

**Town of Garfield
TOWN COUNCIL
REGULAR COUNCIL MEETING**

**February 10th, 2021 - 7:00 PM
405 W California**

Public Phone in Option: 1-641-569-8494 PIN: 849 860 322 #

CALL TO ORDER: Mayor Pfaff called the meeting to order at 7:00 pm.

ROLL CALL: Mayor Pfaff, Council Members: Neal Leon, Mike Olsen, Cande Hasenoehrl and Tom Tevlin, Staff: Clerk/Treasurer: Cody Lord, Public Works: Shon Clark, Marshal's Office: Joe Handley Absent: Council Member Jesse Parkins

INTRODUCTION OF GUEST: Monty Rojas

APPROVAL OF MEETING MINUTES:

Cande Hasenoehrl **MOVED** to approve the minutes of the Regular Council Meeting January 27th, 2021. Mike Olsen **seconded the motion and the motion carried unanimously.**

POLICE REPORT:

Marshal Handley had to miss the beginning of the meeting to deal with a dispatch but returned for the second half of the meeting. There are changes coming to the animal ordinance to deal with feral cats and other small domesticated animals. In the version that was presented, fines are increased and there is a restriction on outdoor feeding times to prevent nuisance animals from coming into town and feeding at night. Discussion was had about both matters. Regarding feeding times, the council felt this was a hard thing to police and enforce. Cande suggested changing the language from dusk to dawn for no outdoor feeding of animals. Neal Leon was in favor of discarding this language in the ordinance and Mike Olsen said probably better to leave it in and have a tool to work with than to have to add it at a later date.

The second matter discussed on the animal ordinance was the fines that are suggested. Instead of the now \$25, \$50 and \$100 penalties, the ordinance suggests having a \$250, \$500 and \$1,000 fine for repeat offenders. Mike believes the fines are a little steep but also recognizes the importance for levying a fine that will make people take a different action. Tom Tevlin thinks the \$25 first fine is a bit lenient but also thinks the increase is a big step. He was in favor of leaving the fines at the level at which they are at now. Neal was also in favor of leaving the fines as they currently are. Council agreed that for this version of the ordinance, the fines should remain as they are currently listed, \$25, \$50 and \$100.

Mayor Pfaff explained the second page of the proposed revisions to the animal ordinance which deal with what can happen to a cat or dog after it is trapped. Mike questioned whether people utilize the dog and tagging at town hall and Mayor Pfaff said that very few do. Mike questioned how Marshal Handley will be able to ascertain which

animals belong to whom. Shon Clark asked how will the person catching these cats know they have a feral cat and not his cat that may be out roaming around for a bit. Mayor Pfaff said the cat would be held for 24-48 hours to be claimed. Mike expressed everyone should tag their house animals so they are easy to identify and get back to the appropriate home. Tags can be made and purchased at the pet store in Moscow or Pullman. Council was in support of the second document that was presented as is and Mayor Pfaff said they will have another version available at a future council meeting.

PUBLIC WORKS REPORT: Shon Clark for Public Works

Water

Everything is operating smoothly.

Sewer

Everything operating as normal.

Garbage

The recycle shed has been cleaned.

Streets

The snow plows are ready to go.

The yard waste site is full at the moment and the ground is very soft, making it hard to do any work out there. Once the ground freezes Shon will get out there and load the next bin. The bathroom in town hall is currently being remodeled and coming along. Shon reports that the employee sharing program between Farmington and Garfield is working nicely.

OLD BUSINESS:

- **Resolution 2021-03 Statement of Completed GMA Periodic Review and Updates**

The Department of Commerce is suggesting this resolution be enacted to fulfill the requirements needed for the CDBG grant for the I&I project. The Department of Commerce signed off on this distributed version. Cande Hasenoehr **MOVED** to approve Resolution 2021-03. Tom Tevlin **seconded the motion and the motion carried unanimously.**

NEW BUSINESS:

- **Resolution 2021-04 Policy for Collecting and Distributing a Utility Surcharge**

Mayor Pfaff explains this resolution is to lay out the distribution of the money collected on the utility payments as a surcharge and moved to the equipment and operating reserve funds of 410 and 412. This is not in addition to the current rate change that just took place, but rather a portion of each water, sewer and garbage payment will be placed in another fund for future capital improvements. Mayor Pfaff also explains for the last couple years this was not transferred but now they are correcting this situation. Cande asked when the rates change will these numbers change as well and Mayor Pfaff said no, the only way the \$5.20 to water, \$3.55 to sewer and \$1.80 to garbage changes is if the council elects to make the change in policy for how much will be taken from customer payments and directed towards the reserve funds for capital improvements. Cande Hasenoehr **MOVED** to approve Resolution 2021-04 setting and

distributing the surcharges on utility customers. Mike Olsen **seconded the motion and the motion carried unanimously.**

