

Town Of Mammoth



**TOWN OF MAMMOTH
MINUTES OF A REGULAR MEETING
OF THE MAMMOTH TOWN COUNCIL
December 16, 2021**

**Minutes of a Regular Meeting of the Mammoth Town Council
On December 16, 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 6:40 PM Mayor Armenta**
- 2. PLEDGE OF ALLEGIANCE-**
- 3. ROLL CALL**

PRESENT MEMBERS

Mayor Armenta
Vice Mayor Bustamante
Councilwoman Martinez
Councilman Brewer
Councilman Ponce

PRESENT STAFF

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

ABSENT MEMBERS

Councilman Adams
Councilman Martinez

- 4. CALL TO THE PUBLIC- No request to speak.**
- 5. Open Public Hearing at 6:41 PM.**

Discussion and receive input from the public regarding identifying housing and community development needs, strategies, and barriers to those needs for the Community Development Block Grant (CDBG) Program for Fiscal Year 2022

Presentation by Heather Patel from Pinal County

Heather Patel explained the purpose of the CDBG and HUD programs and reviewed the various programs that have been funded throughout Pinal County. There are four towns/cities that participate, Maricopa, Florence, Eloy and Mammoth. She asked for public input and suggestions for FY22 projects for the Town of Mammoth. The town clerk asked about a buster pump for tank. Councilwoman Martinez suggested sidewalks. Vice Mayor Bustamante asked about a bus stop, and he was directed to ADOT. Councilwoman Martinez asked about an overpass, but it was too expensive so it would not be considered. However, a flashing light might be possible. Councilman Ponce asked about cemetery improvements which was not within the scope of the program. Councilman Brewer asked about a catch basin for drainage along Hwy 77 to address the flooding. Town clerk asked about housing rehab, and she was directed to the Pinal County Housing Rehab

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program. The town manager asked about help with tearing down houses which are a public nuisance can CDBG be used. Ms. Patel stated yes that would be covered through the program. The town manager explained that this could really help the town with it clean up efforts and would help raise property values. Council was in agreement. Ms. Patel stated that she would take the suggestions back and make recommendations. She also stated the fund amount would be based on need.

Close Public Hearing at 7:00PM.

6. FY 21 Audit Findings Presentation by Scott Graff of Coby & Powell, PLC.

Scott Graff of Colby & Powell, presented via Zoom the finds for the FY 21 Audit report and findings. He explained the types of reports that are included and that at the end is the auditors report which explains weaknesses to be improved. These are the cemetery lot sales should be recording the lots in Caselle rather than on a spreadsheet. The town clerk has already started working towards this process change. The next was a need for accounting policies and procedures which is already in draft form. The next is HURF fund balance owed and the importance of not using those funds for the general fund. The last item was the TPT reports in 2018 were not submitted to the State of Arizona. The town clerk is already working to get these completed.

Councilwoman Martinez asked if the TPT reports was on previous audits. He stated that it has been an issue for the last few years. The town clerk explained that she has been working on this issue and that she has an audit scheduled for the end of January.

Mr. Graff explained that the General Fund ended the year with a positive fund balance for the first time in five years. He stated that the town has erased a deficit from 2016 to present in the general fund. He also stated that the utility funds have been performing at a loss over the last few years, but they are getting better. He stated that the HURF balance has been reduced in FY 21 from \$878,00 to \$490,00 currently.

Mr. Graff also explained that the amount the town owed to PSPRS has been reduced to \$719,889 from \$1.1 million. This is due to underfunded liability from the past. We were paying 85% of the officer's salaries to reduce the debt which has now gone down.

7. Presentation for Helicopter Service Contract by Louise Sandoval of PHI Cares.

Louse Sandoval from PHI Cares spoke to the council regarding air vac services. She explained that air vac transport is very expensive even if you have insurance. It is a mobile intensive care unit. She stated she is offering a membership to the town for air vac services for the residents of the Town of Mammoth. If the town chose to enroll in this membership, it would be based on the 508 households at \$7 per household for a total of \$3,556 per year under a group rate. This would guarantee the service for all residents of Mammoth. Everyone would be provided a membership card to show they are covered. Councilman Ponce asked about procedures. Chief Mueller stated that it could be a matter of making it a standard operating procedure with our dispatch. Councilwoman Martinez asked if you are covered anywhere. Ms. Sandoval stated that as long as the resident is in Pinal County they would be covered. Councilwoman Martinez asked if this will be on the next agenda. The town clerk stated that we could get a contract ready for January. The town manager stated that we have COVID money which could fund the membership.

8. 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 including staff report, accounts payable and the minutes with the exception of the Town Managers and Police report.

Motion by Councilwoman Martinez

Seconded Vice Mayor Bustamante

Motion Passed Vote: 4-0 Councilman Ponce did not vote.

