

Town of Garfield
PUBLIC HEARING AND TOWN COUNCIL MEETING MINUTES
May 26, 2010

CALL TO ORDER: Mayor Jarrod Pfaff called the meeting to order at 7:00 p.m.

ROLL CALL: Jarrod Pfaff, Andrew Flodin, Larry Hunt, Daymon Marple, Tim Southern and Rob Watkins. Staff – Public Works Superintendent David Ulrick; Town Attorney Stephen Bishop, Police Chief Jerry Neumann, Clerk/Treasurer Annie Pillers. Guests: Brian Conklin, Genna Palmer and Larry Palmer.

PUBLIC HEARING – Olsen Annexation : Mayor Pfaff opened the public hearing at 7:00 PM. The Mayor confirmed this was a small piece of land next to Bishops' Orchard where land was annexed 2 or 3 years ago. No public comment was received. The Mayor closed the public hearing at 7:01 pm and opened the regular council meeting.

NEW BUSINESS:

1. Ordinance No. 385N – Olsen Annexation: Andrew Flodin **MOVED** to adopt Ordinance No. 385N annexing certain unincorporated portions of the East Half of Section 32, Township 18 North, Range 45 East, W.M. Daymon Marple seconded the motion and the motion carried unanimously.

2. Temporary Quarters: Genna Palmer and Larry Palmer addressed council. Genna Palmer talked about putting a temporary structure on the lot next to her parent's house. She said she would like to stay in the community while she finishes her degree, however with her part-time work she cannot afford an apartment of her own. She noted the property already has water, sewer and electricity from when there was a trailer on the site before. She showed council a copy of the proposed structure – a 399 square foot lake cabin. Larry Palmer explained he was looking for options for Genna and for use of his property. The mayor noted as the current ordinance stands mobile homes are required to be no less than 5 years old and no less than 1000 sf. It was noted this is a recreational structure. It was noted in the past council had been approached about other structures that did not meet these requirement and were denied. However, Larry Hunt noted they were not asking on a temporary basis. Stephen Bishop said on a temporary basis, 2 or 3 months, this would not affect the comp plan or use in zoning. It was confirmed the Palmer's were thinking more like 2 years. Stephen Bishop said that would require a change in the ordinance. Rob Watkins said he hoped ordinances that had passed since being on council, would be upheld later in the future, just as ordinances passed by previous councils would be upheld now. Checking the zoning further it appeared the proposed site was in FI-2, not FI-1 and would allow residential uses. There was discussion of the definition of a recreational vehicle and whether it could be lived in. The age and dimensions of the structure were discussed further. Mayor Pfaff noted to change the ordinance would require it go before the planning commission and back to the council, and could take up to 9 months. Larry Palmer talked about the freedom to use his own property. In further discussion, Larry Palmer proposed an RV Park with 3 sites on the property, making it a business. Genna's site would be the manager site. It was agreed, in FI-2 this would fall under a general commercial purpose permitted outright. Council was supportive of the RV Park proposal, noting this would be good for the town as well. Mayor Pfaff noted this was the fastest option and legal. Genna Palmer and Larry Palmer left the meeting.

APPROVAL OF MINUTES: Rob Watkins **MOVED** the minutes of May 12, 2010, and May 25, 2010 be approved as written. Tim Southern seconded the motion and the motion carried unanimously.

PUBLIC WORKS: David Ulrick updated council on the following:

- 1. Water Meter Replacement** - 11 water meters have been changed.
- 2. NPDES Permit** - DOE accepted the NPDES (wastewater plant) application.
- 3. Waterline Repair** - Upon Perry's return from vacation the 2" water line in front of Cathy May's will be replaced. The line is off to the edge of the street. There will have to be a cut on 5th Street to get to the valve near the fire hydrant.

4. Grader Repair - The grader was not acting quite right. When Dave took the screen out of it, he found a half of a snap ring. He thinks it probably came out of a torque converter. There is no snap ring in the transmission. He got quotes from Modern machinery: \$805.73 to disassemble, inspect, and reassemble the torque converter in the shop. This quote did not include parts. Another quote of \$3,395.61 was quoted to travel down, remove the torque converter and bring it back to the shop, return the machine and reinstall the converter. This quote did not include parts or labor. Hussein Tractor quoted \$68 an hour (less as 15% town discount) but could not provide a time or parts estimate. It was agreed based upon the weight of the unit and the complexity of the repair and access, the town would have this repair job done through a shop. Dave would get additional repair quotes. Larry Hunt suggested contacting Phil Gage in Princeton.

5. Ford PU Repair - Dave had a price \$79 for the grill and \$69 for the headlight. Mayor Pfaff authorized this repair.

6. 2-Week Project Schedule - Dave provided council with his 2-week project schedule. He noted this list included projects that would take more than 2 hours. He said these would have to be worked in with normal schedule. Mayor Pfaff said this was more of what he wanted.

