Town Of Mammoth

NOTICE OF REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH THURSDAY SEPTEMBER 15, 2022 7:00 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 the Regular Town Council Meeting, which is open to the public on Thursday, September 15, 2022, at the Mammoth Community Center located at 101 W. 5th 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.

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- 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. CALL TO THE PUBLIC Pursuant to A.R.S. 38-341 (H)

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 an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a 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 unless the matters are properly noticed for discussion and legal action.

4. CONSENT AGENDA

A. Approval of Staff Reports

- 1. Town Manager VERBAL
- 2. Town Clerk/Treasurer
- 3. Police
- 4. Public Works
- 5. Library/Planning and Zoning

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

	В.	Approval of Accounts Payable for Payment and Filing 1. Accounts Payable for August 2022
	C.	Approval of Meeting Minutes 1. Regular Meeting of August 18, 2022
	D.	Approval for Mayor to Sign Vertical Bridge Tower Contact When Accepted by Town Attorney and Manager
	E.	Approval of Rezoning Fees for Rezoning of a Property in Mammoth Arizona
		1. \$500 base plus \$10.76 per mailing of 600 feet and posting of public hearing. 2. Traffic Assessment Fee \$200. 3. Recording Fees \$30
	F.	Approval of Change to Mechanic Hourly Cost to \$100.
	G.	Approval to direct Staff to prepare for consideration by the Council at a future meeting an amendment to version to Council Policies and Procedures:
		"2.1.8.4 Council Compensation. Councilmembers will not receive any salary, benefits, or other form of monetary compensation for their services"
		To be possibly amended to allow Councilmembers to competitively bid on providing Town Services or contracts but shall not participate in the discussion or award of the bid.
	МО	TION: APPROVE CONSENT AGENDA BY ROLL CALL VOTE Motion: 1st 2nd Council Action:PassedDefeatedTabledNo Action Taken
5.	OLD B	USINESS
	Α.	Council Meeting Location/ COVID Information
		Discussion and Possible Direction to Staff
	М	OTION: DIRECTION TO STAFF
		Motion: 1 st 2 nd Council Action:PassedDefeatedTabledNo Action Taken
6.	NEW B	BUSINESS
	Α.	Discussion and Review of Town Council Rules and Procedures Regarding Council Members Interpersonal Conduct Among and Between Themselves

B. EXECUTIVE SESSION: INTERVIEWS OF APPLICANTS

Possible executive session for discussion/consultation for legal advice with the Town Attorney and/or Town Staff concerning any of the agenda items, pursuant to A.R.S. §38-431.03 (A)(2), (3), (4) and (7).

Interviews of Applicants for Town Clerk and/or Finance Director.

Possible Discussion by Council on consideration of employment, appointment and salary discussions and possible discussions with Town Staff and/or consultation with Town Attorney and Town Staff, concerning in order to consider its position and instruct its Staff and attorneys regarding the public body's position on appointing Town Clerk and/or Finance Director pursuant to A.R.S. §38-431.03 (A), (2), (3) and (4).

NO LEGAL ACTION WILL BE TAKEN BY THE COUNCIL IN REGULAR OREXECUTIVE SESSION ON THIS MATTER.

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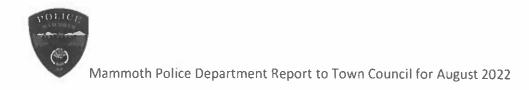
MOTION: ADJOURN this meeting atPM								
Motion: 1	st	2 nd						
Council A	ction:]	Passed	Defeated	Tabled	No Action	Taken		

The undersigned hereby certifies that a copy of this notice was posted at the Mammoth Town Hall on July 15, 2022, 2022, by 5:00 p.m.

John Schempf, 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.



Greetings Mayor Armenta, Vice Mayor Bustamante, and respected members of the Mammoth Town Council,

The Mammoth Police Department did not have any critical incidents to report on for the month of August 2022. Unfortunately, we did suffer a tragic loss in that Officer Janice Power died off duty as the result of a single vehicle motor vehicle collision. Her services were held in her hometown of Yuma. Although this was not a duty related death, the Yuma Police Department was kind enough to coordinate with Mammoth Police Department and assist by providing partial honors for Officer Power. We did so by having the YPD traffic unit give a police escort, having the YPD Honor Guard perform casket watch during the service, and conducting the ceremonial folding of the U.S. Flag which I then presented to Officer Power's mother. I also spoke at Officer Power's funeral at the request of her family.

As you're aware August 8th the Police Department transitioned dispatch services to PCSO. After doing so initially we were still receiving some calls to our former non-emergency line. However, as we have continued to put effort into informing the community of our new phone number, we are now seeing our non-emergency calls coming in through the new line with almost no calls to the old line. So, it appears our efforts have been effective so far.

Our assigned National Guard Service Members through Task Force Badge still continue to assist the Police Department and have been assisting the Police Department with records management. Whether it be by scanning into electronic form for retention, or purging in accordance with the laws pertaining to record retention for each particular item. Their assistance has been extremely helpful as we've prepared for an upcoming September audit by the Arizona Department of Public Safety.

Also, as you are aware since I know it has already been discussed previously, but during the month of August we had our national night out. We would like to take this opportunity to thank the council for all of your help in making the event a success. It has noticeably improved each year, and your support is key to that improvement. We already look forward to next year's event and continuing to build our strong relationship with our community and its youth.

Overtime for the Police Department was reported at 12.5 hours for dispatchers and 32.75 hours for officers during the pay period ending 8/7/22 (mostly due to absent employee relief and late shift arrests/required in custody paperwork being completed) And for the pay period of 8/21/22 reported at 19.5 hours for our administrative assistant (due to audit preparation and time critical entries to Arizona Criminal Justice Information System that she was required to immediately enter in Florence, as the result of our transfer of records/warrants to PCSO) and 4 hours were reported for officers. This concludes the Police Department report to the Mammoth Town Council for August 2022.

