

*Town of Garfield*  
**TOWN COUNCIL REGULAR MEETING MINUTES FINAL**  
*Town Hall – May 13, 2015*

**CALL TO ORDER:** Mayor Ray McCown called the meeting to order at 7:00 PM

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

**GUESTS** Peggy Ray, Cher Curtis, Scott Bowman, Trevor Yardley, Kaitlyn Peterson and Melody Jones.

Peggy explains the restaurant committee is completing phase one and will be open Saturday with coffee and cinnamon rolls and she has brought along a budgetary report. Everything that was contracted so far has been paid for. The second phase will be the kitchen items and will require Dept. of Health approval. They are in need of a plumber to hook up the mop sink and hand washing sink. David Ulrich will take care of the pipe that needs repaired. The third phase will require John Clancy to come and look at the heat pump and furnace. Only if it got really cold would they have to turn the furnace on. Depending on the repairs he suggests it will most likely require some pretty substantial fund raising. He hasn't provided an estimate yet. According to John there is no need for a heat exchanger in the hood system. There is a heat intake in the storage room which will eliminate the removal of hot air from the kitchen. He thinks we already have recirculation back into the space but that it wasn't turned on in the past.

Peggy Ray introduced Trevor Yardley and Caitlin Peterson who are here to talk about leasing out the restaurant and making a café again with a little bit of a mini mart and basic necessities in the front of the space, as well as, opening the bar back up. Trevor says he doesn't have a business plan fully completed yet but will have one by the next council meeting. Tim Southern asks have you done restaurant business before. Trevor confirms he has been in the restaurant business before, as well as, other management duties and also equipment repair. He will be able to do some of the repairs himself to help with the expenses.

Trevor thinks he will be able to start helping with the labor aspect of it as well. Peggy Ray said once Trevor and the restaurant committee get further along they can start to look at a lease. Mayor McCown said as far as he is concerned the committee is the group operating it now however before he would approve a lease there would need to be a bond set up for damage or removal of equipment or possibly a damage deposit. Tim explains as far as the lease goes, the PDA still exists and should be reactivated since they have more flexibility with the rent then the town would. Mayor McCown said the town would have to charge for the utilities but could possibly allow a couple months free or reduced rent to help someone get started. Tim suggest again it needs to be sent over to the PDA. Sharon Schnebly says the town is bound by other legal constraints that the PDA is not. Daymon Marple said there is no liability insurance for the group so they didn't want to remain on the PDA. Mayor McCown suggests Trevor work with the restaurant committee and get his plan together.

**APPROVAL OF MINUTES:** Sharon Schnebly **MOVED** to approve the minutes of the Regular Council Meeting April 22<sup>nd</sup> and Special Council meeting May 5th, 2015. Tim Southern seconded the motion and the motion carried unanimously.

**POLICE DEPARTMENT REPORT:** Chief Jerry Neumann and new Officer Joe Handley present.

Chief Neumann introduced the new officer and said he has been in training the past couple weeks. He is from Sedro Wooley. Joe is 25 and his wife is an English teacher and finishing up the school year over there. The new police equipment is working great. The department is geared up and ready for the May Day celebration. The Human Society annual contract is to be reviewed and renewed. With the new contract they can facilitate up to 18 dogs annually from both communities. It is about a \$1,000 a year. The new cameras provided video evidence of someone dropping off a box spring and mattress. Since then the person who dropped it off has picked the mattress back up to avoid a fine. Chief Neumann really likes what he sees with the cameras. Daymon asked do you have them in Palouse yet. Yes there are some but

Marcus is going to be down and look at some different sites such as the pool and the skate park. Daymon noticed they moved the stationary cop car and Chief Neumann said they will be moving it from time to time and that they are looking for a new mannequin.

**PUBLIC WORKS REPORT:** Robby Johnson present for the Public Works Department.

**Water**

- Chlorinator Pump on well #3 is installed and operating fine.
- Leak in alley way off 3<sup>rd</sup> street needs to be fixed.
- A new water meter was installed at the restaurant and is now operational.

**Sewer**

- The Bio-solids have been hauled to Spokane.

**Garbage**

- Everything in the garbage department is going fine.

**Park**

- A surveillance pole was installed at the park.
- The sprayer was purchased and just needs to be calibrated before use.
- The water fountain is on at the park.