John Schempf, Town Manager explained about the delays with completing the hole on Owens and that it would be complete by Jan. 10th. He explained that the census data has been determined to be a loss of state shared revenues of \$170,000 per year. We lost 26% of our population. He also explained that due to COVID the hospitals are at 96% capacity. He explained that the mask ordinance will be handed out to every business. He stated that there is an issue with the sewer ponds that it is not algae it is duck weed and it is best to be treated in the spring to ensure that we get it all.

Motion to approve the Town Mangers report.

Motion by Councilwoman Martinez

Seconded Vice Mayor Bustamante

Motion Passed Vote: 5-0

Chief Mueller gave his police report. He stated that he hired a new officer Janice Power who has experience as a Sargent and field officer. He stated that he is also in the process of hiring another officer and working with a potential reserve officer. Also, we have the National Guard helping out in dispatch and is being trained. He explained that he has concerned about the evidence logs from the past. Maybe the National Guard might be able to help with that as well. He is working on updating policies. Also working on holiday assistance to help families for toys or food for local families.

Motion to approve the Police report.

Motion by Councilwoman Martinez

Seconded Mayor Armenta

Motion Passed Vote: 5-0

9. OLD BUSINESS

A. Discussion and Possible Action to Approve Final Revisions to the Mammoth Town Council Policies and Code of Ethics

The town clerk reviewed the changes that were requested in the work session. There were a few items that need to be discussed due to differences in opinion. The council also added language to include penalties for violations to the policy as provided by legal counsel. The council decided that the boards, commissions and appointments will be reviewed annually. The council decided to allow a waiver for nonresidents to serve on the Planning & Zoning Board if approved by the council. The town clerk will provide a revised copy to the council.

Motion to approve final revisions to the Council Policies and Code of Ethics

Motion by Councilwoman Martinez

Seconded Vice Mayor Bustamante

B. Consideration and Possible Action to Approve Appoint New Commissioners

Motion is to do away with commissioners

Motion by Councilwoman Martinez

Seconded by Mayor Armenta

Roll Call Vote: 5-0

Councilwoman Martinez YES

Councilman Martinez Absent

Councilman Brewer NO

Vice Mayor Bustamante NO

Councilman Ponce NO

Mayor Armenta YES

Motion Defeated VOTE: 2-3

Motion is to keep all commissioners the same with the exception of moving Councilman Ponce to the Public Works Dept and Vice Mayor Bustamante to Parks and Recs.

Motion by Councilwoman Martinez

Seconded by Mayor Armenta

Councilwoman Martinez YES

Councilman Martinez Absent

Councilman Brewer NO

Vice Mayor Bustamante YES

Councilman Ponce YES

Mayor Armenta YES

Motion Passed VOTE: 4-1

C. Consideration and possible Approval of Resolution Declaring Park Ordinance a Public Record and Consideration and possible approval of Ordinance No. 21-08 Town of Mammoth Park Ordinance

Motion is to approve Resolution Declaring Park Ordinance a Public Record and approve of Ordinance No. 21-08 Town of Mammoth Park Ordinance

Motion by Councilwoman Martinez

Seconded by Mayor Armenta

Councilwoman Martinez YES

Councilman Martinez Absent

Councilman Brewer NO

Vice Mayor Bustamante YES

Councilman Ponce YES

Mayor Armenta YES

Motion Passed VOTE: 4-1

10. NEW BUSINESS

A. Discussion and Possible Action to Approve Request to Post the Council Agendas at the Post Office

The agendas will be posted on the bulletin board and the town clerk agreed.

Motion is to post agendas on the bulletin board at the post office.

Motion by Councilwoman Martinez

Seconded by Councilman Brewer

Motion Passed Vote: 5-0

B. Discussion and Possible Approval to Sign Intergovernmental Transportation Funding Agreement Between the Pinal Regional Transportation Authority and the Town of Mammoth for Design and Construction of Improvement in Connection with a Local Roadway Element

Motion is to approve to sign IGA.

Motion by Councilwoman Martinez

Seconded by Vice Mayor Bustamante

Motion Passed Vote: 5-0

C. Discussion Regarding Calls to Mammoth Police Department and the Necessity to have a Formal Report on all Calls - Discussion Only

Councilman Brewer explained that he has concerns that he made a complaint to the police department and no report was made. He stated that there should be a report on all calls. The mayor stated that she did not agree. The town clerk explained that the person could not be sited because there was no evidence. She stated that there are many calls that do not warrant a report. Chief Mueller stated that every call is documented on the dispatch call log so there is a record. Many matters do not fall under the jurisdiction of the police, so a report is not generated.

D. Discussion on the Possibility of a Site for Electric Car, Propane, C.N.G. Vehicle Charging Station within the Town - Discussion Only

Vice Mayor Bustamante stated that he is interested in the town possibly putting in a charging station for electric cars, propane and CNG vehicles. He stated that it is necessary for the future.

E. Discussion and Possible Approval to Move Recycling Site on Main Street to Alternate Site

Councilman Brewer stated that the recycling site of Main Street because it is an eye sore. The town manager explained that staff has found an alternate site in the gravel pit which is enclosed by a fence and will make future clean up events easier.

