

CITY OF MERRILL
REGULAR BUSINESS MEETING

Tuesday, March 14, 2017
6:00 P.M.

MEETING CALLED TO ORDER:

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

ROLL CALL:

Roll Call was taken with the following members of Council and others being present:
Councilor Carleton, Councilor Lesh, Councilor Smith, Mayor Saunders and City Recorder - Oma Rowley
Absent: Councilor Taylor

The flag salute immediately followed.

NEW BUSINESS:

FY 17/18 BUDGET COMMITTEE CITIZEN MEMBERS and BUDGET CALENDAR:

1. Lee Harris – 1 year term (renewed from FY 16/17)
2. Teresa Perry – 1 year term (renewed from FY 16/17)
3. Bill Howard – 3 year term (2 years remain)
4. Joanne Johnson – 3 year term (2 years remain)
5. Sharon Lowrie – 3 year term (sabbatical 2nd year)* Bill Carlson to fill in?

The City Recorder asked Council if they would like to replace Sharon Lowrie for this year and have four citizen members or if they would like to add a member. Councilor Smith indicated that she would be okay with four citizen members. Councilor Carleton suggested that Bill Carlson* be considered to fill the appointment of Sharon Lowrie for this year. The City Recorder stated that she would contact Mr. Carlson to establish interest and mentioned that if a new citizen member joins the Committee, a Budget Orientation meeting will be provided to allow the new member an opportunity to familiarize to the budget process. The orientation is available to all budget committee members. The City Recorder reviewed the 1st and 2nd budget meeting dates scheduled for two Tuesdays: May 16th and May 23rd. There were no other questions or comments about the budget calendar.

Salary schedules based on years of experience/Performance Evaluations and FY 17/18 assigned rates of pay for each staff:

Years of Experience/Salary schedules, provided in pre-meeting Council packets, were reviewed for the following positions: City Clerk, City Recorder, Officer/Patrolman, Marshall/Chief, PW Director and Utility Worker. Councilor Carleton stated that every Department Head and Supervisor had reviewed their salary schedules and the schedules are suggestions and a place to start. Councilor Carleton stated that it took him 2 hours to put the schedules together. Councilor Smith and the City Recorder reiterated that an amendment is needed for the City

Recorder's schedule correcting the example for an AA degree with 4 years of experience from \$18 to \$19 and also to correct a Bachelor's degree plus 4 years of experience from \$19 to \$20. The City Recorder stated that she will amend the schedule with the aforementioned corrections. Mayor Saunders pointed out that for existing staff with certifications, education and experience following these schedules would bump some staff beyond what the schedule would provide. The City of Merrill has been underpaying based on other Cities. Councilor Smith stated that the schedules seem fair to her and that some of the increases equate to 5-6% increases. Councilor Carleton said his thought was to determine where the existing employees are on their respective schedules and then to place each employee, with the exception of the PW Director who is already at the top of the schedule, at the next step of the schedule above their current rate. Councilor Smith expressed agreement with Councilor Carleton. Councilor Carleton used the City Recorder position and years of service plus education as an example to calculate where the increase would be for the upcoming year. Based on the example of \$18.50 currently which falls between level 4 or 5, if using level 5 at \$18.75, a normal increase would be to \$19.50 + \$2.00 for BS degree would equate to \$21.50/hour. Example two, for the Marshal, would be 10+ years at level 7 with intermediate certification would bump to level 10. The position pay levels are the topic currently and not current staff. Counselor Carleton stated that at \$24.50 + intermediate certification would add \$1.25 and eliminated the basic certification which would total \$25.75 and with experience would be nearly a \$5/hour raise to the top of the levels. The thought is to place staff on the schedule where appropriate this year and next year the rate would be assigned at the next level. The Marshal suggested that the years of experience be replaced with ranges. Councilor Carleton replied "No", this is for new staff being hired. The PW Director addressed Council by stating that the Marshal salary has exceeded the Public Works Director who has had less years of service and he expressed that the PW Director salary structure does not seem fair for the level of responsibilities of PW Director. Councilor Carleton stated that the discussion should be whether or not the salary schedules should be adopted or not tonight. The Mayor asked Council to provide all staff salary increases to the Budget Officer within one week so that the budget process may begin. It was agreed by Council that Department Heads will meet with their supervisors to discuss their respective pay levels for their staff. It was agreed that pay levels would be recommended to go to budget by Council because individual's pay cannot be discussed during budget deliberations.

A motion was made by Councilor Smith to approve the salary schedules as proposed with the exception of amendment to the example on the City Recorder pay level sheet \$18 > \$19 and \$19 > \$20. There was a 2nd by Councilor Carleton. All other members present voted Aye and the Motion carried.

