez YES

Councilman Adams NO

Councilman Brewer YES

Councilman Ponce YES

Vice Mayor Martinez YES

Mayor Armenta YES

Motion Passed VOTE 6-1

A.2 Consideration and Possible Approval (if Town Manager Position is Vacant) to Direct Staff to Begin the Process to Hire a Project Manager for water Project by Compiling a List of Qualified Applicants for Water Project Special Meeting

Motion to take no action on this item.

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 7-0

B. Consideration and Possible Approval of Extending Swimming Pool Management Agreement from August 31, 2021 Through October 31, 2021 if Water Temperatures Stay Warm and Swimmers Continue to Attend.

Vice Mayor Martinez stated I will make a motion that we approve this item. However, with the caveat that the town will make the determination when to stop allowing open swim. I want to make sure that our seniors are still able to use the pool as long as it's warm and my reasoning on that is the Sea Lion's use solar blankets to help keep the water warm. There are pools all over Arizona that operate well into October because they're able to keep the water warm. There's absolutely no reason that the pool should not be open. However, as long the Sea Lions are swimming in there. If it's warm enough for them to swim it should be open for the seniors and one weekend day a week. If there's enough people that are coming so that we can keep the pool open for the kids and families.

Motion is: To Approve Request to Extending Swimming Pool Management Agreement from August 31, 2021 Through October 31, 2021 or Until the Council Decides to Close the Pool

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 7-0

C. Consideration and Possible Approval to Ratify the Emergency Purchase of Air Conditioning Unit for the Library in the amount of \$6,595.

Councilman Brewer asked if staff had gotten other bids on the AC unit and asked if staff had contacted Cecil Ramsey for a quote.

John Schempf, Town Manager explained that three bids were collected but none from Mr. Ramsey and this bid was \$500 less than the other two bids. The old unit was 20 years old and needed to be replaced right away.

Motion is: To Ratify the Emergency Purchase of Air Conditioning Unit for the Library in the amount of \$6,595.

Motion by Juan Ponce

Seconded by Vice Mayor Martinez

Motion Passed Vote: 6-0

Councilman Bustamante was no longer on the phone.

8. NEW BUSINESS

A. Discussion and Information Regarding National Night Out in Mammoth Scheduled for October 5, 2021 Information Only

Angela Sanchez, Town Clerk stated the Chief, Town Manager and I met with Darian to discuss the National Night Out, it's going to be held October 5th from 4 to 8 p.m. It will be at the Little League field and we're working on getting vendors for food, games and to sell homemade crafts etc. The Youth Association is going to pay for one meal for everyone who attends, so they'll be given a meal ticket. They will provide information and giving out prizes. This is about bringing the public and our Emergency Services people, together to help form a sense of community. So that people will feel comfortable approaching our law enforcement, fire department and EMS. This will go a long way to assist us with our drug problem if we can work together as a community to resolve some of the issues. They will be doing demos for the kids.

Vice Mayor Martinez suggested that we do a poster contest as a precursor to the event.

B. Request to Purchase:

1. Motor and Commission Karl's Auto Repair to Install it in the Public Works Vehicle Purchased from County for \$1, Estimated Total Cost of Repairs \$5,000

John Schempf Town Manager explained that we got the truck from the County for \$1 and the value is \$12,000. It was running without oil so it needs the motor replaced which will be about \$5,000.

Vice Mayor Martinez You're at 3,000 on this. That doesn't leave very much room. You're talking \$400 worth of parts.

Councilman Adams stated that we should be using the repair shop in Mammoth and supporting our local business rather than going to San Manuel. He asked if we got a bid from the Mammoth Shop. He stated the owner of shop in Mammoth, is the former High School auto shop instructor and mechanic, if anybody

should get work. We should be supporting our local businesses. Maybe we want to look at doing a contract, long-term with the facility in the area who will give us a discounted rate.

Councilman Adams stated he feels that the shop in San Manuel is going to come back and say there's more stuff needed. I know how long it takes us to install an engine, and you're not going to just get away with just putting down a long block in there. You're going to have to have other stuff that goes along with it. Number one. What caused the engine to fail? If the motor got hot, it will have cooked all of the sensor on the motor and have to be replaced. You're looking at another \$4,000 to get the vehicle running, because it will have to have a fluid exchange on the transmission, wires and plugs, fuel injection cleaned out, a new water pump, alternator and radiator.

Councilman Brewer asked why we don't have a mechanic on staff to take care of these issues?

