

# Town of Twisp

## Council Minutes – 7/9/19

Mayor Pro Tem Smith called the meeting to order at 5:32 p.m.

Council Members present: Alan Caswell  
Aaron Studen  
Hans Smith

Council Members absent: Mark Easton  
Hannah Cordes

### **Pledge of Allegiance:**

Council Member Caswell led the Pledge of Allegiance.

### **Additions/Deletions to the Agenda:**

N/A

### **Public Comment:**

Mark Edson wanted to thank Mayor Pro Tem Smith for listening to him during a past Council Meetings discussion on the Zoning Ordinance Amendments. He was grateful for the chance to give his feedback on changes that needed to be made. He also is concerned that the Right of Way Procedures are more like eminent domain. He feels that the town has lived 122 years without needing to have it and doesn't think we need it now. He is also concerned about the protected wellhead that is near the property where Trango has a lease to park their vehicles. He was issued a letter several years ago from the Department of Ecology about certain activities being prohibited since his business is in the protection area. He is curious to hear about the rooster part of the agenda since he knew in the past of a resident having a rooster.

Leone Edson would like to request that Council Meeting packets be made available to the candidates that are running for Council and Mayor positions. She feels it would be nice to have them provided instead of having to make a request each week for them. She said it would help to follow along during the meeting.

Heidi Appel wanted to ask that we think about a new process for Council Meetings and minutes. She thinks that since no one is taking minutes, then the meetings must be recorded, and they should be uploaded online and available for anyone to listen. It would also be convenient if they were live-streamed. She stated that she is a single working mom and she would like to be at home getting dinner on the table and it would be convenient to listen from home. She feels that if they are recorded and posted online there would be more transparency and you could hear all of the conversation not captured in the minutes. She feels it would help citizens understand what is going on in local government. Mayor Pro Tem Smith commented that the meetings are not recorded except for scheduled Public Hearings, and that there is, in fact, someone taking the minutes.

Don Linnertz is here representing TwispWorks and the Chamber of Commerce and wanted to show his support of the Creative Arts District. He feels that it would benefit the current arts and cultural part of

Twisp as it relates to being the Heart of the Methow Valley. He's asking that we don't ignore it and support the application process to become a Creative Arts District.

**Mayor's Report:**

Mayor Pro Tem Smith reported that The Twisp Wastewater Treatment Plant is receiving the 2018 "Wastewater Treatment Plant Outstanding Performance" award. Of approximately 300 wastewater treatment plants statewide, ours is one of the 109 that achieved full compliance with its National Pollutant Discharge Elimination System permit in 2018. This is the third consecutive year we have received this award.

**Staff Reports:**

Chief Budrow reported that the 4<sup>th</sup> of July Parade went well with no major problems. Most of the issues they saw were with local and not tourists.

Director Denham reported that he received a letter from the Department of Ecology to offer a funding package of \$112,810.00 to upgrade the first component of the Wastewater Treatment Plant. It is a much-needed upgrade that will benefit residential, commercial and industrial users.

He stated that last month he sent a letter asking for assistance to the Army Corp of Engineers for help with river stabilization projects. There are two main areas within Town limits that need help in protecting: the Twisp Park and the Community Covenant Church.

He also reported that the County Chip Seal project has started on East County Road and is being completely funded by TIB. In the next few weeks it will get swept and striped.

The Canyon Street Project started yesterday. He contacted every homeowner and business on the affected street to keep the lines of communication open. He feels this should be complete in about 40 working days.

**Commission/Committee/Board Reports:**

N/A

**OLD/NEW BUSINESS:**

**Discussion/Action: Amendment – Right of Way Procedures:**

Council Member Studen moved to approve Amended Right of Way Procedures. The motion was seconded by Council Member Caswell and passed unanimously.

**Discussion/Action: Creative Arts District – Lead Agency:**

Council Member Caswell moved to approve the Town of Twisp working with Methow Arts to pursue the Creative Arts District, with the concept of the town as the lead agency. The motion was seconded by Council Member Studen and passed unanimously.

**Discussion/Action: Planning Commission Recommendation to Chapter 18.60 TMC – Adopting Updated Section 5 Resource Lands, Critical Areas, and Shorelines:**

Council Member Studen moved to approve the Planning Commission Recommendation to start the 60 day review of Chapter 18.60 TMC – Adopting Updated Section 5 – Resource Lands, Critical Areas, and Shorelines. The motion was seconded by Council Member Caswell and passed unanimously.

