

CITY OF MERRILL  
REGULAR BUSINESS MEETING  
Tuesday, February 10, 2015  
6:00 P.M.

**MEETING CALLED TO ORDER:**

The meeting was called to order at 6:03 p.m. by Mayor Tim Saunders. The flag salute immediately followed.

**ROLL CALL:**

Roll Call was taken with the following members of Council being present:

Mayor Tim Saunders, Councilor Smith, Councilor Lesh, Councilor Carleton and City Recorder - Oma Rowley.

Absent: Councilor Taylor

**NEW BUSINESS:**

- South Central Oregon Regional Solutions Coordinator – Susanna Julber - postponed

**OLD BUSINESS:**

- **Final Hunter Communication Revised Franchise Agreement**

Hunter Communication provided a revised Franchise Agreement as per notated comments by City Attorney. The Hunter Communication Franchise agreement was readdressed and was approved in a motion by Councilor Smith with a 2<sup>nd</sup> by Councilor Carleton. All members present voted Aye and the Motion carried. An Ordinance will be on the March 10, 2015 agenda.

**CONSENT AGENDA:**

1. **Minutes Approval for January 13, 2015**

A motion was made by Councilor Carleton to accept the January 13, 2015 minutes. There was a 2<sup>nd</sup> by Councilor Lesh. All members present voted Aye and the Motion carried.

2. **Business Rental License/renewals:**

2015 – Business Rental License as per report:

The City Recorder provided the revised December 2014 Business License list with corrected business “types”.

A motion was made by Councilor Carleton and a 2<sup>nd</sup> by Councilor Smith to approve the Business licenses list for January 2015 and the Revised December 2014 Business license list.

### 3. Ratify Phone polls:

- Accounts Payable 1/27/15
- Mia's & Pia's one-day Business License – Crab Feed
- Bills for approval: Accounts Payable – 2/9/15 check run approval

Councilor Smith made a motion to approve the Accounts Payable for 1/27/14, the one-day Business License for Mia & Pia's and the 2/9/15 Bills for approval. There was a 2<sup>nd</sup> by Councilor Lesh. All members voted Aye and the Motion carried.

### **ACTION ITEMS/GENERAL BUSINESS:**

#### **RESOLUTIONS:**

- ~~#2014~~**#2015-718 Funds transfer January 2015 General Fund to Water/Sewer Fund for Payroll Taxes for the Police Department**

Resolution ~~#2014~~ #2015-718 was read in title, open for discussion (Recorder explanation) and re-read title. A motion was made by Councilor Smith and a 2<sup>nd</sup> by Councilor Carleton to approve Resolution #2015-718 for the January Police Dept payroll tax Funds transfer. All members voted Aye and the Motion carried.

- ~~#2014~~**#2015-719 Monthly authorization to transfer Payroll Taxes-Police Department from General Fund to W/S Fund**

Resolution ~~#2014~~ #2015-719 was read in title, open for discussion (Recorder explanation) and re-read title. A motion was made by Councilor Lesh and a 2<sup>nd</sup> by Councilor Carleton to approve Resolution #2015-719 for Monthly authorization to transfer Payroll Taxes-Police Dept payroll tax Funds transfer. All members voted Aye and the Motion carried.

#### **RECORDER'S REPORT:**

The Recorder's report was presented by the City Recorder.

Accounts Receivable

Bank Balances

ACH detail/POS detail

Payroll

SEI Reminder

City Council Rules – City of Merrill were distributed as a refresher

The Recorder's report was approved with a Motion by Councilor Smith and a 2<sup>nd</sup> by Councilor Carleton. All members present voted Aye and the Motion carried.

#### **PUBLIC WORKS:**

Absent. No report submitted.

#### **POLICE:**

No thefts reported so far this month. The Duck hunter trailer was recovered. Officer Srch has been actively involved in ongoing local theft investigations. Marshal Bicknell will be at the CIS Police Officer training in Portland at the end of the month. CIS pays all with the exception of the Meals per diem and gas. 2009 Charger-Police vehicle inoperable and undergoing diagnosis.

**LAWYER:**

Legal Advisor, Mel Ferguson was not requested to attend this meeting.

**CODE ENFORCEMENT:**

- Stan Hinton announced his desire to resume the Volunteer position of Code Enforcement Officer for the City of Merrill. Councilor Smith made a motion to appoint Stan Hinton to be effective immediately as Volunteer Code Enforcement Officer. There was a 2<sup>nd</sup> by Councilor Carleton. All members present voted Aye and the Motion carried.

