

Town of Garfield
TOWN COUNCIL
REGULAR COUNCIL MEETING
February 24th, 2021 - 7:00 PM
405 W California
Public Phone in Option: 1-419-455-1204 PIN: 973 067 229 #

CALL TO ORDER: Mayor Pfaff called the meeting to order at 7:00 pm.

ROLL CALL: Mayor Pfaff, Council Members: Neal Leon, Jesse Parkins, Mike Olsen, Cande Hasenoehrl and Tom Tevlin, Staff: Clerk/Treasurer: Cody Lord, Public Works: Shon Clark, Marshal's Office: Joe Handley Absent:

INTRODUCTION OF GUEST: Josh and Kyra Hightree
Mayor Pfaff said the council will run through the normal business items and then come back to the planning and zoning items for Josh and Kyra.

APPROVAL OF MEETING MINUTES:

Cande Hasenoehrl **MOVED** to approve the minutes of the Regular Council Meeting February 10th, 2021. Mike Olsen **seconded the motion and the motion carried unanimously.**

POLICE REPORT:

Marshal Handley provided a written report to the council. He would like to remind everyone that during tax season, many scams start to show up, and asks to get the word out to people to be mindful so they don't fall into any tax scams.

Mayor Pfaff said Marshal Handley would like the council to take another look at the fines for animal violations. The mayor remembered that in years past, the county had asked them to move the fines up to at least \$100, as it is not worth the court's time to address otherwise. Discussion took place to try and figure out a fine fee schedule that would work both for the town and the county court process. Cande was in favor of Marshal Handley reaching out to the person in violation first and give them a verbal warning and pass along to them the amount of the penalties if future issues arise. Neal Leon was in favor of the town keeping the rate structure as it currently is written.

Cande suggested if the town were going to make a revision to the fee that it be \$75/\$150/\$250. Marshal Handley was making a request for the fines to be increased to \$100/\$250/\$500 and then if a violator was still not taking care of the issue, the animal could be taken and handled in an appropriate manner. Marshal Handley wrote 1 dog citation last year and 3 peacock citations. Mike Olsen said he was fine with the amounts that Cande had proposed and questioned if a cat is taken into custody and the town currently doesn't license cats, how will the town know who to get in contact with to make sure a pet is not being taken from someone's possession. Marshal Handley will hold the pet for 72 hours and then the chronic nuisance and abatement process will begin. Cande Hasenoehrl **MOVED** to change the penalty amounts for cats and dogs to

\$75 for the first offense, \$150 for the second offense and \$250 for the third offense. Jesse Parkins **seconded the motion and the motion carried.** Neal Leon was a Nay vote for increasing the penalty amounts.

PUBLIC WORKS REPORT: Shon Clark for Public Works

Water

Everything operating as normal.

Sewer

Everything operating as normal.

Garbage

Everything operating as normal.

Streets

There has been quite a lot of time spent doing snow removal.

Neal said in the future, any rock that is delivered to town needs to have a scale weight ticket with the final invoice. Cande pointed out with Jesse Parkins now being part of the council, it is very important to make sure that two bids are attained before making a rock purchase, the only exception to this is if there is an emergency situation in which you can't wait for the second bid and you must have the product here now.

OLD BUSINESS:

- Hightree's Zoning and Animal Density

Mayor Pfaff introduced Kyra and Josh Hightree to the council and said they submitted a letter of plans for their family farm they would like to start in the Agriculture zone within the town limits. Mayor Pfaff explained the first paragraph in Josh's letter was slightly incorrect, that the current ordinance says you can have one hooved animal within an acre as long as there is 15,000 grazeable square feet on that property. For example, 9 acres equals 9 animals. On an acre or under you are allowed three non-hooved or 3 fowl and anything over an acre you are allowed up to a total of 10 non-hooved animals or fowl.

Mayor Pfaff stated that he wasn't intending on having answers to all the questions tonight but wanted to give the Hightrees time to talk through their plans and have the council clarify anything they need answered. The first topic was fencing. An exception would be granted to allow the Hightrees to put a single strand hotwire inside a perimeter fence on the property. Josh asked if this perimeter fence was just on the town side or west side of the property, as the eastside would not be a traveled fence line. Tom Tevlin said he was good with a total perimeter fence line on the outside of the single strand hot wire since that was the way it has been allowed in the past. Cande said it clearly states that it is illegal to use hot wire within town limits, so if this is the provision they have provided in the past, then that is the way it should be handled going forward. Tom said since they are in town limits and this is the way that the ordinance states, he would suggest them doing all perimeters with outside fencing.