Respectfully,

The Market

Chief Hank Mueller, Mammoth Police Department

MAMMOTH POLICE DEPARTMENT MONTHLY ACTIVITY REPORT August 2022

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Total Complaints	85	80	95	110	81	88	126	122	0	0	0	0	785
Adult Arrests	0	2	2	2	3	2	2	3	0	0	0	0	16
Juvenile Arrests	0	0	2	0	0	0	0	0	0	0	0	0	2
Traffic Citations	3	()	8	6	4	0	4	19	0	0	0	0	44
Traffic Written Warnings	0	0	0	0	0	0	1	4	0	0	0	0	5
Traffic Verbal Warnings	3	5	6	8	11	3	20	11	0	0	0	0	67
Loose Dogs Citations	0	0	0	0	0	0	0	0	0	0	0	0	0

COMPLAINT BREAKDOWN

I I I I I I I I I I I I I I I I I I I	Aug 2022	Year to Date		Aug 2022	Year to Date
Abandoned Vehicle	1	1	Livestock(cattle) comp	0	4
Accidents (961,962,963)	1	3	Loud Music Complaint	0	3
Alarm Drop	3	17	Minor Consumption	0	0
Alcohol Related	0	0	Missing Person	0	1
Ambulance Req (MED)	4	86	Motorist Assist	0	4
Animal Calls	0	23	Murder	0	0
Arrests	0	13	Neighbor Dispute		14
Arson	0	0	Noise Complaint	1	3
Assaults	to a silver cos	7	Order of Protection	0	0
Agency Assists	8	45	Probation Violation	0	0
Attempt to Locate		48	Property Found/Lost	1 -	2
ATV Complaints	0	0	Special Detail/PW	0	8
Bond out	0	3	School Truancy	0	0
Burglary	2	10	Search Warrants	0	0
Child Abuse/Injury	0	0	Sex Offense	0	0
Citizen/Public Assist	5	67	Shoplifting	0	0
Civil Standby	1	14	Speeding Vehicle	0	0
Complaints	0	14	SUS Activity/people	6	51
Criminal Damage	0	5	Theft	2	21
Criminal Trespass	1	10	Threats & Intimidation	0	1
Deaths	0	11-1-4	Traffic Enforcement	34	117
Disturbance	0	21	Vandalism	0	0
Disobey Court Order	0	0	Warrant Arrest	3	8
Disorderly Conduct	1	3	Welfare Check	12	53
Domestic Violence	7	27	DRUNK	0	0
Drug Related Incident	0	1	911 Hang up calls	7	19
DUI	0	0	911 Open line	3	6
False Reporting to Law	0	0	Reckless Driving	0	0
Fingerprints	0	0	Fraud	0	-1
Fire	1	19	Animal Control	0	10
Fire Weapon	0	0	Snake Removal	0	2
Follow Up	1	4	Officer Information	8	21
Harassment	0	6	Citation (non traffic)		8
House Watch/ExtraPatrol	0	25	MFD TOTAL CALLS	1	102
Juvenile Complaints	0	1111			

TOWN OF MAMMOTH PUBLIC WORKS MONTHLY REPORT

This is the Public Works Monthly Report for the mos activities within the Town of Mammoth Public Work this report is current and to the best of the knowled	th of Andrew 2021. This report is a culmination of all is Department for the past 30 days. All information provided in ige of the Public Works supervisor.					
Department Accomplishments:						
Water Updates: Coupling Rip Sewer Updates: Coupling Rip Sewer Updates: Pump & BOOSTER STATTING MAIL LINE SHORTED BUT ALL ELECTRICAL & PLIMBING ON PORTABLE Pump & THIS TIME (found Rip Rund Rip	Cemetery Updates: LE 14 PARK ARROSS MOTH TOWING - ATE LG HAD TO CLEAN OUT E SEVERIAL TIMES AG & AND OTHER DEBRIS					
Roadway Updates/Concerns:						
MANY of DUR STREETS LEED "	TO BE RESURFACED - PATCHING ROADS?					
STREETS AS BEST AS WE CHAL						
Equipment issues/Updates:						
NOME @ TIME - ALL Equipment Up! Rumanus						
Staffing Issues:	Department Needs: Could USE A WATER TRUETC,					
NEED ANOTHER OPERATOR	Ewasp, WATER Buffalo, Light STANIS					
Upcoming Projects: LEW BOOSTER STAT	TOAL IN THE WORKS					
Information provided by: Sur TENGANDEZ	Dete: 3507 2022					



Mammoth Public Library



September 2022 Library Report

Good Evening Council

Hope everyone is well.

This month was going is doing well, our patron attendance is at an average of 17 patrons per day. If we can make and average of 20 per day, we would like to begin staying open until 6 PM again beginning in October. Our fax line is finally fixed after weeks of arguing with Granite. We are hoping to get our new signs up and our benches put in. People have started asking if we are throwing them out. No we just need Public Works to get a break in water issues, so they can give us a hand. We just qualified for a new promotion of books called, "I am your neighbor" This is a set of 30 books that talk about children from all over the world who are now first, second or third generation Americans. It discusses what life has been like for them. This will give our children an insight into other cultures that have created our diverse America. We look forward to sharing this program with everyone. We would also like to reach out to the schools and offer this collection for a couple weeks at a time. Have a great month.

Sharon Christiansen

Town of Mammoth and Zoning Commission

Planning

We are working on rezoning a property and it is a big job. I will be asking for council to approve a fee schedule for this as we are not as big as Pinal County and must adjust the cost.

Permitting is going well, and we still would like to find a planning and zoning code enforcement officer as again my health does not allow me to get out in the field much. I can handle the permitting but this town needs so much In the way of clean up and I just cannot keep up by myself.

