

**Town of Garfield**  
**TOWN COUNCIL PUBLIC HEARING AND REGULAR MEETING MINUTES – FINAL DRAFT**  
**Town Hall – September 19, 2012**

**CALL TO ORDER:** Mayor Jarrod Pfaff called the meeting to order at 7:06 p.m.

**ROLL CALL:** Jarrod Pfaff, Larry Hunt, Daymon Marple, Tim Southern and Mark Young. Staff – Police Chief Joe Merry, Fire Chief Chris McCully and Clerk/Treasurer Annie Pillers. **ABSENT:** Sharon Schnebly and Tim Southern.

**GUESTS:** Susan Austin, Phyllis Austin, Garth Meyer-Whitman County Gazette, Bill Lawson, Carol Lawson, Lula Richards, and Emily Torrey.

**PUBLIC HEARING – Vehicle Abatement:** Mayor Pfaff opened the public hearing on the Greg Tuck vehicle abatement at 7:06 PM. Officer Joe Merry outlined the process to date: Officer Merry began verbal discussions with Mr. Tuck in early June about bringing 4 vehicles into compliance and continued talking with him weekly until July 22<sup>nd</sup> when he initiated a formal investigation and a case file was initiated. Mr. Tuck was given feedback on the need to improve the vehicles or move them out of town. Mr. Tuck was given until 8/9/2012 to correct the deficiencies and have a re-inspection. The vehicles were checked and were not fixed. At that point Mr. Tuck was served a notice and an itemized list to correct the problem. All the requirements of the ordinance were satisfied with previous owners and the landlord notified. 3 out of the 4 vehicles were either removed from town or fixed. The 4<sup>th</sup> vehicle is still in question. Reverse does not work so it still meets the criteria for a junk vehicle. Officer Merry noted Mr. Tuck was a no show and that his grandmother and girlfriend were here, a violation of the ordinance. 2 weeks ago the grandmother provided a tow and Mr. Tuck obstructed that process to get the vehicle off his property. Officer Merry indicated Mr. Tuck had had ample time to take care of it.

Officer Merry presented the following Findings of Fact:

#1 – the 1967 White/Blue Ford Pick Up License #A46928N is a junk vehicle.

#2 – Mr. Tuck is a no show for the hearing.

#3 – Mr. Tuck did not appear at the hearing or provide a written statement, and is the only one that can represent himself at a hearing.

He recommended the council issue a \$250 ticket if the vehicle was not moved by 6:00 PM 9/20/12.

The 1967 Ford is owned by Mrs. Richards' son. Mrs. Richards explained it has all original parts, a license, a title to it, and tags. The only thing it hasn't got is insurance, due to limited funds. The vehicle can go forward but not backward. There's a linkage problem. They had to get the Buick fixed first. Mrs. Richards said she has a place to tow it but needs one week to get it there. She needs someone to get it there. The pick up was moved out of town into a shop. Somebody was messing around with it here. Tony Hayes is the owner. Officer Merry explained it was hauled into Garfield when Mrs. Richards moved off the farm and they were told then not to haul it into town. Mrs. Richards said then it would only be a short time. 2 other vehicles have already passed inspection. Emily Torrey noted the truck is for storage and said they need one week. They possibly have someone to move it. Before when they had someone to tow it, Greg was having a hard time letting go of his truck. Mayor Pfaff asked Bill Lawson his thought. Mr. Lawson said he could deal with it if moved within a week. He noted they had trouble with moving the others and they had to do the 3 day notice. Mr. Lawson said he was willing to give them a chance if they would do what they say. If it's over a week and it's still there, it leaves nobody any choices, but to issue something.

Mayor Pfaff said the council wrote the ordinance for Officer Merry to do job and have to support him. Mrs. Richards noted there were 4 vehicles down the street that were junk. Officer Merry confirmed the department has a long list of other cars on its junk vehicle list. Officer Merry explained the 3 things for a junk vehicle for the 1967 Ford Pick Up. 1. 3 years or older; 2. Defective transmission; transmission is bad, the vehicle will not go into reverse so it can't operate legally on roads in the state of Washington; and 3. It's inoperable, because the whole vehicle has to operate legally on the roads of the State of Washington. He noted there's a 4<sup>th</sup> item that makes it a junk vehicle too, it's not insured.