**Discussion/Action: TranGo Ground Lease:**

Director Denham responded to the earlier Public Comment made about the Protected Wellhead at the location where the TranGo Transit Busses are kept. He stated that the parking is approximately 200-250 feet from the well and 6-8 busses park there at most. He stated that the annual testing of the well has come back ok, there is no concern of contamination at this time. Council Member Studen reported that this is a temporary measure until TranGo can find a permanent fixture in the area.

Council Member Caswell moved to approve the Ground Lease Agreement between Town of Twisp and Okanogan County Transit Authority (TranGo). The motion was seconded by Council Member Studen and passed unanimously.

**Discussion/Action: Jolley Property Purchase:**

Vaughn Jolley has offered to sell a piece of property to the Town for the assessed value net of all closing costs. The property is Lot 13 of the Isabella Long Plat No. 1 – parcel 5070001300. Council Member Studen said he doesn't see the Town's advantage in purchasing the property other than for a trail that runs through it. Mayor Pro Tem Smith stated that he isn't sure why the assessed value is double for 2020. He said that the trail on the property is used as a trail by town citizens so it would be nice to have it for public access. Since Vaughn Jolley was not present at the meeting the Council would like to table the discussion for future conversation.

**Discussion/Action: Vacation Carryover – PW Director:**

Director Denham is requesting to carry over 111 ½ hours of unused vacation time to the following year. He stated that he's struggled with staffing this year and with not being able to take time off and would like to be able to use it in the future as staffing allows.

Council Member Caswell moved to approve Director Denham's request for vacation carryover of 111 ½ hours. The motion was seconded by Council Member Studen and passed unanimously

**Discussion/Action: Land Use – Animals:**

Chief Budrow gave a brief summary of what has transpired in relation to the topic for discussion. The Twisp Police Department received a complaint of a rooster crowing in a neighborhood within town limits. The Police Department went to investigate and cited the citizen for having a rooster. The citizen, Irina Vodonos requested an appeal and stated that the rooster is her husband's emotional support animal. In the code, only a dog or small pony is listed for the approved type of an emotional support animal. The matter was taken to Municipal Court with Judge Ebenger and he concluded that since roosters are prohibited animals by the Land Use section of the code, he could not make a ruling on the matter. Chief Budrow stated that he can enforce it under the nuisance code, but the original complaint was about a rooster and not the noise. His concern also is that if he allowed a prohibited animal as a support animal, then others would expect the same and he doesn't want it to get out of hand.

Council Member Studen feels that the community would support allowing roosters in the Town limits. Mayor Pro Tem Smith disagreed and thinks there are parties on both sides that would have differing opinions.

Irina asked for permission to comment during the discussion. Prior to having the rooster, she asked the residents in the neighborhood if they objected to the rooster and she stated that no objected. She said that she feels that the neighbor is only complaining about the rooster once their relationship deteriorated and he is upset that they no longer help him with daily tasks. She said that her husband loves his rooster and has a meaningful relationship with it and would be devastated if he had to get rid of him. She is not asking for the Town to rewrite the code; she is asking for an exception in her case.

Mayor Pro Tem Smith doesn't feel that the Council has the ability to unilaterally change the code in a single Council meeting. He believes that the proper forum for amending the land use section would be through requesting a recommendation from the Planning Commission, including holding Public Hearings. He would like to wait to take action and table the discussion to allow fellow Councilmembers to talk to their constituents and decide if the Council would like to seek a Planning Commission recommendation to somehow allow roosters in this type of instance.

**Consent Agenda:**

- Accounts Payable/Payroll

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the Town Council. The following voucher/checks are approved for payment by a majority vote on this 9th day of July 2019.


Accounts Payable	EFT# 1549-1551	1146.42	7/9/2019
Accounts Payable	Warrants #1552-1589	33899.94	7/9/2019
Payroll	EFT# 1474-1498, 1500-1501, 1505-1510 Warrants 14419, 14422-14429	59973.23	7/9/19

Council Member Studen moved to approve the consent agenda as presented. The motion was seconded by Council Member Caswell and passed unanimously.

**Adjournment:**

There being no further business to come before the Council, Mayor Pro-Tem Smith adjourned the meeting at 6:53 pm.

**APPROVED:**

  
 \_\_\_\_\_  
 Mayor Pro Tem Smith

**ATTEST:**

  
 \_\_\_\_\_  
 Clerk/Treasurer Randy Kilmer