

**Town of Garfield**  
**TOWN COUNCIL**  
**REGULAR COUNCIL MEETING**  
**April 12, 2023 - 7:00 PM**  
**405 W California St.**

**ROLL CALL:** Mayor Pfaff, Council Members: Neal Leon, Craig Mitzimberg, Roni Mundell, Connie Schaut and Tom Tevlin (telephone). Staff: Clerk/Treasurer: Cody Lord  
Public Works: Shon Clark Absent:

**REGULAR TOWN COUNCIL MEETING:** Regular Meeting was opened at 7:00 pm.

**INTRODUCTION OF GUEST:** Cande Hasenoehrl, Missy Cochran and Eric Hanson

Cande Hasenoehrl is in attendance to ask the town for assistance in taking down a tree that is half on pool property and half on town right of way. Cande said the property has been surveyed and a pin is visible showing the exact property line. There is a tree that is dead inside and will likely start causing issues soon. The park and recreation group got several bids with Strunk's being the most reasonable at \$5,500 to take it down and grind the stump. Cande believes it is in everyone's best interest to have the tree removed.

Eric Hanson explains the tree is on a city right of way which the adjacent property owner is responsible for maintaining, therefore just because the tree is in a city right of way doesn't require the town to take it down. Mayor Pfaff said the rule has always been that trees in a city right of way are the responsibility of the adjacent property owner. Two other homeowners in the past couple of years had come to town hall asking the same thing and both were told no, the town would not assist. Neal Leon thought because the tree was on town property that the town should be assisting the park and recreation with taking it down. Neal questioned if someone were to get injured because of the tree, where that liability would fall?

Mayor Pfaff said he would advise that they don't cost share the removal of trees. In addition, there is the question of how the town uses public funds and the responsibility to make sure the use of public funds is appropriate and even in its application. Eric said due to the nature of the space and use, if the town elected to move forward with assistance, possibly an interlocal agreement could be utilized. Cande said she appreciated the time and consideration. Neal Leon **MOVED** to provide financial support to Garfield Park and Recreation to assist in removing a dying tree. The motion was not seconded, and the motion failed.

Roni Mundell asked what if the tree is dead on the inside and later due to a weather event falls on someone's property and causes damage. Eric said again the adjacent property owner bears the responsibility of maintaining trees. Tom Tevlin said, likely if the tree was maintained, the insurance company would cover the cost of the damage.

However, if the tree was not maintained and fell causing damage, insurance could deny any such claim for damages.

**APPROVAL OF MEETING MINUTES:**

Connie Schaut **MOVED** to approve the minutes of the Regular Council Meeting March 22, 2023. Craig Mitzimberg **seconded the motion, and the motion was carried unanimously.**

**POLICE REPORT:**

Marshal Handley was present for the meeting and said all and all it has been quiet, with only 4 calls dealing with civil issues. Marshal Handley said he would like to have the minutes reflect that a council member continues to have an animal issue. Several complaints have been received against Mr. Leon and the collection of cats hanging around his house and traveling to neighboring houses, causing damage to their property. A citation has already been issued at the property and the problem persists. He suggested giving a date of May 1<sup>st</sup> to get the situation into compliance.

Neal said that he has traps but would like to address who is the animal control person in town. He would like to know what the responsibilities of this person are. Marshal Handley explained the rules are written in the Town codebook. He said he is close to issuing his second ticket and if the issue persists, a third ticket would mean all animals could be removed from the household. Neal questioned the amount of the first ticket and asked why it doubled from what the code book says. Marshal Handley explained the State of Washington and/or county can also include fees for handling the ticket.

Mayor Pfaff suggested giving Neal Leon one month to resolve the issue. It was determined that May 12<sup>th</sup> will be the new deadline for resolving the cat issue. Mayor Pfaff also instructed Neal and Marshal Handley to get together and discuss what needs to be done to come into compliance. Mayor Pfaff said this is the number one complaint that he receives, and the issues need to be remedied. Other folks in town have also been warned to stop feeding/harboring stray/feral cats or they will receive citations also. Currently, those folks Marshal Handley has talked with are cooperating and attempting to alleviate their feral cat issues.

