

CITY OF MERRILL  
REGULAR BUSINESS MEETING  
Tuesday, May 10, 2016  
6:00 P.M.

**MEETING CALLED TO ORDER:**

The meeting was called to order at 6:09 p.m. by Council President, Melody Smith.

**ROLL CALL:**

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

Councilor Lesh, Councilor Taylor, Councilor Carleton, Councilor Smith and

City Recorder - Oma Rowley

Absent: Mayor, Tim Saunders

The flag salute immediately followed.

**NEW BUSINESS:**

- Council President introduced the "Art of Survival Century" 3<sup>rd</sup> annual bicycle ride set for Saturday, May 28, 2016. Veterans Tribute (hosted by the City of Merrill) is the first rest stop in the morning. Mayor Saunders will be attending the rest stop and will have fruit for the cyclists. Umpqua Bank will be providing cups.
- Reviewed the email from the City Recorder to OLCC for a temporary alcohol permit (commercial zone permitting) confirming that Dollar General located at 800 W. Front Street is located within a Commercial zone that allows alcohol sales.

**OLD BUSINESS:**

- Stan Hinton, Code Enforcement Officer, provided an update to Council on the piece of land (drive strip) between Wildgoose and Merrill Motel. Acting on the authority of Council, the City Recorder contacted Amerititle for a title search of parcel R-4110-011AB-00200-000. Brenda Rodriguez, Amerititle - Title Officer, sent the Recorder an email message stating that the property was obtained by Klamath County through remapping in May 31, 1996, and that the KC Tax Collector, Rafael Hernandez, took possession per Stan Hinton. Stan asked the Council if the City is interested in obtaining the 24'w x 55'l strip from Klamath County. Council was in favor of Stan working with the KC Assessors office on a simple title transfer. Councilor Taylor is the Commissioner of Streets and should be included. A motion was made by Councilor Taylor in favor of having Stan work with the Assessor in obtaining a simple title transfer from KC to Merrill. There was a 2<sup>nd</sup> by Councilor Carleton. All other members present voted Aye and the Motion carried.
- Sick Leave Donation Policy (Resolution 2016-748) was presented by the Recorder and discussed by Council. Section III - Qualifications were not agreed upon. President Smith stated that she would like a chance to amend the policy. The Sick Leave Donation Policy will be back on the agenda for the June 2016 Council meeting.

- Klamath Interoperability Radio Group (KIRG) intergovernmental agreement between Klamath County and “participants” (one of twenty-two) Merrill Police Department was once again discussed by Marshal Bicknell. During the April 12, 2016 Council meeting, Marshal Bicknell had discussed in detail KIRG materials distributed to Council with April 8, 2016 pre-meeting packets. Marshal Bicknell asked Council for approval to be the signer of the KIRG agreement. Councilor Carleton made a motion approving the KIRG agreement and approving Marshal Bicknell to be the signer of the agreement for the Merrill Police Department. There was a 2<sup>nd</sup> by Councilor Lesh. All other members present voted Aye and the Motion carried.

#### **CONSENT AGENDA:**

##### **1. Minutes Approval for April 12, 2016**

A motion was made by Councilor Taylor to accept the April 12, 2016 minutes. There was a 2<sup>nd</sup> by Councilor Carleton. All other members present voted Aye and the Motion carried.

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

The April 2016 list of Business License fees were approved in a motion by Councilor Smith and a 2<sup>nd</sup> by Councilor Lesh. All other members present voted Aye and the Motion carried.

##### **3. Ratify Phone polls:**

AP approval: Accounts Payable

- ❖ 4/25/16 \$13,170.10 *Approved 4/25/2016 by Councilors: Lesh, Smith & Taylor, mailed 4/25/16*
- ❖ United Family Fellowship dba Fairhaven 2016 weekend business day license \$10 for selling Mother’s Day Flowers May 7-8, 2016 *Approved 4/20/16 by Councilors: Lesh, Smith and Carleton*

Councilor Carleton made a motion to approve the ratification of the 4/25/16 Accounts Payable and the weekend business license for selling Mother’s Day flowers. There was a 2<sup>nd</sup> by Councilor Lesh. All members voted and the Motion carried.

- **Bills for approval:** Accounts Payable 5/10/16 check run approval \$6,916.68. Councilor Carleton made a motion to approve the 5/10/16 bills to pay. There was a 2<sup>nd</sup> by Councilor Taylor. All members voted Aye and the Motion carried.

