



**TOWN OF MAMMOTH
MINUTES OF A REGULAR MEETING
OF THE MAMMOTH TOWN COUNCIL
October 21, 2021**

**Minutes of a Regular Meeting of the Mammoth Town Council
On October 21, 2021 pursuant to the notice required by Law.**

Due to the COVID-19 Virus and our efforts to slow the spread, and to keep all members and attendees safe in this time of crisis. We require that all those in attendance are adhering to Social Distancing Measures.

- 1. CALL TO ORDER – This meeting was called to order at 7:00 PM by Mayor Armenta**
- 2. PLEDGE OF ALLEGIANCE Marty Ponce**
- 3. ROLL CALL**

PRESENT MEMBERS

Mayor Armenta
Vice Mayor Martinez
Councilman Bustamante
Councilman Martinez
Councilman Adams
Councilman Brewer
Councilman Ponce

PRESENT STAFF

Attorney S Cooper
Town Manager J. Schempf
Town Clerk A. Sanchez

ABSENT MEMBERS

- 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.

Ricardo Romo residing at 402 Hetzel spoke regarding the redistricting presentation and urged the council to give serious consideration before making a decision. He stated that the area has always had good representation and he is concerned about how the town would be represented in another district.

- 5. Presentation by Jesse Bryant from the Arizona Independent Redistricting Commission regarding Rural Eastern Arizona Legislative Districts**

Jesse Bryant stated that he is not with the redistricting commission. He is a resident of Globe and a political activist. He gave a brief history of their effort to form a rural district made up of only rural communities that would not include in any urban or metropolitan areas. He explained that the rural

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

communities should have a voice in the legislature, which is his goal. He referred to maps provided and asked the council to support their redistricting efforts.

Discussion and Possible of Approval of RESOLUTION NO 2021-08 A Resolution of the Mayor and Council of the Town of Mammoth, Arizona Urging the Arizona Independent Redistricting Commission to Keep Rural Arizona Together by Considering and Adoption the Proposed Base Concept District Maps as Provided.

The Council asked that the presenter come back to the council with the updated maps for review.

Motion to table approval of RESOLUTION No 2021-08

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Roll Call Vote:

Councilman Bustamante NO

Councilman Martinez YES

Councilman Adams YES

Councilman Brewer YES

Councilman Ponce YES

Vice Mayor Martinez YES

Mayor Armenta YES

Motion Passed VOTE 6-1

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.

Motion to approve the consent agenda with the exception of the town manager and clerk's report, and minutes for Sept. 16th and Oct. 4th.

Motion by Vice Mayor Martinez

Seconded by Councilman Adams

Motion Passed Vote: 7-0

Town Manager, John Schempf discussed the state shared revenue report, the town's portion of the state shared revenue will be reduced by 26% for a total of \$177,000 due to a reduction of population. The current population is 1,076. He discussed holding another work session to complete the council policy revision and a Municipal Property Corporation meeting.

Town Clerk, Angela Sanchez explained that the town's grant request for D12 funding from the Apache Gold Casino was approved in the amount of \$8,655.43 to purchase a storage container for our police evidence locker. The casino will hold a dinner to present the check to the mayor and town representatives in Globe.

Vice Mayor Martinez presented the Police Chief and officers with certificates of recognition for their efforts at the National Night Out. The town clerk stated that Wendy the new library assistant was also present and did a great job. The mayor instructed the clerk to prepare a certificate for her as well.

Vice Mayor Martinez also asked that the minutes for Sept. 16th and Oct. 4th be revised.

Councilman Bustamante asked that his statement be on the record, "we had two congressional direct spending requests school \$1,000,000 and police vehicles \$140,000. It is our understanding that the

\$1,000,000 is not going to happen and this is the reason I have been saying when there is a stalemate in Washington this is what happens.”

7. OLD BUSINESS

A. Consideration and Possible Approval to Award Heavy Equipment Maintenance and Repair Contract to Jimmy Sedillos

Motion to Approve the Repair Contract to Jimmy Sedillos for one year beginning today.
Motion by Councilman Brewer **Seconded by Councilman Martinez**
Motion Passed VOTE 6-1

8. NEW BUSINESS

A. Discussion and Action to Ratify the Mammoth Fire Department Response Protocol

Vice Mayor Martinez asked that this item be brought back to the next meeting to ratify changes by Chief Ponce as to who and how many times to call Mammoth Fire.

