

**Town of Garfield**  
**TOWN COUNCIL REGULAR MEETING MINUTES Preliminary Draft**  
**Town Hall – May 27, 2015**

**CALL TO ORDER:** Mayor Ray McCown called the meeting to order at 7:02 PM

**ROLL CALL:** Mayor Ray McCown, David Jones, Sharon Schnebly, Daymon Marple, Mark Young and Tim Southern. Staff: Clerk/Treasurer Cody Lord Absent:

**GUESTS** Scott Bowman, Trish Clayton, Cher Curtis, Cathie May, Don and Debbie Brown, Patsy Tate, Sandra Cavallo, Nancy Hathaway, Roger Million and wife, Tracy Paine, Max Hathaway, Travis Hall, Eddie Clocks, Allen Wall, Yvonne Berliner and William Thompson.

**APPROVAL OF MINUTES:** Daymon Marple **MOVED** to approve the minutes of the Regular Council Meeting May 13<sup>th</sup>, 2015. Mark Young seconded the motion and the motion carried unanimously.

**POLICE DEPARTMENT REPORT:** Chief Neumann and Officer Joe Merry present for the Police Department

Chief Neumann said the department had a pretty uneventful May Day with only one ambulance call. They had one arrest over the weekend and a couple different calls. Also they were in Garfield over the weekend an additional estimated ten hours for call outs.

**PUBLIC WORKS REPORT:** Brad Hasenoehrl present for the Public Works Department

Water

- Water hydrant blew out last night, mechanical failure, the seals are gone. It is shut off for now until it can be repaired. There are several other hydrants in the area so there should not be an issue.
- The chlorine pump rebuilds are estimated to cost \$185.00, and the other is \$300. Brad suggests repairing them both so they will have a back-up on hand when needed.

Sewer

- Doing lots of cleanup out at the plant.
- The digester is a 100% full
- Larry Hunt took Bio-Solids to Spokane yesterday.
- Brad has started wasting from the digester into the container again.

Park

- Brad was on vacation last week so Mayor McCown mowed the park.
- Brad says the new mower is working great.
- There is more patching to do on the streets but he will wait until there is help.

Tim Southern asks Brad what he would need help with. Brad said the digging and the racking primarily. Tim volunteered to come help Brad on the street projects that he needs help with. Tim also thinks Brad should move ahead with the purchase of the rebuilt chlorine pumps. Council agrees and gives permission to Brad to move ahead with the rebuilds.

**OLD BUSINESS:**

1. Animal / Chicken Ordinance

Tim started the conversation by stating the council hasn't adopted anything yet. Tim said if you were worried about the chickens being removed that is not the intent. Mark Young said let's hear the concerns from the guests. A question was asked, what is the intent of the ordinance? Tim says the town has had some complaints about noise and the current ordinance doesn't say anything about roosters. Mark said it doesn't change anything from before, it states the same as before except you can't have a rooster. The council looked at Palouse's ordinance and they had other types of fowl so he wrote that in for council consideration. A guest says they heard that the council is trying to put limitations on the allowance of animals. Mark explains the town has always

had limitations. Another guest asks why roosters aren't getting put under the nuisance ordinance for noise.

Sandra Cavallo asks are people complaining about the noise, is it just the rooster issue or is it the fact that people want chickens. Sandra has been told where she lives it is 3 chickens. Mark says it depends on where you live and it is based on the lot size. Tim explains this is an old ordinance so, the council is simply just adding something to the old ordinance because we had complaints about the roosters in town. Tracy Paine would like to know if the police department receives the complaints and if they have record of the amount of complaints that people can see at the next meeting. Sandra would also like to have this discussed at the next meeting and follow up from the police department. Daymon Marple reads the language that has been added and says a town resident can actually come in and ask the council for permission.