Thank you Sharon Christiansen

TOWN OF MAMMOTH MINUTES OF A REGULAR MEETING OF THE MAMMOTH TOWN COUNCIL AUGUST 18, 2022

These are the Minutes of a Regular Meeting held by the Mammoth Town Council On August 18, 2022 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 Mayor Armenta.
- 2. PLEDGE OF ALLEGIANCE Vice Mayor Bustamante
- 3. ROLL CALL

PRESENT MEMBERS

Mayor Armenta

Vice Mayor Bustamante

Councilwoman Martinez

Councilman Martinez

Councilman Dietz

Councilman Brewer

Vacant Seat

PRESENT STAFF

Attorney S Cooper

Town Manager J. Schempf

Town Clerk A. Sanchez

Police Chief H Muller

Town-Recorder S. Christiansen

ABSENT MEMBERS

4. CALL TO THE PUBLIC -

Marti Buzan—Asking if the town would be holding a Community Cleanup in September like they did last year. Also stating that attempting to get vouchers from the County was extremely difficult. Council stated that we would be putting together another Community Cleanup in the fall.

Mary Turner—Questioned whether the election that just took place was to fill seats that have or are set to expire and not for anything else. Council replied yes. Questioned if she were to want to comment or question an item on the agenda, could she be called upon at the time of the agenda item to address her concerns. The attorney stated that the Mayor could allow for that but that there would still be a 3 minute limit and that it is not 3 minutes per agenda item, it is 3 minutes in total.

Dennis Oswalt--It's my understanding, you're going to be voting on a dog ordinance parking ordinance this evening, perhaps, or it's at least going on in your heads. I believe it's time for our council to put forward proper dog ownership and responsibility. And that vote would be credible step forward and making life here tolerable. I have a phone with a lot of recording design. And I'm sure you don't want to sit here and listen to this dog barking. But I listen to it. Night after night after night, over and over and over to the point it is driving us from our home. And if something doesn't change, we will be moving. Because we can't tolerate it anymore. Chief Muller responds, regarding responding to noise complaints, one issue that we run into from an enforcement standpoint is, we have to have a willing victim and we have received calls the person wants to remain anonymous, they don't want contact. You know it doesn't mean we have to show up to your house. But if you request that you want contact by phone, we can take enforcement action and have a victim for disorderly conduct. If there's some sort of issue with your peace being disturbed. So if we get we get a call and the person is not wanting contact, and we're not observing anything, sometimes we're not always getting the full story of what's going on, we show up, there's no dogs barking. What are we to do at that point? And it seems like it's also situational at times, too. It could be somebody was walking through the neighborhood started up the dogs, and they're already gone. Animals that are coming through coyotes, and whatnot.

5. CONSENT AGENDA

- A. STAFF RECOMMENDATIONS AND REPORTS (Copies of all Reports can be found on the Agenda page of the website for this meeting)
 - 1. Town Manager
 - 2. Town Clerk/Treasurer
 - 3. Police
 - 4. Public Works
 - 5. Library
 - 6. Planning and Zoning
- B. APPROVE ACCOUNTS PAYABLE For Payment and Filing for July 2022
- C. APPROVE MEETING MINUTES FOR

Regular Meeting of June 16, 2022 Regular Meeting of July 21, 2022

- D. APPROAL OF LIQUOR LICENSE FOR BLESSED SACRAMENT CHURCH
- E. APPROVAL TO INSTRUCT THE TOWN MANAGER TO DIRECT PUBLIC WORKS TO FILL IN HOLE ON FENCE LINE NORTH OF COMMUNITY CENTER, SAFETY ISSUE
- F. DIRECT TOWN MANAGER TO REVIEW GAS USAGE BY PUBLIC WORKS AND TAKE
 HOME VEHICLE POLICY AND INVENTORY OF TOOLS/EQUIPMENT
- G. DIRECT TOWN MANAGER TO REVIEW TOWN SURPLUS MATERIALS, EQUIPMENT, VEHICLES, ETC. FOR SALE/AUCTION TO RECOUP MONIES FOR TOWN
- II. APPROVE USE OF COMMUNITY CENTER FOR ONE DAY IN OCTOBER FOR A COMMUNITY FIRE PREVENTION EVENT

MOTION TO APPROVE CONSENT AGENDA ITEMS A,B,C,D,E,G,H
MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILMAN MARTINEZ
MOTION PASSED 6-0

ITEM F WAS PULLED FOR ORAL EXPLANATION

Councilwoman Martinez explained we pull that item, we're asking that the Town Manager review those gas logs, and sit down with the Public Works supervisor to determine what is driving that high on the gas usage. For an entire fleet, I could see maybe having to put in \$50 every couple of days, but for one vehicle to put in \$50 one day and then \$50 the next day and then two days later, \$50, it's getting pretty costly, to be fiscally responsible with your money, we are directing him to look into that usage and come up with a suitable amount and explaination.

MOTION TO APPROVE ITEM F. DIRECT TOWN MANAGER TO REVIEW GAS USAGE BY PUBLIC WORKS AND TAKE HOME VEHICLE POLICY AND INVENTORY OF TOOLS/EQUIPMENT

MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILMAN MARTINEZ MOTION PASSED 6-0

- 6. OLD BUSINESS
- A. TOWN MANAGER TO REPORT ON THE FOLLOWING:
 - 1. FALLEN OFFICER MEMORIAL
 - 2. CDBG PROCUREMENTS
 - 3. COMMUNITY CENTER-RESTROOMS
 - 4. NATIONAL NIGHT OUT EVENT
 - 5. UPDATE ON BARKING DOG ORDINAGE AND LEASH LAW
 - 6. COVID UPDATE AND RETURN-COUNCIL MEETINGS TO TOWN HALL
 - MOTION TO

THIS ITEM IS BEING TABLED AS REQUESTED BY COUNCIL DUE TO TOWN MANAGER BEING OUT WITH COVID.

B. APPOINTMENT OF COUNCIL MEMBER TO BE SEATED UNTIL NOVEMBER 2022 COUNCIL MEETING WHEN NEWLY ELECTED COUNCIL MEMBERS WILL TAKE THEIR SEATS.

MOTION TO APPOINT IRENE GERMAN TO COMPLETE THE TERM VACATED BY MR. PONCE UNTIL NOVEMBER 2022 WHEN THE NEW MEMBERS WILL BE SEATED.

MOTION BY COUNCILWOMAN MARTINEZ SECOND BY COUNCILMAN DIETZ MOTION PASSED VOTE 6-0

(NOTE: AT THIS TIME IRENE GERMAN IS SWORN IN BY ATTORNEY MR. COOPER.)