FINANCIAL: Approval of checks

Cande Hasenoehrl **MOVED** to approve payment of bills. Mike Olsen **seconded the motion and the motion carried unanimously.**

Payroll: Checks 14621-14625 EFT DRS & AWC

Total = \$13,194.42

Claims: Checks 14626-14641

Total = \$16,640.21

Total of Payroll & Claims = \$29,834.63

Mayor Pfaff said there is one more item to discuss and that is the zoning change requests brought forward by Josh and Kyra Hightree. Josh sent an email that was forwarded about the items he would like to see revised within the town zoning and code book. A copy is on record at town hall. The Hightree's would like to have more animals on their property then the current town zoning ordinance allows. Tom said he struggles with the concept a bit as it appears he is wanting to be a commercial farmer within the town limits, and he is not in favor of this. There are several references in his report about the size of animals and their demands on a farm property however, the town's animal ordinance doesn't talk about the size of animals, just the amounts of animals per acre.

The second issue that Josh describes is the restriction against electric fences within the town limits. Currently the ordinance says no electric fences in town limits however, the town has made an exception for others within town limits by telling them they had to install a permanent fence on the exterior of their property and they could run a hot wire inside of that permanent fencing. This same courtesy could be extended to the Hightree family. Mike asked if he currently is using hot wire and it was determined there are portions of the property that are currently fenced with this method.

The last issue brought up was that part of the southern portion of their property is zoned FI-1. This zone is to cover the industrial zone. Much of the zone is currently NW Grain Grower's property and has been used for the same purposes since the zoning was changed. Mayor Pfaff explains that if a user is using the property outside of the conforming zone purpose and that use changes, once a year lapses, they would need to seek a rezone to use for any other purposes than what is allowed and described in the zoning ordinance. Mayor Pfaff said that grazing land at the south end of their lot has always been used for gazing so there is no change to current use. Paul used to graze his animals down there and Josh and Kyra are currently grazing animals there, so Mayor Pfaff said he is not opposed to allowing them to continue with this use. Cande said a letter should be sent to them stating such and that they are only allowed to have a certain number of animals grazing there and no more.

Tom asked if any of Josh's neighbors have had issues with the number of animals that are currently grazing on the property and Mayor Pfaff said there has been none. Tom feels that 1,000 birds is considered commercial farming and too many for this property and proximity to town. Mike agrees that the ordinance lays out the number of animals that are allowed on properties within town limits and they should have been reviewed

before making future plans. He thinks if too many animals are agreed to, then it might become a situation where more are wanted and potentially leading to issues. Mike said he is almost in favor of leaving the animals density numbers where they currently are, let them operate and then move them up as success and cooperation are shown. Mayor Pfaff said he would really like to see the Hightree's full plan, so the council knows what the end project looks like, maybe the 5 year plan for the business. Mike added that he listened in on the planning and zoning meeting and it seemed as if all the neighbors were okay with the plan the Hightree's had presented and the only concern was the number of pigs that they may have. His one neighbor to the NW also expressed concern about a hot wire being used due to having young grandchildren.

Mayor Pfaff said for now they will send a letter stating a hot wire fence may be used inside a permeant fence and that the FI-1 zone can continue to be used for grazing purposes with the current amount of stock they have grazing there. To request to change this zone would be a long process. It would have to go back to the planning and zoning committee and then finding of fact, notification to neighbors, presentation to the council and possibly a couple rounds of that before rezoning could be completed. It is not a fast process. Tom suggested that Josh and Kyra should be invited to the next meeting so they can talk about their full plans for the property and business.

Cande and Neal have been working up some details for the restaurant space and have a simple sign they would like to post in the window of where interested parties can get some more information. Cande is mostly concerned that people have the ability to find information on the space and know that it is available for lease.

ADJOURN:

Cande Hasenoehrl **Moved** to adjourn the meeting. Mike Olsen seconded the motion and the motion carried unanimously. The council meeting was adjourned at 8:07 pm.


Jarrod Pfaff – Mayor

ATTEST:


Cody Lord – Clerk/Treasurer