7. Yellow-tinted water - Daymon Marple asked about the yellow-tint in his water. It was agreed this occasionally happens and sometimes is because of pipe sediment being stirred up.

8. Resolution 2010-16 Declaring Wheel Horse Tractor Surplus: Mayor Pfaff asked how often the wheel horse tractor is used. Dave Ulrick indicated it mostly takes up space and the last time it had been used was about 5 years ago for the 3rd Street ship and seal project. Rob Watkins asked if the trailer goes with it. Dave indicated no. The trailer is used every fall. Larry Hunt **MOVED** to adopt Resolution 2010-16 declaring the Wheel Horse Tractor surplus property. Daymon Marple seconded the motion and the motion carried unanimously.

POLICE DEPARTMENT: Police Chief Jerry Neumann updated council on the police department activities and provided the Garfield Activity Log. He noted May Day went great with coverage including Reserve Officer Terry Snead. Chief Neumann discussed some recent issues in the city park with juveniles – assaults, rock throwing, stick throwing, harassment. He would like to consider expulsion from the park in those situations. He noted that use of parks is a privilege. Other ideas discussed included the idea of community service, but without adjudication, it was not likely. Chief Neumann noted a parent can direct a child to clean up paint, etc. Chief Neumann and Town Attorney Stephen Bishop would research issues related to expulsion and adjudication. Daymon Marple asked about a curfew or a timed light that shuts off at 10 pm. It was confirmed there was no curfew but the Mayor could declare the park closed at night with posting, etc. Additionally, Chief Neumann noted the problems occurring are not happening at night. Chief Neumann briefly addressed the maintenance issue with the Crown Victoria and battery problems. Police Chief Neumann left the meeting.

NEW BUSINESS - Continued:

3. 2nd Street Pay Request No. 3: Mayor Pfaff reviewed the 2nd Street Pay Request No. 3 with council. This pay request is for a total of \$8,552.70, with a 5% retainage. It was confirmed Change Order Number 3 was previously approved by council. Tim Southern **MOVED** to approve Pay Request No. 3 in the amount of \$8,552.07 with 5% retainage for a net of \$8,125.07. Andrew Flodin seconded the motion and the motion carried unanimously. Annie Pillers noted this 3rd payment request to M&L Construction will likely be paid between council meetings.

4. 5th Street Closure: On behalf of the Garfield Community Church, Pastor Brian E. Conklin asked that 5th Street between California and Union Street be closed from 4:00 PM to 6:00 PM Monday – Friday, during the week of Vacation Bible School (VBS). He noted that folks who live on the North side of the church come around the other side. Council had no concerns and consensus was granted to close California Street for those 2 hours during VBS.

6. Addition of Lawn Category to Public Nuisance Ordinance: Daymon Marple proposed an additional section in the public nuisance ordinance that would address lawn or grass not mowed. He noted the existing public nuisance ordinance addresses tin cans, flies, insects, site storage, etc., but not lawns. He said lawns in excess of 12 inches high that never get mowed, catch his attention. He read his proposed addition, noting lawn or grass that exceeds 12 inches attracts mosquitoes, rodents, mice and rats. It also

devalues the property of neighbors trying to sell their property. He proposed a conviction with increasing fines. Council agreed one of the issues would be how the term lawn is defined. Stephen Bishop agreed. Larry Hunt said lawn should be defined by the area directly around a house, but not a pasture area. Stephen Bishop noted similar ordinances in both Oakesdale and Endicott, but that enforcement is difficult. It was agreed council did not want to get into the lawn mowing business. Larry Hunt **MOVED** that council look into adopting a lawn and grass section as part of the public nuisance ordinance. Daymon Marple seconded the motion and the motion carried unanimously. Stephen Bishop would provide copies of the ordinance from Oakesdale and Endicott.

APPROVAL OF CHECKS: Larry Hunt **MOVED** to approve the following bills presented to council for payment. Tim Southern seconded the motion and the motion carried unanimously.

Check Register #9493-9497 Payroll: \$5,032.07

Check Register #9498-9504 Claims: \$8,096.76 TOTAL: \$13,128.83

EXECUTIVE SESSION: Larry Hunt **MOVED** to go into Executive Session for personnel – employee performance review, for approximately 45 minutes when the council will reconvene and close the meeting with no additional matters to be discussed or decided upon. Andrew Flodin seconded the motion and the motion carried unanimously. Annie Pillers left the meeting at 8:25 pm. The council reconvened at 8:40 pm from executive session.

ADJOURNMENT: Daymon Marple **MOVED** to adjourn the meeting at 8:40 PM. Larry Hunt seconded the motion and the motion carried unanimously.

Jarrold Pfaff, Mayor

ATTEST: _____
Annie Pillers, Clerk/Treasurer