Mayor McCown asks Chief Neumann have you ever enforced anything on this ordinance. Chief Neumann said a couple years ago there was a lot of issues in town on this matter. Mark says it is there to be enforced upon case by case basis, and if there are complaints then the town will have to enforce it. Sandra asks does this permit need to be renewed. Mark explains once you are granted you are granted that indefinitely unless there is an issue, there is also no fee to ask for permission.

Guest Scott Bowman thinks publishing the current code and what the suggested changes are for public viewing so there is no confusion. He feels what is pending should be accessible on the website for review. Sharon Schnebly asks Cody, can you post the PDF form of it at the post office and the internet. Sharon asks the guests if we post just the highlighted area would that be sufficient. Tim tells the guests you have access to it if you come down to town hall and council meetings. Tim understands the guest's concerns but also questions how the town would find time and resources for Cody to transcribe each change and put them onto modern technology. Mayor McCown also agrees if a guest or resident wants to see the changes they can come in any day of the work week and request the information.

Travis Hall proposes that the things that are being talked about be on the website for all to see. Mayor McCown said again everything is in the minutes. Travis says he has been a party to a couple meetings and some things are left out of those minutes. Mark suggests the council make this a separate item, if you would like us to pursue it and see if it is feasible then they can work towards that, and he suggests making it part of the agenda for an upcoming meeting. Mark suggests getting back to the chicken ordinance. Tim explains to the guests that they are adding the language on roosters so it doesn't become selective targeting, it is easier to blanket it as no roosters so everyone must follow the rule. A guest asks is it possible the community can vote on the change in the ordinance and Tim states no, the ordinances don't get a community vote.

Sandra claims that by needing permission from your neighbors that handcuffs them from making a complaint against a person for such things as a noisy dog. Tim says well this is the issues with living amongst other people and common for most everyone. Debbie Brown would like to know exactly what the complaints are. Guest Patsy Tate said she had a chain saw running at 3 am and she went over to the neighbors and told them to knock it off, two days later she got an excellent apology from that neighbor. Mayor McCown said everyone has neighbors and everyone has these same types of problems and they should first try to solve in a neighborly way.

Sandra would like to know why her neighbor doesn't need permission to have a dog. Mayor McCown explains if a complaint is received about a dog it is turned over to the police department to deal with the situation. Patsy said we have several kids who partake in FFA who are involved with animals, stating Garfield is a rural setting not a city. Cher Curtis also believes we should be lucky to have chickens in town. Debbie Brown clarifies are the complaints you have received about the roosters in town. Tim said yes, but there are complaints about peacocks and turkeys as well. Patsy would like to know, is it the same people making the same complaint.

Debbie says there are many organizations out there that will buy eggs to sell the eggs overseas, at one point she was doing this. Tim asks Debbie if a neighbor came and asked her to get rid of her rooster. She said no as a neighbor I took it upon myself to get rid of my rooster on her own. She would love to get a rooster back but can't because she lives in Garfield. Debbie explains there is a good reason to keep a rooster around because there are people looking for fertile eggs and chicks are becoming less and less available. It is something she used to do to make a living. Chief Neumann said I don't think it is legal from a USDA perspective for you to have a side business in selling eggs. Debbie states she was selling to the USDA.

Mayor McCown asked everyone to understand that they haven't adopted this ordinance yet. The council wanted to listen to you and decide how they are going to move forward on the matter. Travis would like to know what time frame they are looking at, and how long have you been having complaints. Tim said he has been on council 8 years now and ever since he has joined it has been an issue. The council has talked about it several times but never done anything about it, but it now time that the council finally move on it. Travis would like to know are there more than one or two complaints in the last year. Tim said it is consistent and on-going the police have documented complaints. Tracy Paine asked if see can see the nature of the complaints and know exactly how many there are. Tim explains sometimes it is a resident catching the council on the street to complain about the matter, sometimes they come to Town Hall and sometimes they call the police. Tracy would like to know exactly how many complaints they have for the last year. Chief Neumann said he will look and have that information for the next council meeting