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

##### **ORDINANCES:**

- **0510-2016 Klamath Interoperable Radio Group ( KIRG) Formation**  
Council was provided a copy of the ordinance in their pre-meeting packets on April 8, 2016 and again on May 5, 2016. All Council members present were confirmed to have read the ordinance prior to the beginning of the Council meeting on May 10, 2016. Ordinance 0510-2016 was read by title, open for discussion (none) and re-read by title. Councilor Carleton made a motion approving Ordinance 0510-2016. There was a 2<sup>nd</sup> by Councilor Taylor. All members voted Aye and the Motion carried.

## **RESOLUTIONS**

- **2016-747 Fund Transfers to Reserves per FY 15/16 Budget Law**

The City Recorder explained that funds had been budgeted during the FY 15/16 budget process within the General Fund - Police Department budget to be transferred from the General Fund checking to the Police Reserve account for future equipment/vehicle purchases. Also within the Water/Sewer budgets, added service fee revenues and rate increase revenue, if collected, would be transferred to the Water/Sewer Reserve account. Resolution 2016-747 was read by title, open for discussion (none) and re-read by title. Councilor Carleton made a motion approving Ordinance 0510-2016. There was a 2<sup>nd</sup> by Councilor Lesh. All members voted Aye and the Motion carried.

## **RECORDER'S REPORT:**

The Recorder's report presented by the City Recorder included:

Accounts Receivable

Bank Balances

ACH detail

Payroll

City Attorney 4/25/16 invoice was reviewed

Revised budget calendar

FY 14/15 Audit (Romig) is pushed from May 24 to June 24, 2016

Councilor Taylor made a motion to approve the Recorder's report. There was a 2<sup>nd</sup> by Councilor Lesh. All members voted Aye and the Motion carried.

## **PUBLIC WORKS:**

- See PW Director's report for May 2016 - attached to minutes.
- The PW Director stated that "No Tuck Parking Signs" **would not be** placed in front of the old butcher office on Front Street (near Martin's grocery) as he feels that ODOT would object and there is not enough cause to defend it.
- The PW Director referred to a letter received from Parks & Ratliff – Attorneys at Law regarding the water rights of the City of Merrill with the Van Brimmer Ditch Company. The letter dated April 12, 2016 was a notice of forfeiture of water rights of 76.71 acres of ground water from the Van Brimmer Ditch. The letter assumes that the City of Merrill will take all necessary steps to irrigate the Van Brimmer ground with sufficient frequency that the City will not lose the right to Van Brimmer water. Brian O'Connor leases the property with the City of Merrill that can use that water right and he will talk to Bill Beasley to find out if he can take point of delivery at Lost River.

## **POLICE:**

- Marshal Bicknell reported that there has been a domestic situation and noise complaint. He also reported that traffic citations have increased. Due to the local PP&L flaggers, drivers have become impatient.

**LAWYER:**

Not requested to attend.

**CODE ENFORCEMENT OFFICER REPORT: STAN HINTON**

- **The April 2016 Code Enforcement Councilor Report** was distributed with pre-meeting Council packets and reviewed by Stan Hinton in the meeting (see attached).
- **Map of town address discrepancy as per 911 location inquiry.** Stan reported that (14) discrepancies on just two streets have been identified. The map has both odd and even street numbers on the same side of the street. With Council's permission, Stan will go to the Assessor's office to see if the Assessor's office has the correct addresses. Stan suggested that a memo be mailed with water bills about number changes. There are a total of 155 incorrect house numbers. Numbers are not matching Google. Stan states that Water Street does not exist so he will check on that as well.

**PLANNING – Commissioner Carleton**

- **Origis Solar Energy Update (Carleton)**  
The staff report is being finalized by both the City Attorney and Origis Energy. Once the staff report has been revised there will be another meeting of the Planning Commission to approve. Since this is a zone change, Type III review, another public hearing will be published in the paper and adjoining land owners contacted for a Council hearing. The record will be opened at the Council hearing for a period of time. The timeframe is thought to be either the July meeting or a special meeting called.
- Councilor Carleton has had an initial conversation with Dollar General Developer, Robert Vann, about development of the remaining 6 acres into apartment housing.

**PUBLIC COMMENT:**

None

**OTHER:**

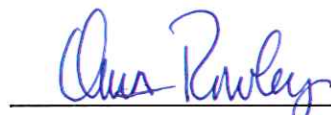
None

**ADJOURN:**

The meeting was adjourned at 7:35 p.m. in a Motion by Councilor Smith and a 2<sup>nd</sup> by Councilor Carleton. All members present voted Aye and the Motion carried.

Respectfully Submitted,

  
\_\_\_\_\_  
Council President, Melody Smith      Date 6-14-16

  
\_\_\_\_\_  
Oma Rowley – City Recorder      Date 6/14/16