C. DISCUSS AND APPROVE RETURNING THE COUNCIL MEETINGS TO TOWN HALL BEGINNING WITH SEPTEMBER MEETING.

MOTION TO TABLE FOR THE NEXT MEETING

MOTION BY COUNCILWOMAN MARTINEZ
MOTION IS TABLED VOTE 7-0

SECOND BY COUNCILMAN DIETZ

D. DISCUSSION AND UPDATE ON CELL TOWER NEGOTIATIONS. DISCUSSION ONLY

ATTORNEY COOPER--Mayor, council members, I gave you a copy of an email, which is the last one that I received from the cell tower people. We had suggested some changes from the council meeting and the fact that they had some provisions on there. I'll just walk you through really quickly with what's going on there. What they claim is that the cell tower service that went if you approve it, they are going to have a matrix, national carrier will be on the cell tower. And it's not AT&T, current provider that you have here. They claim that somehow they negotiated an agreement for \$1,200 with the town, which I don't believe that we did. And even if we did, it isn't a deal until the council approves this. They are firm about the \$1,200, we have proposed going back at \$1500, and you'll need to give me direction afterwards as to what that amount will be. They did agree to a couple of other things, they agreed to reduce the renewal terms from 10 years to five years. And they are willing to basically give an increase in the adjustments of the agreement at 2% annually on there. So that so basically, if you whatever the amount you agreed to, they agreed to increase that amount 2% Every year, which isn't much, but it is something they also claim that they will not be using any utility easements for electricity or power to get to their cell systems. So we would not be required to charge them for using our right away. And they agree that there's a dispute, we're going to litigate it in Arizona instead of I believe it was Connecticut or someplace like that on the East Coast, And they would like to get some idea from the council as to what your direction is on that. But what I would tell you is that I thought that the sticking points that you would put provided were the price. The fact that those renewal terms, this pushed us out almost 50 years, which I don't believe the tower would have that kind of life, because I think the future is going to be a lot smaller and shorter systems as you go down the road. And they did agree to 2% increase. And they are promising us a new carrier major carrier on there, which might help the cell service in the community and there might be a benefit to the citizens by having it and also for the ability to do some kind of streaming service. which might help your TV and certainly educational opportunities for your children. So that's basically the report. I'm not asking you to approve anything, but I do need you to tell me on the rental amount to give me some direction as to what I should tell them. I told them I would respond to them first thing tomorrow morning.

Council directed Mr. Cooper to return negotiations as follows Council will agree to \$1200 lease with 2% increase for five years, but would like to have some camouflage to make the pole more pleasing to the eye.

E. DISCUSS STATUS OF PROPOSED BUS SERVICE AND POLL/SURVEY RESULTS AND DIRECT STAFF

Vice Mayor Bustamante—stated that there are more than 50 surveys at this time and the question is one, there is a need and two, what is the availability in the area. There are transportation monies out there. Why not continue with the survey? Let's keep this thing alive as long as we can. I remember a bus service that ran from Tucson and they stopped the Winkelmann. And it was a 9 and a 12. Passenger. They picked you up right here and, I know they stopped down there at the Fox Theater back then. I think this is something that we need to look at. We need to study more. But let's be prepared to shift into gear because one of the things that I would not want us to see is, is that we're late on acting and the availability of funds in the 23 or 24 funding cycle. But I'd like to see where quite possibly it could run from Mammoth to Catalina, Bashas, then you go over to Walmart, then you go over to like the Target have a four hour layover, then come back. That would be the, the early bird. And then the night run. Would be an evening run where it's after five. But you're going somewhere like maybe to the Walmart area in Oro Valley where there's the entertainment district, you catch a movie, what have you come back, you get a little bit of relaxation, entertainment. You might be able to do some shopping, go buy prescriptions or what have you. So one would be business, the other would be what have you. As soon as I get to Oro Valley. I could just say, you know, I want to get on the Sun transit system. And that's all I need. I'm good. And then if I time things, right, maybe I could come back and catch it on the way back to Mammoth. But it's something to think about for the future. And the future is coming, it's coming fast.

F. NIEGHBORHOOD WATCH UPDATE

Vice Mayor Bustamante--Okay, Today I received some a package of material at the police department. I want to thank the Chief and his people for helping out and attending the meetings. The Police and Fire attend and anybody else we've been working on reconditioning of signs. Also one of the things that we have discussed is activities in the park system, gradually rebuilding the park system. We're talking about fixing the horseshoe pit, here in this area, and keeping an eye on people who are home alone and what have you. I am having a meeting every month, I'm thinking of having a follow up meeting in August, because I think that vigilance is a deterrence. And this just shows that the community is serious about doing this, I'll put a notice, well, in advance of the next meeting and the location, we have tried to get the lions club. We've met at the lions a couple of times. But it seems that this is a better location to have the meetings. Plus, part of the strategy of the lions was that we could get people down there and recruit some people for their organization. One organization helps the other organization. So we have a coalition of law, Police, Fire, your Lions Club, your citizens at large and what have you. That's how you get stronger and better. Councilman Brewer--We did touch on security cameras. There's a fence right up out there. Northeast corner fencing, fixed the chain fencing and a new top rail on it. Next week they pushed it down again. Now they use it for a shortcut and just the other day I was at the little league field and in there right center, up against the highway perimeter fences, somebody took the top rail to that fence too. We have to patrol this area more. And if cameras are here, we could help monitor it ourselves.

Chief Muller--If I can touch on that, it's actually a great idea because there's other communities similar to ours that have implemented that, they're having a lot of problems in Superior at their park over by the trains off the 60. And they actually have, in their patrol room, they have basically a live feed. And they can watch all these cameras throughout the town in real time. And, it helps because when a call comes in, or before there's even a call you can see what's going on. But if you're not watching that camera, call comes in you can see what you're walking into ahead of time or you can be proactive and you can see what people are up to, see if some sort of criminal damage taking place that we can we can head off. They've got those implemented wireless cameras in different parts of their town specifically like the parks where they're having problems.