**Streets**

- Barricades will be set out for May Day.
- The 3 big pot holes on California Street will be filled before May Day. Larry Palmer and Victor Cottrill will help with the project.
- Streets were swept today and will be hit again before May Day.

Robby informs council that Friday May 15<sup>th</sup> will be his last day with the Town of Garfield and thanks everyone for his time here and the opportunity to work with the town.

**OLD BUSINESS:**

**1. Animal Chicken Ordinance**

Mark Young was given the task of working on the chicken ordinance and to look at what Palouse had passed. For the most part he thought Garfield's ordinance met the town's needs. He didn't think adding a lot of language Palouse had was good for us. The one thing he was asked to take a look at was the addition of not allowing roosters in town limits which was not included before. Other classifications of animals could be included and would require written permission from the town council. Without any written permission the town may think about making these animals illegal within the town limits. Sharon said the peacocks can be extremely noisy. David Jones said I thought the existing ordinance said you had to go to your neighbors to get permission. Sharon clarifies this has to deal with zoning not the chicken ordinance.

Tim said he likes what has been added, we have always told people no roosters but it was never in the old ordinance. Cher Curtis asks will you grandfather in the people in town who already have these animals. Chief Neumann said in Palouse that no one was grandfathered in. Cher said what about the people who just moved here with the birds of prey. Mark explains they came to council to get approval and because they are expert handlers they were granted it. He explains the place that started this discussion has too many fowl and other animals. Daymon says he believes they have gotten rid of the turkeys since they were roaming, but now there are ducks and goats. Sharon questions, where does the Ag zoning come into this. Daymon brings up there are also some residents with horses and cows along with the Million's cows on the creek. Mark said the council will have to address each issue as they come.

Melody Jones said so you are really not going to change the current ordinance, it used to say residents could have up to 6 chickens. At one time council said you could have 10 hens but you would need your need your neighbors to sign off on it. As a newcomer she looked at the ordinance and was mystified about people being able to have a goat. Chief Neumann stated they are a

complaint based department and if there is a nuisance then under the new ordinance they would have to take action on it. Melody asks why add to an ordinance if you don't currently enforce the one you have in place. Mayor McCown clarifies they will only be adding what is highlighted.

Tim states that more and more people are starting to complain and with a complaint based police department we need to give them the tools to take care of the problems. The town tries to inform new residents when they move into town but not everyone follows the rules so then we are forced to take things case by case. Melody says it seems very black and white to her, if she had a goat she would expect the neighbors would complain. Cher says she agrees the ordinance is there but we are not enforcing it. Mark's opinion is that there are residents with too many animals. Cher asked will this be retroactive or will residents be grandfathered. Mayor McCown said I don't think anyone should be grandfathered. Sharon agrees saying you can't pick and choose.

Mark said a good example is the new residents with the birds of prey, they are experts in falconry so it was allowed by council so if someone else came in with the same qualifications we might consider it. Sharon says likewise if someone came and said I would like to have a falcon in my front yard without any experience, it probably wouldn't be allowed. Also the location of the animal makes a big difference, as the resident gets closer to the Ag zones council should have some lead way. Melody asks why ducks are on the list, they are not messy or noisy animals. Chief Neumann said they are very noisy animals and ducks are often kept inhumanly. David Jones said but if a person wants a duck and their proposal seems good then it should be approved. Mayor McCown said it would depend on the lot location and the space provided.

Tim said it doesn't matter how we write this ordinance, eventually someone else will come down within a year with different complaints. Mayor McCown said he knows there are at least 3 residents raising chickens for the eggs. Tim said it is hard to keep everyone in a small town happy while still maintaining the small town feel. If the town has to use a lot of police time then the small town feeling will be gone. Tim Southern **MOVED** to accept the language changes proposed to the Garfield Animal and Chicken ordinance and in addition give those residents in violation of the new ordinance 3 weeks to comply. Daymon Marple seconded the motion and the motion carried unanimously. Tim says he suggest after the ordinance is complete that residents in violation be notified by mail.