Angela Sanchez, Town Clerk explained that the Mammoth shop gave a verbal estimate that was much more than in San Manuel. She also explained that we do have a staff member who does routine maintenance on Public Works and Police vehicles, but he does not have time or expertise to install a motor.

John Schempf Town Manager explained that he did not believe it will be that much. We understand there will be additional parts that will be needed but the motor comes with a lot of those parts needed.

Vice Mayor Martinez stated that Councilman Adams has sold parts and been a mechanic for 30 years so he knows what it needs. She requested this be heard in two separate motions.

Councilman Ponce asked if Councilman Adams will take a look at the vehicle and see what it needs.

Motion 1-to table the item until Councilman Adams can review the vehicle and see what it needs and Town Clerk can get an estimate from the local shops.

Motion by Vice Mayor Martinez
Motion Passed Vote: 6-0

Seconded by Councilman Adams

2. Two Used Tires for Loader at \$500 Each for Total of \$1,000

Mayor Armenta stated that she was in a meeting yesterday and she was told the tires on the loader were bald.

Angela Sanchez, Town Clerk explained that she contacted several vendors and this was the cheapest quote which was \$500 each for 2 used tires or \$1,000 each for new tires from Phil's Fleet and Tire in Tucson.

Councilman Brewer stated that he agrees that this is a safety hazard and the tires need to be replaced but believes that he would like to go with staff to evaluate the tires. Vice Mayor Martinez agreed.

Motion to purchase the used tires if good if not purchase them if not buy new ones.

Motion by Councilman Brewer
Motion Passed Vote: 6-0

Seconded by Vice Mayor Martinez

C. Consideration and Possible Approval to Revise Agenda Action Form and Establish Guidelines for Submission:

- 1. To Ensure Agenda Action Form is Complete with Action Item, Motion, Fiscal Impact and Signature of Person Submitting Form**
- 2. Agenda Action Forms Must be Submitted by Noon on Wednesday the Week Prior to Council Meeting**

Angela Sanchez, Town Clerk explained that staff has revised the Agenda Action Form at the request of council to include a place for signature and added a section to add the desired motion. Also, staff is requesting that the agenda action forms be in by noon on Wednesday prior to meeting week to allow staff time to compile the agenda information. There will be exceptions for emergency items.

Vice Mayor Martinez asked that they be able to submit the agenda items electronically and that staff respond to acknowledge receipt because council members work and cannot always submit items in person. Staff agreed.

Motion is: Approve Revised Agenda Action Form and Set Noon on Wednesday the Week Prior Council Meeting for Submission

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 6-0

D. Discussion and Possible Approval of Revisions to the Personnel Policy Related to Call-Out and Holiday Pay

Angela Sanchez, Town Clerk explained that we need to make a lot of changes to our Personnel policy, but first and foremost, we need to address the issue of holiday and call-out pay. We would like to amend the policy to require staff to work the day prior and the day after in order to receive holiday pay unless they request a vacation day prior to the holiday. We would like to amend out call-out pay policy to only pay call-out pay if an employee is given less than twenty-four hours' notice to work a shift.

Vice Mayor Martinez suggested the Town Manager, Public Works Commissioner and Supervisor get together and develop a table for call outs for Public Works to decide how many people need to be called out for each type of job to be more efficient so as not to have to many staff called out for overtime. We can approve these two items now and bring the table back later for review.

Councilman Brewer stated he noticed 3 Public Works employees cutting down a tree by the Little League field on a private property. Only one staff member was working and the other two were watching. We need to make better use of our staff.

Motion is: Approve Revisions to the Personnel Policy Related to Call Out and Holiday Pay as presented and have staff come back with a table for call-outs

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 6-0

E. Discuss COVID Delta Variant and Possible Action to Mitigate the Spread

John Schempf Town Manager- The Pinal County website, if you Google Pinal County, covid dashboard, it's excellent. They've started all over again on 1, July as if there weren't any previous cases and they're logging going forward. The stats are broken down by ZIP code, town, by School District.

They're also including the transmission rates, there's a copy in your packet. Its alarming how fast its spreading. It's worth looking at and it's scary. The school districts are being hit hard Oracle School District has 45 cases and Mammoth/San Manuel School District has 25. Oracle went from 15 to 45 cases in one week. All we're asking is to allow us to request that staff who have not been vaccinated to wear a mask and to put up signs requesting those entering town building wear masks. We are not mandating anything just requesting.