**Planning Commission Recommendation to Council for Council to decide:**

*Councilor Carleton summarized 73.06 stating that there should be a \$25.00 permit fee for trucks & vans allowing parking for up to a week. There was discussion of the Marshal/Officer noting qualifying trucks/vans as they drive their routes and that the Code Enforcement Officer could then post a notice at the applicable residence informing of the \$25.00 fee.*

1. **James Jeffs**, 131 West Court Drive, temporary storage unit/dry van. Councilor Carleton stated that this is a Council decision and not Planning Commission. Council discussion followed with a decision to allow 30 days to remove the dry van off property. The City Clerk will send a letter to Mr. Jeffs notifying of the March 10, 2015 removal deadline. A motion was made by Councilor Smith to remove the trailer within 30 days with a 2<sup>nd</sup> by Councilor Carleton. All members present voted Aye and the Motion carried.
2. It was also noted that there is a non-compliant trailer on a neighbor's property. This request has been postponed until the February 10, 2015 Council meeting to allow time for the Planning Department to review the charter/ordinances zoned Residential and to make a recommendation to Council. The Resident, John Heim, was present and that the storage can would be gone this weekend.

**(2) Dangerous Buildings: Owners to Address Council**

- **Shelly Matson – 134 Second Street** dangerous building has exceeded the 90 day proposal date for compliance and a formal letter was sent requiring attendance at the February 10, 2015 Council meeting to discuss intentions with the governing body.

Ms. Matson addressed Council and agreed to the following:

1. To clear yard limbs and yard debris within 30 days (by March 10, 2015)
  2. To attend the March 10, 2015 Council meeting to provide Council with an update on the house removal. Stan Hinton, Code Enforcement Officer, reminded that a permit is required to remove the house and that the proper Klamath County Departments (Assessor, Building Depts, etc.) will need to be contacted.
- **Mary White – 304 Second Street** dangerous building exceeded the 90 day proposal date for compliance and a formal letter was sent requiring attendance at the February 10, 2015 Council meeting to discuss intentions with the governing body.
    1. Mary White was a No Show.

2. Mary White did not pick up the certified letter
  3. Marshal Bicknell recommended to Council to move forward with the \$1000 citation. A motion was made by Councilor Carleton to issue a \$1000 citation. There was a 2<sup>nd</sup> by Councilor Smith. All members present voted Aye and the Motion carried.
- **Rayas, 425 Front Street.** At the January 2015 Council meeting the RV was occupied and the Council approved a \$1000 citation. However, Marshal Bicknell announced that he did not issue a citation; he spot checked during the month and it no longer seems occupied.
  - **NEW: Merrill Feed & Grain ownership** – Council decision as this property is quickly becoming an attractive nuisance. Notice to abate will be sent to the party responsible for the current lease.
  - Marshal Bicknell reviewed the updated Code Enforcement spreadsheet distributed 2/6/2015.
  - Marshal Bicknell also discussed that the Abney property survey lines go through existing items on the lot and that he made a call to the Property Management Company making them aware prior to the property auction.

#### **PLANNING**

- Planning Commission - Broyles lot line adjustment recommendation. Councilor Carleton reported that Broyles/Sheets were informed of the property line requirements being within 3 ft. of property-garage building. The City has not seen the appropriate paperwork for the lot split which should be needed prior to Klamath County being able to finalize.

#### **PUBLIC COMMENT:**

- None.

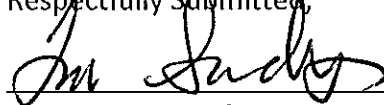
#### **OTHER:**

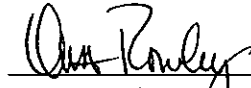
- Resident, Dennis Trimarchi, complimented the Code Enforcement efforts and expressed his appreciation and commented that these types of improvements will increase property values. He also asked Council about their approach of attracting new businesses to Merrill.
- John Heim asked about fencing requirements and was informed that a front of property fence can be 4 ft. while a side-of-property fence can be up to between 6 ft-8 ft. with Council approval.
- Mayor Saunders announced that he will be taking a "lead" position in the Planning Commission instead of Commissioner of Planning. There will be a new appointment of Planning Commissioner at the March Council meeting.

**ADJOURN:**

The meeting was adjourned at 7:08 p.m. in a Motion by Councilor Lesh and a 2<sup>nd</sup> by Councilor Smith. All members present voted Aye and the Motion carried.

Respectfully Submitted,

  
\_\_\_\_\_  
Mayor Tim Saunders                      3/10/15  
Date

  
\_\_\_\_\_  
Oma Rowley - City Recorder                      3/10/2015  
Date