General Comments—Concerns about not having any WIFI to work cameras, and the fact that motion lights had been placed at the Little League field to work as a deterrent that have never worked properly. Another suggestion was to use cell service cameras, it doesn't mean the Wi Fi and they are not that expensive. Under \$200, you can buy a three pack or a six pack you can watch it on your phone.

G. UPDATE ON DISPATCH TRANSITION TO PCSO

Chief Muller-- So far, it's been really smooth. The only little hiccup that we're having is, we still haven't gotten word out to everybody in the town that the non-emergency numbers change. 911 obviously is still the same. Thankfully, you know, that's taken care of, that's the biggest things. So we're just going to have to

try to do a little bit better job out there getting the word out. My suggestion, if the council will approve it, is that we send out notices in the water bills noting the change of non-emergency phone numbers.

I really can't thank the council enough for investing in our safety because having the deputies hear us and us hearing them in real time is potentially a lifesaver. And not just to the officers, but to the community. Because if they can hear, we're transporting somebody to jail, and we're not here to community, because we only had one officer at the time. And they have a deputy that's down the road and San Manuel or they are coming back from Dudleyville and they hear a call kick out here where somebody is in serious trouble. We're getting in real time immediate help from the county emergency, and the ability to be able to hit this orange button and get 10 seconds of airtime where everybody else is cut off that's talking on the radio, and we get priority. We get an open mic without even having to key up if we're in the middle of you know, life or death fight or you know, God forbid, we're not able to communicate, and they can at least know that we're in trouble and we're in distress and they need to get an officer to our location, it'll be even better once we get the MVCs because they'll have a point on a map where they can pinpoint. The transition is taking place in short, but it's going smoothly. It's just a matter of getting the word out to the community as far as a non-emergency number.

So, can you explain to me and some people in the audience-- when they call for medics, let's say Mike's having a heart attack, and I've tried to get him out, so I call 911. That call gets routed where? To AMR, directly. AMR is supposed to be dispatching.

How are you guys picking up on that call to respond to provide aid until fire gets there?

So when it's a serious medical emergency of some sort like having a heart attack, when that happens, and its life or death, PCSO will send it to AMR, but they will also notify us. They'll open up a call that there is a medical in our area. And that way officers can respond quickly.

Concerning those who come to the PD office and there is no one in the building.....

We're going to take another step. Another proactive step is we want to put in a CALL BOX for those that don't have good cell service, because there are people that still have Verizon, and don't receive good service. To help them out to where they're used to walking down into PD, if there's an officer that's out, or if they're not at the station, or they are out patrolling, then they can hit that call box, and it'll be sent directly to the dispatch, and they can tell them what they have. And the officer then knows to respond and meet them at the station. Take the complaint or the concern. We do have the 24/7 coverage. It's just somebody wasn't at the station like during off hours. We're keeping the lobby during the week, regular business hours like town hall. But if they're not patrolling and somebody comes knocking on that door outside those hours, and they're at the station, somebody knocks on the door, they are to respond to that knock. We have the National Guard looking at different equipment, something that they can procure, possibly even for free for us. So Sergeant Morgan, and the National Guard's working on that, it is one of the projects that we have listed. I know I've seen it other places it's worked pretty effectively. Thank you.

7. NEW BUSINESS

A. ELECTION RESULTS AND CANVAS OF RESULT CONSIDERATION AND APPROVAL OF RESOLUTION 22-06 APPROVING THE CANVAS VOTE

TOTAL BALLOTS CAST 895--NEEDED TO BE DECLARED WINNER 112

BARCELO	128	(W)	BUSTAMANTE	164	(W)
GALLEGO	122	(W)	GERMAN	156	(W)
MARTINEZ	100		HAUN	84	
DIETZ	88		JONES	50	

DIRECT ELECTION OF MAYOR--PROP 468-- 163 IN FAVOR 38 AGAINST

MOTION TO APPROVE ELECTION RESULTS AND RESOLUTION 22-06
MOTION BY COUNCILWOMAN MARTINEZ
MOTION PASSED VOTE 7-0

B. APPROVAL OF RQUEST FOR EXCUSED ABSENCE FOR COUNCILMAN MICHAEL MARTINEZ FOR JUNE 16 2022 REGULAR MEETING
MOTION IS TO EXCUSE ABSENCE FOR COUNCILMAN MICHAEL MARTINEZ FOR JUNE 16 2022 REGULAR MEETING

MOTION BY COUNCILMAN BREWER SECOND BY COUNCILMAN DIETZ COUNCILMAN MARTINEZ DID NOT VOTE MOTION PASSED VOTE 5-1 COUNCILWOMAN MARTINEZ VOTED NO.

COUNCILWOMAN MARTINEZ--l know that we're able to ratify a previous vote. But are we able to go back and undo a non-excuse to change it to excuse.

S COOPER-- Mayor, council members, you had worked on some policies and procedures to council members. I don't have the final draft in front of me. But the council has sole judge of its conduct of office and how council members served. Without researching it further. If you asked me for an off the cuff opinion, I believe that the council would have that authority.

COUNCILWOMAN MARTINEZ-- the policies that in order to be excused from a meeting you had to notify council before you had to notify mayor or the town manager or vice mayor that you were not going to be here? And that's what's in our policy? That's what we adopted?

S COOPER—I believe and I might be wrong. But I believe Councilmember Martinez did provide something to the council pointing out the fact that that was a special meeting. And it started an hour earlier than the other council meeting. And that's why he was asking to be excused.

COUNCILWOMAN MARTINEZ- he actually didn't ask to be excused. I had the minutes change on that one because he has been down as excused. But he hadn't asked the council to excuse. It wasn't until we asked to put it on the agenda to correct that, that he asked to be excused from that. The new policies states with a 24 hours notice or that you let them know before the meeting happens. And the reason that I bring this up is because that's Councilmember Martinez, third absence within a calendar year and according to our policy, once you miss three, you're done. This isn't the first time that something's come up within the last year that he hasn't shown up, and he hasn't called to let anybody know that he was going to be absent. There's been three times for three meetings on the June meeting, October 4 meeting and there was a September meeting that he no showed to all three of those. Those are within a calendar year and for our policy, it says right here an excused absence from the Council for a period of three meetings per fiscal year is reason to have the seat be deemed vacant.