**FIRE DEPARTMENT REPORT:**

The department purchased quite a few items this month to stay in compliance so the expenditures are a little higher than usual.

**PUBLIC WORKS REPORT:**

**Water**

Everything is operating as normal.

**Sewer**

The sewer plant is operating as normal.

**Garbage**

Everything is operating as normal. All town clean up went great with no issues and only a few items left that couldn't be taken. The compost bins have been getting filled at a good clip and taken away.

**Streets/Park**

Restrooms are turned on and open and they will be cleaned later today. Shon was able to find a stub line for the sprinkler system by the basketball park. Likely, it would require tunneling under the current sidewalk or removing a section of the walking path and replacing it once installation was done. The county will be coming to chip seal the roads with the TIB grant funds this June and they will be scheduled soon to have the dirt roads graded in preparation of oiling. More dirt is arriving for the RV park.

Neal Leon exited the council meeting at 7:25 pm.

Mayor Pfaff said there were two bids received for the water line replacement from south 4<sup>th</sup> street to the sewer plant. Palouse River Rock bid it at \$53,626 and Slocum Excavation bid it at \$28,132. This is a line that breaks every year and is continuously repaired. The new line should only take a couple of days to replace. Likely the line will be replaced with 4" within the town boundary and then reduce to a 2" inch beyond town limits. Currently the product in the ground is a thin walled glue together PVC and would be changed out to a 4" poly with compression fittings at the joints. Craig Mitzimberg **MOVED** to approve the Slocum bid for the water line replacement from south 4<sup>th</sup> St. to the WWTP. Connie Schaut **seconded the motion, and the motion was carried unanimously.**

Concerning the irrigation bid at the park, Mayor Pfaff said Aqua Lawn provided a second portion of their bid for \$6,750 which includes the sprinkler installation at the city park. If they must return later, there is no guarantee that this bid amount would stay the same. Craig said if the park doesn't get water in this area, it will continue to be weedy and dusty. Craig Mitzimberg **MOVED** to approve the bid for \$6,750 to have Aqua Lawn complete the basketball irrigation installation. Roni Mundell **seconded the motion.** Connie Schaut was a Yea vote and Tom Tevlin was a Nay vote. The motion passed.

#### **NEW BUSINESS:**

Mayor Pfaff said the street levy collected in 2022 was \$66,500. Street expenses for 2022 were \$73,000. Historically they have only raised the street levy by \$1,500 annually to keep up with rising costs. Mayor Pfaff said he would suggest not raising it much higher than \$68,000 in the coming year. Connie Schaut **MOVED** to approve raising the street levy amount for collection in 2023 to \$68,500. Craig Mitzimberg **seconded, and the motion carried unanimously.** Cody will have an updated resolution to sign at the next council meeting.

Larry Hunt provided a bid for sterilizing and fertilizing town grounds. This would be a similar service to what he has provided in the past. The total bid comes to \$3,069. Craig Mitzimberg **MOVED** to approve Larry Hunt to fertilize and sterilize town property. Roni Mundell **seconded the motion and the motion carried unanimously.**

Connie Schaut **MOVED** to approve payment of bills. Roni Mundell **seconded the motion, and the motion was carried unanimously.**

Payroll: Checks 15628-15635 Plus EFTs; EFTPS, AWC, DRS	Total =\$16,975.40
Claims: Check 15636-15654	Total =\$23,409.94

Total Claims and Payroll: \$40,385.34

**ADJOURN:**

Roni Mundell **MOVED** to adjourn the meeting. Connie Schaut **seconded the motion, and the motion was carried unanimously.** The council meeting was adjourned at 7:46 pm.



\_\_\_\_\_  
Jarrod Pfaff – Mayor

**ATTEST:**

  
\_\_\_\_\_  
Cody Lord – Clerk/Treasurer