Motion is to approve moving the recycling site

Motion by Councilwoman Martinez

Seconded by Councilman Brewer

Motion Passed Vote: 4-0

F. Discussion and Approval of Resolution # 2021-10 Ordering a Ballot Proposition to be Included in the Primary Elections to be Held on August 2, 2022, at Which Election There Shall be Submitted to the Voters of the Town of Mammoth the Question as to Whether or Not the Office of the Mayor of Mammoth be Decided and Elected by the Voters

The town clerk explained that this resolution is necessary according to the election department to ensure that this item is on the ballot in August.

Motion is to approve Resolution # 2021-10

Motion by Councilwoman Martinez

Seconded by Vice Mayor Bustamante

Motion Passed Vote: 5-0

G. Discussion and Approval to Contract for Dispatch Services with:

a. Pinal County Sheriff's Office or

b. Town of Kearny

c. Severance Pay for Dispatch Staff of 80 Hrs.

Councilwoman Martinez explained that the Pinal County option is cheaper according to the cost analysis. The town clerk explained that over ten years, the annual difference is \$18,000 and over ten years \$187,000 of Kearny with PCSO. She also explained that providing severance pay when dissolving a department is an industry practice, because they do not have the opportunity for rehire in that position. Councilwoman Martinez asked about the possibility of the town covering the \$2,000 difference for the fire department dispatch with Kearny, would that have to be a separate agenda item. Steve Cooper, legal counsel stated that he is the attorney for the Town of Kearny, so he does not get involved in the negotiation. We can not give money to the fire department because they are a separate entity, but we could possibly make a case for public safety for benefit to town.

Councilman Ponce stated that the town charged PCSO \$1 for 100 years for a piece of land for their antenna so he feels PCSO should provide the service for free. Chief Mueller stated that he feels PCSO's system is the most current and Kearny has the same outdated system as we do. So, in the near future they will have to update their systems like we are now. Pinal has an equipment upgrade system to help us with needed upgrades. Also, Kearny is not in compliance with Nibers, and we do not want to go into noncompliance. Councilwoman Martinez stated that the fire department is a separate entity so we can not make decisions for the fire department, only the town. Given our current financial deficit we are facing PCSO is the cheaper option. Councilman Brewer stated that he feels we should go with Kearny because he does not feel Pinal County does a good job of covering our town now. Chief Mueller states that being on with PCSO will reduce response times because those calls go straight to our officers, so we will have back up on the way. The mayor stated that she has concerns about PCSO officers' response times. Chief Mueller stated that we will not be depending on Pinal County for officers only dispatch as we will have 24-hour coverage with our new officer. Mayor Armenta asked about PCSO and why they would not dispatch for fire and ems. The town clerk explained that they are not certified to take fire and ems calls so those have to go to other area agencies. They only handle police calls. Councilwoman Martinez raised the issue of a conflict of interest for Councilman Ponce as he is the president of the fire district. Steve Cooper, legal counsel stated that there is no conflict of interest because he is not financially compensated.

Councilwoman Martinez raised the issue of Council Policy 3.5.1, regarding prohibiting council members from using their position to influence government decisions in which they have an organizational responsibility that would present a conflict of interest. As the president of the fire district, he has an organization responsibility to do what is in the best interest of the fire department. Steve Cooper, legal counsel stated that he would need a request in writing to provide a legal decision on the matter. He stated that this is a policy decision.

Motion is to go with PCSO for dispatch services and give the dispatchers 80 hours of severance pay
Motion by Councilwoman Martinez **Seconded by Mayor Armenta**
Motion Died Vote: 2-3

Councilman Brewer made a motion to go with Kearny. The town clerk explained that Kearny is \$20,000 per year more. We are going to save money with PCSO. Councilman Brewer withdrew his motion.

Motion revised to contract with PCSO for dispatch services
Motion by Councilwoman Martinez **Seconded by Mayor Armenta**
Motion Passed Vote: 3-2

11. Mayor and Council Comments

Councilwoman Martinez thanked the town staff for the handling of her father's services and for the flowers. Also Jan. 4th is the first neighborhood watch meeting at the community center at 6:30 PM and Jan. 15 at Las Michoacan's is first Coffee with a Cop 9-10 AM.

Vice Mayor Bustamante stated that we are in for hard time with the census numbers, and we need to bring more people into our town to prepare for the future. We have to make decisions that is in the best interest of the town even if it is unpopular. The numbers speak for themselves.

Councilman Brewer stated that we need to develop the property we own on the highway so it can be more attractive to new businesses. Mayor Armenta agreed.

Mayor Armenta stated that P&Z need to make people clean up the areas be. Also Sat. at 11 AM there will be Wreaths Across America for the veterans.

12. Adjourn


Motion is to adjourn meeting at 9:52 PM

Motion by: Councilwoman Martinez

Motion Passed Vote 5-0

Second by: Vice Mayor Bustamante

I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held December 16, 2021. I further certify that the meeting was duly called and held.


Angela Sanchez, Town Clerk