Councilman Brewer-It has already been voted on by Council and it is done.

Councilwoman Martinez- I wanted to have it noted for the record, that I don't think the council has the ability to do that per our policy. It's already been decided it shouldn't have even been on here to vote, and I would like the attorney to look into that.

Mayor Armenta--noted that this would be looked into.

C. DISCUSSION AND POSSIBLE APPROVAL OF BANNER OR FLAG FOR TOWN

Vice Mayor Bustamante--This item is the request from neighborhood watch for some type of a banner. And there's a sketch of a rough two by four banner with the logo of "neighborhood watch", the "neighborhood's watch symbol of Horus the burglar", and the "town of mammoth" to be included in the logo, "the town seal" and then the local neighborhood watch this is something that I think would be helpful when Neighborhood Watch goes to our activities Neighborhood Watch was a participated in the last national night out and we didn't have anything to identify ourselves except the old signage but it's good to have something like this just for the purpose of identification when you're out the public having your meetings and all that.

2x4 foot banner with town seal in upper left, Horus the Burglar in the left to center with Mammoth above it and Arizona below it, and Neighborhood Watch Program center to right side

MOTION TO APPROVE PURCHASE OF BANNER FOR NEIGHBORHOOD WATCH NOT TO EXCEED \$100

MOTION BY COUNCILWOMAN MARTINEZ

MOTION PASSED 7-0

SECOND BY COUNCILMAN DIETZ

9. MAYOR AND COUNCIL COMMENTS (No comments at this time) COUNCILMAN DIETZ & COUNCILMAN MARTINEZ-Congratulated Newly seated Councilwoman German

COUNCILMAN BREWER- Yeah, there's a couple things I wanted to say. And in looking at the previous agenda PUBLIC WORKS REPORT the cemetery is by looking good. It's all trashy looking. And you go to cemetery and see people laying in the seat and feet hanging out. You know this. If they were to tell me what day they do their cleanup. I have a fantastic camera and I love to take pictures and prove what I'm telling you when they are up there working, they are very laid back. But anyway, something's got to be done. Because this place is getting trashed.

Second on that, if you read his report, he says that all the equipment is in good working order. Great. We go two backhoes and yet we need a backhoe what is going on down there? We use a lot of gas. Thank you. COUNCILWOMAN MARTINEZ—Congratulated Councilwoman German and all those who won seats in the election. We didn't get to hear the update on national night out. But I do want to just briefly mention that national night out this year was amazing. We had Police. We had Pina Rural Fire, we had Mammoth Fire here. We were missing some of our big players because Arizona Department of Public Safety didn't show up this year, shame on them. But I think even without them, we had an amazing time the kids all had a blast. We handed out a lot of prizes, we had a lot of food, and there was a lot of laughs. So hopefully next year will be bigger and better. And I just want to thank the police department and the fire department, both of them for coming out for everybody working together to provide an amazing day for the kids and for all of the people who showed up. And to all the council members who showed up, stuck it out, worked it. Thank you

Councilman Bustamante-- Just briefly, Congress has passed the Inflation Reduction Act. There's a lot of goodies in there. I was hoping that people on Medicare, and that insulin costs would make it into the bill. Somehow there's got to be a way for Congress to lower the price of some of these prescription drugs like insulin for the general public. I do believe there was an opening. But I will that if you're gonna hold out, I would not have held out for a tax loophole for the rich, I would have said you know what, let's put this cap of \$35 a month for insulin costs and other caps on these drugs that people need and put it in that bill and pass it with just the 50 votes. Let whoever break the tie, but that's how I would have used my political capital. I'm going to help the Medical Plan.

Mayor Armenta-- And I just wanted to say a little bit more. Neighborhood Watch, the Fire Department provided all the hot dogs and buns. We provided the sodas and the water and the kids love water balloons. The police quarters are now working, they've been sleeping there several times already. It's right next to the library. So the only thing is when you go to the door, it goes right into the bathroom. So they're going to move the door to the front. But it's nice, it still needs a little work. And for the council, we're going to have special meeting next week sometime, because we did not get to the election to a town clerk. We did call them and tell them, that we will be calling them next week sometime to set up a date to do interviews. There are two candidates and we will do it here.

COUNCILWOMAN GERMAN-- Thank you for your congratulation from everybody, my main objective is to work for the town, not to use this position for a personal vendetta to get it even with anybody. I want to do what's best for the town. And I hope that we can work together. Whether somebody on the council doesn't like me. This is not. I like you. I don't like you. And I hope that that's the way it runs. I'm hoping that's the way it goes. So thank you and whoever voted for me thank you very much for your votes.

10. ADJOURN

MOTION TO ADJOURN AT 8:09PM
MOTION BY COUNCILWOMAN MARTINEZ
MOTION PASSED 7-0

SECOND BY COUNCILMAN DIETZ

I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held AUGUST 18, 2022. I further certify that the meeting was duly called and held.

John Schempf, Interim Town Clerk

Johnsteing

TOWN OF MAMMOTH

AGENDA ACTION FORM

AGENDA ITEM NO:	COUNCIL MEET	ING DATE: September 15	5, 2022
Agenda Action Forms must be submitted Action Forms are subject to review	I to the Town Clerk no la by Mayor, Town Manag	ter than 10 days prior to T er and/or Town Clerk for o	own Council Meeting. Agenda completion and accuracy.
NAME OF PERSON PROPOSING ITEM: BRIEF DESCRIPTION/SUMMARY OF THE Set Re Zoning Fee at \$500 base plus \$1	AGENDA ITEM (AS YOU	WOULD LIKE IT TO APPEA	* 20
Traffic Assessment Fee \$200 Recording	g Fees \$30		
To approve fees for rezoning Motion:		noth Arizona	
FISCAL IMPACT: 0.00 COMPLETED)		(FISCAL IMPACT ON CURRE	ENT BUDGET MUST BE
TYPE OF ACTION REQUESTED: INFORMATIONAL/DISCUSSION RESOLUTION/ORDINANCE	Sha	FORMAL ACT XX OTHER ron Christiansen gnature of Person Reques	TION-MOTION
TOWN CLERK'S RECOMMENDATION FO	PR PLACEMENT ON THE	AGENDA: X YES	NO NO
TOWN MANAGER/Town Clerk	DA DA	9/9/22 TE	(Section Completed by Staff)
MAYOR'S APPROVAL FOR PLACEMENTO	ON THE AGENDA: DATE	X YES NO	(Section Completed by Staff)