Motion to approve with revision stating who and how many times to call Mammoth Fire.
Motion by Vice Mayor Martinez **Seconded by Councilman Martinez**
Motion Passed Vote: 7-0

B. Discussion and Possible Approval of Revisions to the Personnel Policy Related to Comp Time and Use of Town Equipment RESOLUTION No 2021-09

Motion to Approval of Revisions to the Personnel Policy Related to Comp Time and Use of Town Equipment RESOLUTION No 2021-09
Motion by Vice Mayor Martinez **Seconded by Councilman Adams**
Motion Passed Vote: 7-0

C. Discussion Regarding Extending the Community Clean-up to Include:

- 1. Weeds and Brush Disposal Event- Nov. 12 & 13**
- 2. Abandoned and Inoperable Vehicle Removal Event- Nov. 1st through 5th**

Information Only

Town Clerk stated this is a continuation of the community clean-up. The mayor asked the fire chief if the fire department would help with a controlled burn.

D. Discussion and Possible Action Regarding Public Hearing on Pedestrian Cross Walk (Overpass/Underpass) Over Highway 77 for Safety

Councilman Bustamante asked that his comments be entered into the record, “in every small community there is a major road which becomes a major barrier. We have a physical barrier which is the highway and a natural border in the San Pedro. As the highway gets bigger for the flow of traffic, we can start looking at a crossing and have some dialog on where to cross for safety. For the purpose of safety.” Town Manager stated that we should have a public hearing will help in funding. ADOT suggested underpasses to use as crossings. Also, sidewalks on the other side of the highway. CAAG needs a representative from Mammoth to serve on the board. Councilman Brewer volunteered to serve. Town Manager stated the funding for the CDBG projects is in so we will be starting those projects. Also, CDBG will be having a public hearing for the next years funding in December.

Motion to start the process to take action on an over/underpass.

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 7-0

E. Consideration and Possible Action Regarding Mayor and Council Comments to be Limited to Local Issues and No Political Statements Regarding Federal Government or It's Employees

Vice Mayor Martinez stated members should use call to the public for statements. Councilman Ponce asked for clarification from Steve Cooper legal counsel. Steve Cooper stated that any statements should be limited to comments and no discussion.

Motion to limit Mayor and Council Comments to Local Issues with No Political Statements Regarding Federal Government or It's Employees

Motion by Vice Mayor Martinez

Seconded by Councilman Adams

Roll Call Vote:

Councilman Bustamante NO

Councilman Martinez NO

Councilman Adams YES

Councilman Brewer NO

Councilman Ponce NO

Vice Mayor Martinez YES

Mayor Armenta YES

Motion Defeated VOTE 4-3

F. Discussion and Possible Action Regarding a Town-Wide Neighborhood Watch Program with Town Law Enforcement

Vice Mayor Martinez stated this program will go along way to help with the crime problem. The little league bathrooms were vandalized this week. They would need the community center for meetings. Councilman Bustamante stated that this will be a starting point to get the program going. Former Chief Lujan helped to get signs for the program in the past.

Motion to Approve a Town-Wide Neighborhood Watch Program with Monthly Meetings with Law Enforcement

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 7-0

G. Consideration and Possible Approval to Fund Coffee with a Cop for One Saturday Each Month at a Cost of \$25 Per Month (\$300 Per Year)

Vice Mayor Martinez stated \$25 is a worst-case scenario, this is to have law enforcement spend an hour or two with residents to address concerns and allow the residents to get to know our officers. It will go from one restaurant to another each month. If there is no attendance it will be discontinued.

Motion to Approve to Fund Coffee with a Cop for One Saturday Each Month at a Cost of \$25 Per Month (\$300 Per Year)

Motion by Vice Mayor Martinez

Seconded by Councilman Adams

Motion Passed Vote: 6-0-1 abstained

H. Discussion Regarding Status of Chief of Police's Take-Home Vehicle Discussion Only

Vice Mayor Martinez asked if the chiefs vehicle fixed yet and if the compressor was sent back. Town Clerk stated the return was being processed and it needed new battery, four tires, and now head lights are not working. The high beams are working so it is on the road.

I. Consideration and Possible Approval to Purchase New Chairs for the Council at a Cost of Approximately \$620.38

Mayor Armenta stated she did not need a new chair. Town Clerk stated we did purchase one chair as an example, but wanted to know who wants a new chair rather than order for all due to cost. Vice Mayor Martinez and Councilman Adams both would like a new chair. Mayor asked if staff had purchased new chairs for community center. Town Clerk stated it would be on the next agenda.

Motion to purchase one more new chair.

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 6-1

J. Discussion and Possible Action to Change Maximum Size of Headstones Allowed in Cemetery

Sharon Christensen with Planning and Zoning stated that the new industry standard went from 2 inches to 4 inches which will put all head stones over the limit. If it's the base that is over this will allow it under the variance. If it is the stone that is too large it will come back to the council for approval. Asking a base height increase to 4 inches.