Vice Mayor Martinez asked if it is possible to give \$100 incentive to our employees who are vaccinated.

Angela Sanchez, Town Clerk stated management wanted to give an administrative day off for employees who are or get vaccinated this would give people who don't have vacation time off and everyone is very open to it. I am worried that giving cash to employees might be considered a gift of public funds. So, we want to be careful about giving away money, but an administrative day, we could certainly do.

Stephen Cooper, Town Attorney- There are some guidelines on what we can do with that money. It's pretty restrictive. Mayor councilmembers last week the City of Tucson passed a policy that requires all the employees to be vaccinated with in by the end of August. The exceptions are, if you have a health reason not to take the vaccine or you have a religious belief there? This was challenged by the Tucson Police, but the Court ruled against the police Union.

Councilman Adams I think it should be left up to the individual if they want to or not. You start requiring the things and right now the number one spreader is those who are vaccinated. Now they are saying the vaccine doesn't work and you have to have a booster shot. Where does it end? It's never going to end. Are we going to Nazi Germany where we can't travel? Are you going to require the staff and the members of this to be vaccinated ? I will quit first! If women have the right to choose so, do I, my body my choice. There's always going to be another strain. You have different opinions and everybody is entitled to their own. I will vote no on this I don't believe in it.

Vice Mayor Martinez-You're against the mandates and you're against the mandatory vaccinations. This is neither of those. This is not a mandatory vaccination. This is not a mandatory mask requirement. These are recommendations. There's nothing being shoved down anybody's throat. Everybody still has free will. So, what's wrong with suggesting?

Councilman Brewer I believe that this is the only protection we have and we are not protecting our family then we are not doing our job.

Motion: To approve, the COVID variants, mitigation, procedures of recommending, and requesting the people wear masks inside, town hall buildings and we request our employees to get vaccinated and exchange for an additional day off and be retroactive.

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Roll Call Vote:

Councilman Bustamante	Absent
Councilman Adams	NO
Councilman Ponce	YES
Mayor Armenta	YES

Councilman Martinez	YES
Councilman Brewer	YES
Vice Mayor Martinez	YES

Motion Passed Vote: 6-0

F. Consideration and Possible Approval to Review, Update, Modify and/or Change Town of Mammoth Council Rules Policies and Procedures

John Schempt, Town Manager- Before we begin, we made copies of our Council Policies and Procedures for everyone to review.

Stephen Cooper, Town Attorney- I now staff would like to make a presentation and I think it would be more productive if the council reviewed this and provided comments. I just happen to have one of the cities that I represent. Eloy has recently gone through it rather than reinvent the wheel we could use this one as a guide.

Vice Mayor Martinez- There are several different areas that we need to look at, but the one that came to my attention that I feel needs immediate attention. Our code of conduct for Council Members may have specific codes and certain rules that were supposed to abide by ethically and morally, such as the way we present and carry ourselves in public and in private. There's no consequence for if a council member steps outside of these bounds. There's been an incident of a councilmember making a veiled threat to a staff member. There's no consequence for that. Our guidelines that say you can't do that, but it doesn't say what the punishment is. I asked that this be put on here so that we could look at what we can do to try to make it so that everybody's on the same page. If a council member steps outside of the code of ethics and threatens a town employee. Maybe the first time, the mayor sits down with the town attorney or the town manager. If it happens again, then they're automatically taken out of office. It's automatic at that point. You've lost the right to represent your constituency because you're putting the town at risk of a legal lawsuit by acting outside of the scope of what you're allowed to do by creating a hostile work environment.

So, I would ask that you look at all of these different ones that are in your packet which is the Eloy City Council code because it's actually highlighted at the back where it says council members representing the city at Civic and government functions or events shall maintain a professional demeanor and not make comments or decisions on behalf of the city, unless approval, or authorization is obtained from the mayor and the council. I think we need to extend that a little bit further to include council members making threats against staff and other council members, because it's a lawsuit waiting to happen. We've actually had lawsuits in the past where people have made threats, I think we need to address this and we need to assign a punishment for it so that we can enforce it. So that it doesn't continue to happen.

Councilman Brewer- I make a motion to table this because it is a lot of information to review at this time. I think we should hold a special meeting to discuss this item by its self.

Vice Mayor Martinez- Are you wanting to set a special meeting for that? Fine. Get it done. But I think we should all be able to sit down and review this completely before we make any decision whatsoever. I could meet anytime on the weekend or during the week but Tuesday after 4 would be the earliest I could attend.