Trish Clayton asks aren't there as many people with roosters that aren't being complained about or possibly even more in town. Tim said he only knows of about 3 people in town that have roosters. Eddie Clocks suggests since the roosters are not already in an ordinance why don't the police take it up on their noise statues. Tracy also says there is place you can take them to stop the noise, there are containment units that are able to deaden the noise and still remain humane. Eddie explains that Tracy is running their place as an animal sanctuary and the peacocks are free range. Eddie says he has talked to all his neighbors in his area and they are not adverse to his peacocks. Tracy also states to the council that she could complain about a lot of things too but chooses not to since she is living in a small town. She also reminds the council that a portion of her land is zoned Ag.

Tracy asks are you trying to create and ordinance about peacocks, pigeons, ducks, etc. wanting those of us in town who have them to get rid of them. Mayor McCown asks is there anything else really pertinent about this ordinance that the council needs to hear. Travis suggests that residents are allowed to put their rooster in a house overnight and allow them out during the day, instead of making a resident get rid of it. Mayor McCown said they will discuss that further.

Trish said she was told that the town no longer recycles plastic. Mayor McCown said at the moment the town doesn't but at the 1<sup>st</sup> of July there will be a container here from the county so we can start collecting co-mingled recyclables with the exception of bottles, which now have to be separated. Brad says no one wants glass bottles any longer. It is also very important that no garbage is thrown into the container. Debbie asks will it be similar to Moscow's recycling program. Mayor McCown confirms it will be very similar. Patsy suggests posting on the side of the container what is allowable.

Sandra would like to know why residents have to have garbage service in order to get water service. Mayor McCown explains it takes so much money to run the town and the garbage is a service the town provides. If the town did not provide this service you would have to go through Empire Disposal which has much higher rates than the town does. Tim I understand your thought process on reducing waste, but then we have houses that start complaining about garbage smell and garbage being stored on properties, then the town has to enforce another ordinance to make a good living condition for the masses. Travis thinks residents should be able to pay for water

service with the option of garbage collection. Mayor McCown said then about every 5<sup>th</sup> house would have garbage stacked against the garages.

## 2. Junk Vehicle and Street Right of Way Parking Ordinance

Tim said this is a follow up to the last meeting where the council discussed if the language was specific enough. Tim talked with Stephen about this, because he felt we already have a junk vehicle ordinance in effect that is working for the most part. A lot of other towns have time constraints on trailers and boats to be in the right of way and the town already has something about RVs. Sharon said just hypothetical what if somebody bought a car at auction and they are fixing it up, how does the town account for this scenario. Eddie said if it is on their property it shouldn't be a problem as long as it isn't an impediment for a fire vehicle. Obviously if you were in New York it wouldn't be allowed to be fixed on the street but we are in Garfield, so there are bigger lots and less encroachments. Mark thinks the council should wait on some more details.

Tim thinks maybe Cody can look at other surrounding town ordinances and see what theirs are like regarding the junk and vehicle restrictions. Tim suggests looking at it for the trailers but he doesn't think adding parking on the right of way should be part of it. Sharon said that this still doesn't answer her question. Mayor McCown said if someone is working on their car they should have their own area to work on it not on town property. Some roads are 60 feet and some roads are less than that. Mark's concerns are access by the fire and emergency crews, there is a clear need to have an operable space if needed. Sharon said that is a valid point but you will still have the same problem even if there is a licensed vehicle blocking the way. Mayor McCown said lets table this for now. Mark said the council will also get some more input from Stephen about what other towns do concerning this matter and Cody can collect information from surrounding communities.

## **NEW BUSINESS:**

Mark talks about the public access and ability to get to records, and thinks we should take a look at this matter and how to better get information to the public. What would it take to get information more readily available? Sharon asks will MRSC take the information we are working on and make it available to the public. Cody explains that is not their role, they have sample ordinances to work from but will not post for the communities. Travis asks is there a link on the website for the archives office. Cody tells the council and guests there is a link for the State Archives office on the website and they simply need to type in Town of Garfield in the search bar to access all past publications that are listed with their office. Anything as recent as 2008 ordinance or resolution will be in on the town website.