Mrs. Richards said they were not driving the vehicle on the highway, and farmers don't insure vehicles they are not driving. Officer Merry noted even without the insurance issue, the vehicles still meets 3 of the junk vehicles requirements. Emily Torrey indicated she was okay with moving the vehicle but not by 6 pm the next day. Mark Young said in his opinion, Officer Merry had shown extreme patience and Mr. Tuck had ample time to comply with the law. He, in good conscious, he could not give more time to fulfill this. Mayor Pfaff closed the public hearing at and opened the regular council meeting at 7:20 pm.

Mark Young **MOVED** to support the proposed enforcement actions as outlined by Officer Joe Merry and accept the Findings of Facts as presented with the recommendation that Mr. Tuck be issued a \$250 ticket if the vehicle was not moved by 6:00 PM 9/20/12. Larry Hunt seconded the motion and the motion carried unanimously.

Officer Merry confirmed if it was not done by 6 pm, he would issue \$250 ticket and then have it towed at the owner's expense. Larry Hunt asked Mrs. Richards how far the vehicle had to go. She confirmed she had a place to take it in Oakesdale. Larry Hunt offered to meet her at 5 pm the next day and tow the vehicle to Oakesdale, free of charge. Officer Merry, Mrs. Richards and Emily Torrey then left the meeting.

**UTILITY HEARING:** Susan Austin and Phyllis Austin requested an extension in the payment of their utility bill. Susan Austin reported Phyllis's mom passed away in August and it was a troubling and confusing time. Phyllis had gone back to New Orleans and was finishing a job and planning to leave the first week of the month. Then the hurricane hit and she lost a week's work and without a final check, money was tight. Susan said she expects to be able to pay the bill by Friday when they get their social security checked but asked for an extension to Monday to avoid the water being shut off. Susan confirmed the payment was due this last Monday. Mayor Pfaff asked how many months this past year the account was not behind. Susan indicated none. They were struggling but trying to get caught up. She said they would have the bill paid in full and caught up by Monday. Susan reported she did pay \$96 this last week on the account. Annie Pillers confirmed the account was not shut off at any time this year and 3 times this year the account was caught up to being only one month behind. Mark Young **MOVED** to authorize an extension of 4:00 PM on Monday, September 24, 2012 for the Austin utility payment. Larry Hunt seconded the motion and the motion carried unanimously.

**APPROVAL OF MINUTES:** Larry Hunt **MOVED** the minutes of the public hearing and regular council meeting of September 05, 2012, be approved as written. Daymon Marple seconded the motion and the motion carried unanimously.

**PUBLIC WORKS REPORT:** Public Works Superintendent Perry Brown was not available for the meeting due to a family emergency. Larry Hunt noted the crew did a really nice job at TJ's. Robby Johnson swept the streets in Farmington. Larry Hunt was very impressed with Robby. Upon his return from Farmington he checked with Larry on anything that needed to be done. It was noted there was a broken stop sign at 4<sup>th</sup> and Adams. Council was very impressed with the work of both Perry and Robby. Council agreed the park gazebo/bandstand was looking great. Annie Pillers announced the Garfield Community Association had donated \$644 towards this project. A letter of thanks would be sent.

**3<sup>rd</sup> STREET OVERLAY:** Mayor Pfaff said he would be meeting with Ed Griner from Spokane Rock Products at 4 pm the next day. Stephen Bishop reviewed the letter from Keltic Engineering and it absolved them from any legality. Stephen Bishop recommended replacing the ramps otherwise it opened the town for something. It's a liability issue and currently they don't meet the project specifications. The town would not be paying for this; it would be part of the project. Council discussed what type of repair might be done, grinding, asphalt patch, etc.