TOWN OF MAMMOTH

AGENDA ACTION FORM

AGENDA ITEM NO:	COUNCIL MEETING DATE: SEPT 15, 2022
	Town Clerk no later than 10 days prior to Town Council Meeting. Agenda or, Town Manager and/or Town Clerk for completion and accuracy.
NAME OF PERSON PROPOSING ITEM: BRIEF DESCRIPTION/SUMMARY OF THE AGEND	DA ITEM (AS YOU WOULD LIKE IT TO APPEAR):
COME UP WI	BERS SKILLE & OF PAID
	THE TOWN
FISCAL IMPACT: LESS MONEY	(FISCAL IMPACT ON CURRENT BUDGET MUST BE COMPLETED)
TYPE OF ACTION REQUESTED:	FORMAL ACTION-MOTION
INFORMATIONAL/DISCUSSION ONLY	OTHER
RESOLUTION/ORDINANCE	Signature of Person Requesting Action
TOWN CLERK'S RECOMMENDATION FOR PLACE	EMENT ON THE AGENDA: YESNO
RECOMMENDATION: Approne	
- Oslishing	9/9/2-2
TOWN MANAGER/Town Clerk	DATE (Section Completed by Staff)
MAYOR'S APPROVAL FOR PLACEMENTON THE	AGENDA: YESNO
MAYOR TO SECOND FOR	DATE (Section Completed by Staff)

otherwise provided).

- 2.3.2. In accordance with State Law, public actions of the Council are recorded in the minutes of the town Council meeting. The Town Clerk is required to make a record of business actually passed upon by a vote of the Council and should not record any remarks of Councilmembers or of any other person, except at the special request of a Councilmember, with the consent of the Council.
- 2.3.3 Actions of the Council concerning confidential property, personnel, and legal matters of the Town are to be reported consistent with State law.
- 2.3.4. Any Councilmember may suggest an agenda item for the next regular Council meeting and the item may placed on the agenda.

3. Legal and Ethical Standards.

3.1 Preamble:

The residents and businesses in Mammoth are entitled to have fair, ethical and accountable local government. Such a government requires that public officials:

- 3.1.1 Comply with both the letter and the spirit of the laws and policies affecting operations of the government;
- 3.1.2 Be independent, impartial and fair in their judgment and actions:
- 3.1.3 Use their public office for the public good, not for personal gain, or exacting personal agendas:
- 3.1.4 Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility.

3.2 Code of Ethics.

To this end, the Mammoth Town Council has adopted a Code of Ethics to encourage public confidence in the integrity of local government and its fair and effective operation. This Town Council Code of Ethics is composed of two documents: (1) these Town Council Policies; (2) the Town Council Code of Ethics Personal Code of Conduct. The Town Council Code of Ethics shall not be interpreted to conflict with other rights and responsibilities of public officials set forth in this code or Federal, State, or local document relating to ethical conduct by Mammoth Councilmembers.

3.3 Conduct (moved from 3.4)

- 3.3.1 Councilmembers shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the Town Council, boards, commissions, committees, staff, or the public.
- 3.3.2 Councilmember's duties shall be performed in accordance with the processes and rules of order established by the Town Council.
- 3.3.3 Councilmembers shall inform themselves on public issues, listen attentively to public discussion before the body and focus on the business at hand.
- 3.3.4 Council decisions shall be based upon merits and substance of the matter at hand.
- 3.3.5 It is the responsibility of Councilmembers to publicly share substantive information that is relevant to a matter under consideration that they have received from outside of the public decision-making process with all other Councilmembers and the public prior to taking action on the matter.

- 3.3.6 Appropriate Town staff should be involved when Councilmembers meet with officials from other agencies and jurisdictions to ensure proper staff support as needed to keep staff informed.
- 3.3.7 Councilmembers shall not attend internal staff meetings or meetings between Town staff and third parties unless invited by Town staff or directed by Council.
- 3.3.8 Policy Role. Councilmembers shall respect and adhere to the Council, Manager/Clerk structure of Mammoth Town government as provided in State law and the Town ordinance. Councilmembers shall support the maintenance of a positive and constructive environment for residents, businesses, and Town employees.
- 3.3.9 Implementation. The Code of Ethics shall be included in the regular orientations for Town Council candidates. Councilmembers entering office shall sign a statement affirming, they have read and understand the Town of Mammoth Town Council Code of Ethics.

3.4 Public Interest.(moved from 3.3)

- 3.4.1 Recognizing that stewardship of the public interest must be their primary concern, Councilmembers shall work for the common good of the people of Mammoth and not for any private or personal interest. Councilmembers must endeavor to treat all members of the public and issues before them in a fair and equitable manner,
- 3.4.2 Councilmembers shall comply with the laws of the nation, the State of Arizona and the Town in the performance of their public duties. These laws include, but are not limited to: the United States of Arizona constitutions; Mammoth Town ordinances; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities and open meeting.