Debbie would like to talk about a couple other complaints she has. She is concerned we might be going into a bad fire season and the neighbors have stopped cutting their grass, she would like to know what can be done. Chief Neumann said if a complaint is filed for noxious weeds, the department can address that and the building inspector can address home abatement. Tim explains that the town does actually have an ordinances for that type of matter. Debbie said that her neighbor lives in California somewhere and the weeds are as high as her fence. Mark suggest she make a complaint to the department, they will find out who is responsible for the house and address the issue with them.

Debbie also said the trailer park is getting worse. Council admits this issue has been going on for years. Daymon said in the past they have done a lot about it. Debbie went through the minutes this year and nothing has been done that she can see. Mayor McCown said we can make an ordinance and often times it is difficult to enforce. Tim confirms the council has been trying to deal with the trailer park for the whole 8 years he has been on council. Mark also explains the town has worked with the building inspector and he has red tagged one of them. Debbie said so the town in investing money in surveillance cameras to have a better park but the biggest eye sore is right next door. Mark said the council in the past talked with the public about raising money to buy it to turn it into a park. The town has been working with building inspector to improve the space. Mark explains trailer parks have more leniency from the state over other building styles. Eddie said if it is actually a health hazard then they can shut it down, for instance the one in Moscow the residents are getting paid to move. Mayor McCown said of course she has to want to sell

before anything can be done about it.

Eddie states this is a rural community and we are encouraging people to grow vegetables he thinks having a community garden would be a great addition to the community. He thinks a rate should be worked out to be able to have a city employee or equipment be available for hire, since all the city equipment is owed by the town and the citizens. Tim explains using public employees and equipment is not going to happen since the town has rules that they must follow. Mark thinks the community garden is a great idea and asks Eddie if it is something that he would like to be involved with. Mark suggests seeing who might be interested in that kind of community project and who would be willing to help you from the community and also coming up with some ideas for an area for such a project. Mark told Eddie if he is serious about heading up something like that, have Cody put it on the agenda for the council.

**EXECUTIVE SESSION:**

Per RCW 42.30.110 {g} the council will go into executive session at 8:15 to evaluate the qualifications of applicants for public employment. Council will reconvene at 8:25.

Council exited Executive Session at 8:25. Sharon Schnebly **MOVED** to extend Executive Session until 8:35 at which time the regular council meeting will reconvene. Tim Southern seconded the motion and the motion carried unanimously.

The Executive Session ended at 8:35 and the regular council meeting reconvened at 8:36.

Sharon explains the council discussed the qualifications of the applicants they have received and some are more expensive than what the town can afford and then there are some candidates that are not fully qualified for the Public Works Superintendent position. The council would like to repost the position with lower qualifications. Mark suggests opening this position only to Whitman County, and placing it in the Spokesman and the local gazette. David Jones **MOVED** to repost the position as a Public Works Assistant and a co-operator to the current Public Works Assistant Brad. Sharon seconded the motion and the motion carried unanimously.

**FINANCIAL:**

Approval of Checks: Daymon Marple **MOVED** to approve the following bills presented to council for payment. David Jones seconded the motion and the motion carried unanimously.

Check Register # 11867-11872 PLUS EFTPS	Payroll: \$11,106.03
Check Register # 11873-11880 PLUS EFT DOR	Claims: \$9,134.23 Total: \$20,240.26

**ADJOURNMENT:** David Jones **MOVED** to adjourn the meeting at 8:40 PM. Sharon Schnebly seconded the motion and the motion carried unanimously.

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**Ray McCown, Mayor**

**ATTEST:** \_\_\_\_\_  
**Cody Lord, Clerk/Treasurer**