Motion to allow base height increase to 4 inches.

Motion by Vice Mayor Martinez

Seconded by Councilman Adams

Motion Passed Vote: 7-0

K. Consideration and Possible Approval to Hire RH Borden and Company LLC to Provide an Acoustic Assessment of Sewer Lines and Manholes at a cost of \$8,400.00

Councilman Brewer stated approximately six years ago a company came and vacuumed out the sewer lines. Town Manager, John Schempf stated that it should be done on a three-year cycle. This will send a sonar signal to identify any blockage in the sewer lines and GIS map out all lines. There is \$10,000 in sewer line maintenance in the budget to cover the cost. This would be done next quarter.

Motion to Approve to Hire RH Borden and Company LLC to Provide an Acoustic Assessment of Sewer Lines and Manholes at a cost of \$8,400.00

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 7-0

L. Discussion and Possible Action Regarding Town Manager Job Performance

Vice Mayor Martinez asked if the Town Manager would like the discussion to be in executive session. Town Manager stated no he has notified the clerk he would like it to be in regular session. Councilman Bustamante stated that he did not know why this item is back on the agenda. He stated he did not agree with this item to be on the agenda. Vice Mayor Martinez stated that this item has been put on the agenda by several different people. She stated that she had asked for this item because the chief's car had not been repaired and it had been approved by the council. Also, the officer's residence has also not been done. She stated this was a lack of follow through on the Town Manager's part. If the council asks staff to do something and you are unable to, you should put a note in the report to explain why. There have

been issues with follow through. Councilman Brewer stated that one council person should not be directing staff without the council approving it.

Motion to defeat this as it has no bearing what-so-ever (Take No Action)

Motion by Councilman Brewer

Seconded by Councilman Martinez

Roll Call Vote:

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

Councilman Martinez YES
Councilman Brewer YES
Vice Mayor Martinez NO

Motion Passed Vote: 5-2

M. Possible direction to Town Manager, Legal Counsel or Staff to proceed as directed in Executive Session.

Steve Cooper legal council stated there is no need for an executive session. It appeared that there would be an agreement but it did not happen. He stated that there were many parties involved and he would send a letter to the council explaining.

9. Mayor and Council Comments

Mayor Armenta stated that there needs to be an officer on during the weekend as there was a party at the park with loud music and there was no officer on duty to respond. Chief Mueller stated that he had to let a staff member go so they are short staffed. He stated he is in the process of hiring a new officer and when he comes on there will be 24-hour coverage.

Councilman Bustamante stated he hopes the legislature passes so we can get some federal dollars.

Councilman Brewer stated that council members do not have the power to instruct town employees and commissioners do not have the power to instruct town employees. As a Commissioner over Public Works, I have no right to tell them what to do. The Vice Mayor as Police Commissioner has no right to tell the police officers what to do and that goes for all commissioners. ARS 13.24.09 Obstruction of Justice is defined as; bribery, misrepresentation, intimidation, force, threats. The penalty is a class 5 felony and 2 and a half years in jail and a maximum fine of \$150,000, not including civil suits. No council members have any more authority than anyone else.

Councilman Martinez thanked the town workers Christine and Peter for cleaning the sidewalks.

Councilman Adams apologized for voting in favor of a liquor permit for the Lion's Club and that he has been heavily conflicted over it. In the future he will be voting no. In the future if anything involving liquor comes up, he can abstain from voting as it goes against his principals.

Vice Mayor Martinez stated that she has never ordered the police department to do anything and she takes her position as commissioner very seriously. She meets with them to discuss what they need from the council. She has never been asked to stop talking to the staff or an employee will quit when that has happened with other council members. She stated that there are penalties for slander and liable especially if they are reflected in the minutes.

Councilman Bustamante gave a prize to Marty Ponce.

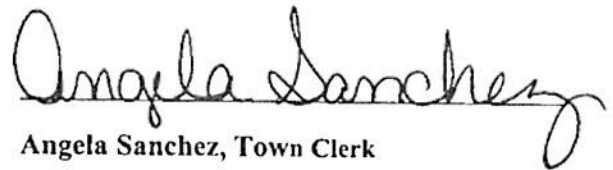
Motion is to adjourn meeting at 9:07 PM

Motion by: Vice Mayor 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 October 21, 2021. I further certify that the meeting was duly called and held.

A handwritten signature in cursive script that reads "Angela Sanchez". The signature is written in black ink and is positioned above a horizontal line.

Angela Sanchez, Town Clerk