3.5 Conflict of Interest.

- 3.5.1. In order to assure their independence and impartiality on behalf of the public good. Councilmembers are prohibited from using their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest under State law.
- 3.5.2 Councilmembers shall not take advantage if services or opportunities for personal gain by virtue of their public office that are not available to the public in general.
- 3.5.3 Councilmembers shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the Town. They must neither disclose confidential information without proper legal authorization nor use such information to advance the personal, financial, or private interests of themselves or others.
- 3.5.4 Town Councilmembers should avoid any action that could be construed as or create the appearance of using public office for personal gain, including use of Town stationery or other Town resources to obtain or promote personal business.
- 3.5.5 Public resources not available to the general public (e.g., town staff time, equipment, supplies, or facilities) shall not be used by Councilmembers for private gain or personal purposes



YOUASA PUBLIC OFFICIAL

- 8. An officer or employee of another political subdivision, a public agency of another political subdivision, or any other public agency unless it is the same governmental entity being served who is voting on a contract or decision which would <u>not</u> confer a direct economic benefit or detriment upon the officer. Thus, a council member who is a school teacher may vote to enter into an intergovernmental agreement with the school district, unless such agreement would confer some direct economic benefit, such as a salary increase, upon the council member.
- 9. A member of a trade, business, occupation, profession, or class of persons and has no greater interest than the other members of that trade, business, occupation, profession, or class of persons. A class must consist of at least 10 members to qualify the interest as remote.
- 10. A relative who is an employee of any business entity or governmental entity that employs at least twenty-five employees within this state and who, in the capacity as an employee, does not assert control or decision-making authority over the entity's management or budget decisions.
- 11. The ownership of any publicly traded investments that are held in an account or fund, including a mutual fund, that is managed by one or more qualified investment professionals who are not employed or controlled by the officer or employee and that the officer or employee owns shares or interest together with other investors.

SUBSTANTIAL INTEREST is defined in this law as any nonspeculative pecuniary or proprietary interest, either direct or indirect, other than those that are remote. In general, a conflict of interests will result when an officer or employee of a city or town or relative of an officer or employee is involved in substantial ownership or salaried employment with a private corporation doing business with the city or town. For example, if a council member owns or is employed by a lumberyard selling to the city, then a conflict may exist. On the other hand, if the council member is the lawyer for that lumberyard, or if the council member leased land to the lumberyard, then it is possible that no conflict exists.

A public officer or an employee may sell equipment, material, supplies, or services to the municipality in which the officer or employee serves if this is done through an award or contract let after public competitive bidding. An exception to this law allows cities and towns to purchase supplies, materials, and equipment from a member of the council without going to public competitive bid as long as the single transaction does not exceed \$300 and the annual total of such transactions with a member of the council does not exceed \$1,000. The city or town must adopt a policy governing such purchases and must approve this policy on an annual basis. All transactions above these limits must take place as a result of public competitive bidding. However, the city or town officer or employee would not be allowed to influence the bidding process in any way and must make known in a timely manner such interest in the official records of the city or town.

The attorney general has concluded that there is no statutory restriction on a school board member or employee bidding on property being sold by the district, as long as the board member or employee publicly discloses such interest in the property being sold and refrains from participating in any manner in the decision to sell the property.⁴⁸

- 44. Compare A.R.S. § 38-502(11) ("substantial interest") and 38-502(10) ("remote interest"); see also Ariz. Att'y Gen. Op. 185-052.
- 45. A.R.S. § 38-502(11); see Ariz. Att'y Gen. Op. 103-005.
- 46. A.R.S. § 38-503(C). see Ariz. Att'y Gen. Op. 70-5, 79-067, 79-133, 106-002; General Counsel Opinion May 18, 1979, and letter dated October 23, 1984 from attorney general to Town of Parker.
- 47. A.R.S. § 38-503(C)(2).
- 48. Ariz. Att'y Gen. Op. 185-067.
- 49. A.R.S. § 38-504(A).
- 50. A.R.S. § 38-504(B).
- 51. A.R.S. § 38-505.
- 52. A.R.S. § 38-504(C).
- 53. State Bar Ethics Opinion No. 74-28.
- 54. See Gomez v. Superior Court, 149 Ariz. 223, 717 P.2d 902 (1986).
- 55. A.R.S. § 38-503(A) & (B).
- 56. A.R.S. § 38-508.
- 57. A.R.S. § 38-507.
- 58. A.R.S. § 38-506; see also A.R.S. § 38-511.
- 59. See Arizona Agency Handbook prepared by the attorney general's office (www.azag.gov) and Arizona Public Records Law prepared by the office of the Arizona ombudsman-citizens' aide (www.azoca.gov).
- 60. A.R.S. § 39-121.
- 61. A.R.S. § 39-121.01(A).
- 62. A.R.S. § 41-151.18.
- 63. Griffis v. Pinal County, 156 P.3d 418, 215 Ariz. 1 (2007).
- 64. David Lake v. City of Phoenix, 218 P.3d 1004, 222 Ariz. 547 (2009).
- 65. A.R.S. § 39-128.
- 66. Carlson v. Pima County, 141 Ariz. 487, 687 P.2d 1242 (1984).
- 67. Carlson v. Pima County, 141 Ariz. 487, 687 P.2d 1242 (1984).
- 68. A.R.S. § 39-126.
- 69. A.R.S. §§ 11-483, 16-153 39+123(A).
- 70. 42 U.S.C. § 405(C)(2)(c)(ii) (viii)(l); A.R.S. § 44-1373.
- 71. *Moorehead v. Arnold*, 637 P.2d 305, 130 Ariz. 503 (Ariz. App. 1981).

TOWN OF MAMMOTH

AGENDA ACTION FORM

AGENDA ITEM NO:	COUNCIL MEETING DATE:
	Town Clerk no later than 10 days prior to Town Council Meeting. Agenda yor, Town Manager and/or Town Clerk for completion and accuracy.
BRIEF DESCRIPTION/SUMMARY OF THE AGENT	avior for council
Men or wo in en	ή
FISCAL IMPACT:	(FISCAL IMPACT ON CURRENT BUDGET MUST BE COMPLETED)
TYPE OF ACTION REQUESTED: INFORMATIONAL/DISCUSSION ONLY RESOLUTION/ORDINANCE	FORMAL ACTION-MOTION OTHER Signature of Person Requesting Action
TOWN CLERK'S RECOMMENDATION FOR PLACE RECOMMENDATION: Approve TOWN MANAGER/Town Clerk	CEMENT ON THE AGENDA: YESNO Q 7 27 DATE (Section Completed by Staff)
MAYOR'S APPROVAL FOR PLACEMENTON THE	AGENDA: YES NO OF O