**TOWN ENTRYWAY SIGNS:** Annie Pillers relayed that Bert Souders had asked about using the former Smokin' Papa's advertising signs placed at each end of town for promoting events in town. He proposed the signs be painted and used for special events, such as the upcoming Harvest Fest on September 29<sup>th</sup>. They would like put up a paper sign for this event, but get a more permanent lettering in the future.

Council was agreeable to this with the following stipulations – volunteers put them up, no religious or political event or advertising, and the signs come down within 24 to 48 hours after the event.

**SOIL REMEDIATION PROJECT:** Mayor Pfaff discussed the pending 3<sup>rd</sup> Street soil remediation project. He noted when the Department of Ecology (DOE) did the cost estimates they did not include engineering costs. The scope of the project has been reviewed and it has been determined that there is no diesel at Garfield Union, so the project will not go beyond that point. This brings the project down to \$44,000. The DOE is still dedicated to spending \$75,000 but the project is now estimated below that. Eric Hasenoehrl has met with the contractor and explained the revised project length to him. The bid has been revised based upon quantities. The contract is \$44,815. The engineering costs were originally \$19,600 but are now \$14,260. Larry Hunt **MOVED** to accept the revised soil remediation contract of \$44,815 with Western Construction & Excavation Inc., the revised Keltic Engineering proposal of \$14,260 and authorized the Mayor to sign the necessary engineering and contract documents to award and complete the project. Mark Young seconded the motion and the motion carried unanimously.

**OLD BUSINESS:**

**Fire Department:** Mark Young and Larry Hunt will be attending the next Fire District meeting. Mike Bagott, the Palouse Fire Chief would be attending upon Mark's invitation and that Stephen Bishop would also be attending. Mike Bagott may also bring a rural district member who originally had concerns about a joint board. Mark Young recommended the town go to this next meeting and share information. Mike Bagott could address how the joint fire board works and Stephen Bishop could address legal issues brought up by Fire District Commissioner Chuck Petras.

Fire Chief Chris McCully asked if the town would they be willing to upgrade its truck. Mayor Pfaff said yes, but it would have to be a discussion amongst all. Mayor Pfaff said he was not opposed to putting this option on the ballot for the people to choose.

Chief McCully updated council that 2 new members were joining and the department would likely need turnouts. One pair of turnouts is estimated at \$2,000. Council was agreeable to splitting with the rural fire district, the purchase of up to 2 pair of turnouts.

**NEW BUSINESS:** -

**1. Intergovernmental Committee:** Mark Young proposed the idea of forming an intergovernmental body with other agencies to provide interaction for discussing issues of common interest in the town. He noted it has worked in the past for other places. He said as the 2<sup>nd</sup> highest tax in county the council needs to do the best job it can with expenses, and the money the town collects. This group would include other entities that share in those tax moneys – school, county, park and recreation, cemetery, hospital district and the fire district. Mayor Pfaff noted he currently does that on an informal basis right now. He said it was not a bad idea to make it official and do it on a more formal basis with all parties at the same table hearing the same things. Daymon Marple suggested meeting quarterly. Larry Hunt agreed having all the bodies at one table, noting that what's important about public meetings – everyone hears the same questions, the same discussion and the same answers. Mayor Pfaff asked who would be on it. Mark Young suggested tabling the issue for now for others to talk about. Council agreed.

**FINANCIAL:**

**1. Approval of Checks:** Larry Hunt **MOVED** to approve the following bills presented to council for payment. Daymon Marple seconded the motion and the carried.

Check Register #10621\*

Claims \$47,876.79 Dated 9/6/12

Check Register #10629-#10635 plus DOR EFT

Claims \$26,203.00 TOTAL: \$74,079.79

\*Note Checks #10622-#10628 not yet listed represent 9/20/12 payroll.

**ADJOURNMENT:** Daymon Marple **MOVED** to adjourn the meeting at 8:00 pm. Larry Hunt seconded the motion and the motion carried unanimously.

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**Jarrold Pfaff, Mayor**

**ATTEST:** \_\_\_\_\_  
**Annie Pillers, Clerk/Treasurer**