

CITY OF MERRILL
SPECIAL BUSINESS MEETING MINUTES

Friday, May 18th, 2018

6:00 P.M.

Meeting held at the Merrill City Hall, 301 E Second St Merrill, OR

MEETING CALLED TO ORDER:

The meeting was called to order at 6:00 p.m. by Mayor Carlson.

ROLL CALL:

Roll call was taken with the following members of Council and others being present: Councilor Smith, Councilor Lesh, Councilor Taylor (absent), Councilor Carleton (absent), Mayor Carlson, and City Recorder Rayna Hernandez. Mayor Carlson wanted the record to show Joe Spendolini is participating via cell phone.

FLAG SALUTE:

The Flag Salute immediately followed with Mayor Carlson asking Councilor Lesh to lead it.

MAYOR'S STATEMENT:

"To avoid meeting disruptions, please place cell phones on silent mode during the meeting. All meetings are recorded. When addressing the City Council, please state your name and speak clearly."

PUBLIC COMMENT:

The public is invited to provide their comment and opinion to the City Council at this time on issues of their concern. Non-emergency issues brought up in this forum will not be considered tonight other than in this preliminary discussion, but if found to be warranted, may be considered at a future meeting of the City Council. Public comment is limited to five minutes per person. No public comment followed.

NEW BUSINESS:

1. Report on Cable Plant Committee meeting with interim attorney.
 - The Cable Plant Committee met on May 16th to develop recommendations for City Council which were (1) accept Hunter Communications ownership claim to offer to provide high-speed service but hold them to enforceable timelines; (2) defer the issue and ask Klamath County to potentially deliver clean title to the cable plant; or the recommended hybrid resolution which would (3) affirm City ownership allowing a Cable Plant Custodian to begin work now in parallel with an effort for the County to potentially deliver clean title. A cable plant resolution was introduced to be considered for a vote.
2. Confirm phone pole and potentially declare Merrill Cable Plant to be condemned, with ownership being assumed by the City of Merrill.
 - Affirmed.
3. Consider proposals for Cable Plant Custodian and potentially award the position to a vendor.
 - Custodianship is granted to Fire Serve, LLC based upon sole proposal. Stipulated in proposal, if Fire Serve decides to install infrastructure, materials are installed at companies own risk due possible ownership challenge.
4. Consider findings encountered during Cable Plant background investigation and potentially authorize an audit of all telecommunications franchisees operating in the City.

- Mayor Carlson read Merrill Cable Plant Resolution 18-05-01. Councilor Smith made a motion to approve the Merrill Cable Plant Resolution 18-05-01. Councilor Lesh made a motion to 2nd the resolution. Mayor Carlson made a motion in favor of the resolution. 3-0 in favor, the motion passed.

OLD BUSINESS:

1. Potentially Approve Enterprise Zone Resolution with full attachments.
 - Councilor Smith made a motion to approve the Enterprise Zone Resolution with full attachments. Councilor Lesh 2nd the motion. The motion passed 2-0 in favor.
2. Potentially Grant Landscape Maintenance Easement to ET Capital based on revised Legal Description.
 - The concern was raised that if the property was sold, the easement became null and void at the City's option. Mayor Carlson read the revised verbiage.
 - Councilor Smith made a motion to approve the Grant Landscape Maintenance Easement to ET Capital based on the revised legal description with easement provided in the attachment. Councilor Lesh 2nd the motion. The motion passed 2-0 in favor.

OTHER – ADDRESS ITEMS FOR FUTURE AGENDAS:

1. City Recorder Hernandez submitted Resolution 2018-760 before the City Council. The resolution stated monies had been misdirected in error and were to be transferred to the correct fund(s).
 - Mayor Carlson executed Resolution 2018-760 as an Executive Action to be approved and vote upon. The resolution will be addressed during the June 12, 2018 Council Meeting.
 - Councilor Smith made a motion to approve Resolution 2018-760 authorizing the Common Council of the City of Merrill to transfer funds to comply with Budget Law requirements. Councilor Lesh 2nd the motion. The motion passed 2-0 with the clarification of Executive Action to be formalized on June 12, 2018.

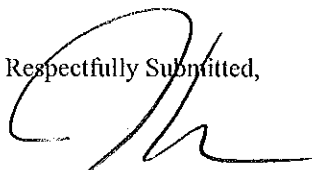
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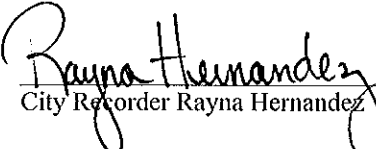
ADJOURN:

Councilor Smith made a motion to adjourn. Councilor Lesh 2nd the motion. With all in favor, the meeting adjourned at 6:15 p.m.

Respectfully Submitted,



Mayor Bill Carlson Date 21 JUN 18



City Recorder Rayna Hernandez Date 6/20/18