Josh and Kyra explained to council that they are trying to start a business and keep the people of Garfield in mind when dealing with things like density and smells. They are trying to make decisions that are economically sound for them while starting this

business. Josh understands that the rules currently say there is no hot wire allowed in town but said that his plan is safe and adding a perimeter fence would add almost a mile of additional materials that should not be required. He believes the council should possibly take up the old ordinance and revise it to accommodate current safety standards. He reminds council this will not be a high-powered electric fence. Cande said the council understands the financial challenges that this will present them, but that ordinances are written for a reason and if something of this nature is allowed for one person, then it has to be allowed for all. Cande is in favor of leaving the ordinance in place and requiring a perimeter exterior fence outside the electric or hot wire. Tom said he could see a perimeter fence required on the westside but then have language that requires perimeter fencing on the eastside if neighbors ever take up residency. Neal Leon said he knows why this language was put in place and that it dates to when the town didn't want to be surrounded by animals. There was supposed to be small ranchettes with allowance for a few family farm animals for things like school projects, but the intent was to have agricultural production in the county not in town limits.

Josh and Kyra talked about the products that they would like to harvest and sell to other members of the community. Cande thinks that most people currently commute to town daily and shop in town. She wonders how many actual customers will come from town. Tom asked if they would even be able to sell unpasteurized milk and Josh said they could if they were certified and authorized.

Mayor Pfaff said he would like to continue onto the density of animals that the Hightrees were presenting for the property. Josh opened by saying he provided a document to be forwarded onto the council members to talk about the densities and how many animals could be properly handled on the property. Josh and Kyra said their research has shown that they could support up to 1,000 broilers for 6 acres. They wouldn't likely have this many but maybe start with 2 batches of about 500, they are raised and slaughtered within a 7-week period. They ideally would like to get to 1,000 broilers but that might take a bit. Neal asked what the plan would be if disease comes through their stock and Hightrees responded they will be working with officials for health and nutrient plans.

Mayor Pfaff said the current position on pigs, is there are no pigs allowed in town limits and even having one pig would require special approval. Josh said the pigs would be by themselves and up in the draw and that the current density rate they researched is 3,000 to 6,000 lbs. per acre and there are 1.3 acres in the draw, stating that 20 pigs could be housed in that amount of space. Jessie Parkins asked if this 1.3 acres was in addition of the 6 acres to be used by the broilers. The Hightrees are thinking they would likely start with 2 pigs in 2021 and maybe increase to about 6. Tom said he would need to do some of his own research and see how much space is needed for 20 pigs, he thinks this size of land for 20 seems too small.

Excluding the 1.3 acres devoted to the pigs, they would be grazing cows and chicken on the remaining 8.9 acres. The cows are dairy cows and they currently have two but that is not enough to keep up with their needs. The milking facility that they are building can service up to 20 cows and if they could attain more acreage, they would like to scale up. Marshal Handley said that he never gets complaints about cows but pigs and chickens, he always receives complaints on for these animals. Mayor Pfaff asked about the

butchering of the chickens and the Hightrees said they would be applying for the permit that allows them to freeze the chicken whole, so it doesn't require a butchering permit/plan. Mike Olsen asked where the chicks would come from and they responded they will be mail ordering them.

Mayor Pfaff said he wanted to be very clear that even if the current council were to approve a variance for this farming arrangement, a new council/administration could revoke this permission since the density and pigs are not currently allowed. All it would take is one complaint from a citizen and then the town would need to address the complaints. Kyra asked if there were other options that haven't been talked about that could be explored? Mayor Pfaff said they should explore purchasing some land in the county. It might be a cheaper and safer option than trying to make the town conform to what they are attempting to do with the property. Mike asked about ag tourism at the site. At the Planning and Zoning zoom meeting the Hightrees had mentioned they would like to have an agricultural tourism part of the business at this location. He wonders if they could talk about this some. Josh said their main focus would be to focus their production from the farm for local residents of the town. They anticipate they will be so busy with the farm work that likely they won't have much time to be open to the public. If anything, guests would be mostly family friends that are interested in coming to help them with chores on the farm. Mike wanted to clarify that they wouldn't be adding any structures to the property and Josh and Kyra responded they need a new barn and there are planning to expand the home some to accommodate their growing family.

NEW BUSINESS:

FINANCIAL: Approval of checks

Tom Tevlin **MOVED** to approve payment of bills. Mike Olsen **seconded the motion and the motion carried unanimously.**

Payroll: Checks 14642-14645 Plus EFTPS	Total = \$11,852.86
Claims: EFT Dept of Revenue	Total = \$2,542.19
Claims: Checks 14646-14652	Total = \$5,043.51

Total of Payroll & Claims = \$19,438.56

ADJOURN:

Cande Hasenoehrl **MOVED** to adjourn the meeting. Jesse Parkins seconded the motion and the motion carried unanimously. The council meeting was adjourned at 8:27 pm.


Jarrod Pfaff - Mayor

ATTEST:


Cody Lord - Clerk/Treasurer