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

Mayor McCown said this ordinance is for old cars parked on the town's right of way. Sue Love came in and complained about all the vehicles around town just left in the town right of way. Chief Neumann said there is a state RCW that Spokane put into place about 6 months ago and this language is real close to what they have. Tim wonders about the determining of what is right of way for the town and ask Chief Neumann if the language clear enough or do you need to define it more. Chief Neumann said most people know what the right of way is. Mayor McCown said it is the inside of the sidewalk to the inside of sidewalk and that most pole lines are two feet inside the right of way.

Sharon said there are also some snowmobiles in the right of way, is the town waiting on Stephen to write another one that pertains to old junk in the right of way. Mayor McCown said the one place that really bothers him is Spokane Street down from the swimming pool. The guys that owns the manufactured home has about 8 cars there and there are two truckloads of junk and it is all on that right of way. Tim sees this as a potential problem since the driveway continues to his back property. Since there are entrances on both sides it becomes a gray area. Mayor McCown said that road is the only access for that piece of property. Tim wonders how you tell him it is a problem when he has been using it forever and it has never been a problem. Mark thinks they should hold off on this matter until after reviewing it further. Mayor McCown believes most everyone knows where their property lines are. Sharon sees another potential problem being several properties have no sidewalks so the right of way might not be easily determined. Mayor McCown said they

would table this matter until the council has more time to review the language and make sure it is suitable.

### **NEW BUSINESS:**

#### 1. Road Grading and Oiling for 2015

Mayor McCown said Cody wrote a letter to the County Road Department asking them for the use of their grader to grade the dirt roads around town before having them oiled. Last year the town oiled almost all of the roads but just a few remote and untraveled roads. Jefferson didn't get done and a couple up on the hill didn't get done. Tim said in the past there is a rotation to alter the roads to get completed, every year high traffic dirt roads get done and then less traveled roads rotate every other year. Scott Bowman said Spokane between eighth and tenth has never been done. Mayor McCown said it wouldn't do any good to put it on there because it was covered with chips. Scott wonders if maybe grading would help. Mayor McCown said the chipping job they did was horrible and the chunks were too large. Eventually a TIB grant will need to be secured to have it overlaid.

#### 2. Public Works Superintendent Job Opening

Since Robby Johnson will be vacating the Public Works Superintendent position the town is needing to start looking for new candidates. One candidate so far has some pretty good qualifications. Mark asks Mayor McCown what the process is for hiring. Mayor McCown said the position was posted in the Lewiston/Clarkston paper and the Moscow/Pullman paper without much response so Cody posted the position in Spokane, as well as, the AWC database. Daymon asks would Andy O'Neil know anyone that may be looking. Council suggests having Cody send him an email and see if he may have some leads for the position. Sharon said there is also a guy from Pasco that has been running a plant. Tim said yes he appears to have more qualifications than what we need since he has experience with large plants and has been in management for quite some time. Scott Bowman suggested since council was talking about personnel issues they should be doing it in Executive Session. Mark agreed and elaborated on his question, once we have a pool of candidates how does the town go about making a hiring decision and who is in on the interview? Mark ask can we make recommendations and then you hire. Mayor McCown thinks it is fine if any council member would like to sit in on the interview process. Cody will let them know as they are scheduled.

#### 3. Late Fee Charge Adjustment

Cody explains a Garfield resident claims they didn't get an invoice or it was possibly lost in the mail and they would like to have the \$10.00 late fee reversed. Sharon says she has had that same issue where her mail got put into another box, however this bill comes to the residents each month so it is an ongoing bill that they can expect the same time each month and pay the same time each month and for this reason the late fee shouldn't be refunded. The council was unanimous in saying the \$10.00 late fee should not be reversed.

### **FINANCIAL:**

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

Check Register # 11837-11840 PLUS EFT DOR  
Check Register # 11835-11836  
Check Register # 11841-11866

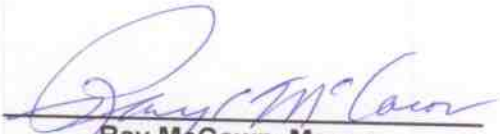
Payroll: \$8,515.80  
Claims: \$7,189.99  
Claims: \$30,252.23 Total: \$45,958.02

**ADJOURNMENT:** Tim Southern **MOVED** to adjourn the meeting at 8:02 PM. Sharon Schnebly seconded

the motion and the motion carried unanimously.

ATTEST:

  
Cody Lord, Clerk/Treasurer

  
Ray McCown, Mayor