Temporary Permits:

Councilor Carleton described a temporary use permit and explained this type of permit is for less than 30 days; example would be for parking lot sales (like Nellie's when located at the corner of Main and Front Streets, trailer sales or the Taco Truck), farmer's market sellers, etc. This type of permit is separate from a business license and would need to be on file with the required form to be signed by the property owner giving permission to use the property, providing proper insurance certificate, parking requirement conformity, water/sewer usage, etc. This process would protect the City also. Council asked the City Recorder to provide a copy

of the Development Code for Temporary Permits (Pages 4-58 through 4-60) at the next Council meeting in April 2017. A permit form will need to be developed. Council will make a decision on whether to enforce this permit process and Temporary Use Permit form once Council has had time to review the Development Code.

Pacific Power Quote for LED Street light replacements:

The City Recorder met with the Business Manager from Pacific Power and was presented with a PacificCorp Customer Cost Estimate of \$41,245 including labor and materials for the removal and replacement of 89 HPS to LED Street Lights. The change out would include: (66) 100 w, (20) 200w, (3) 250 w at an approximate cost of \$465/light depending upon watt ratings. The City would need to maintain the LED lights instead of having PPL maintain. Councilor Carleton said that he would be interested in LED lights and he would like a private company quote from Winema or Ed Patt to install and maintain and thought that LED lights would give much better lighting for the Streets. The PW Director will work with Cindy Taylor (Streets) for additional quotes.

SEI letter with deadline April 15, 2017

The City Recorder reminded Council that the window for the electronic filing of SEI statements begins on March 15, 2017 with a deadline of April 15, 2017 without penalty and reminded to print the confirmation for proof of filing is required.

The Community Fund \$125K

The third revenue source from the Solar Project is identified as the \$125K Community Fund. There were shared ideas shared about what to do with this revenue source. Councilor Carleton stated that this fund would be money received instead of tax dollars. Since this revenue would be money coming into the City in place of tax revenue that the City should control the funds. The City could take input from the Community but the City would control it since it would revenue made from the solar generating property. Councilor Carleton asked if the funds have been received. The City Recorder stated that, per the City Clerk, the Solar 5 conditions prior to construction have all been met and that setting up the \$125K fund was part of those conditions. The City Recorder will research current status. Councilor Carleton directed that the money should be received first and then the City will deal with fund logistics.

The City Recorder mentioned the Merrill Project Team, comprised of several business owners, City Recorder and PW "Director, Lee Harris, Katie Jameson, a Resource Assistant for Rural Environments (RARE) student, Lions Club and Bev Moore who have been meeting regularly to form a project wish list for Merrill. One project in the discussion and development stage is a Welcome to Merrill sign. Projects like this sign might be something that qualify for the use of the community funds. Other projects like the business-front hanging baskets are other examples. Councilor Carleton thought the funds should be invested to collect interest and perhaps use interest off the account. Before funds could be distributed, Council members would need to identify the investment and spending strategies.

Romig Engagement letter for FY 15/16 audit and list of Audit Items:

The City Recorder distributed copies of the FY 15/16 Audit Engagement letter and the list of audit items received from Tom Romig, Auditor on March 14, 2017. The engagement letter requires signature by the Mayor. The Audit quotes for FY 15/16 and FY 16/17 are \$9,650 and \$10,000 respectively. The FY 15/16 audit is scheduled to begin May 1, 2017.

OLD BUSINESS:

- The FY 14/15 amended Romig Audit Engagement letter was distributed to Council. The amended letter will need signatures from the City Recorder and from Mayor Saunders.
- Verizon phone quote was distributed to Council indicating no system cost with a total cost of \$435 for phones. The Marshall stated that he is researching a voice over internet phone "VoIP" service provided by FireServe and was told that FireServe is interested in quoting and would like to use Merrill as a pilot program. A quote will be forthcoming. The City Recorder also suggested contacting Steelnet for a quote as they are currently working with Tulelake on their phone and emergency system.

CONSENT AGENDA:

1) Minutes Approval for January 10, 2017 Council meeting

A motion was made by Councilor Lesh to accept the January 10, 2017 meeting minutes. There was a 2nd by Councilor Smith. All other members present voted Aye and the Motion carried.

2) Business Rental License/renewals:

Business Licenses for February 2017 totaling \$982.50 were reviewed by Council. A motion was made by Councilor Smith to accept the February 2017 licenses. There was a 2nd by Councilor Lesh. All other members present voted Aye and the Motion carried.

3) Ratify Phone polls:

- **Business Licenses for January 2017** for \$2,575 were approved 2/15/17 & 2/16/17 by Councilors Smith, Lesh & Taylor in a phone poll since there was no February Council meeting.
- **AP approval:**
 1. 1/27/17 \$16,924.91 approved 1/27/17 by Councilors Smith, Lesh, Taylor mailed 1/30/17
 2. 2/16/17 \$ 6,239.73 approved 2/16/17 by Councilors Smith, Lesh, Taylor mailed 2/16/17
 3. 2/28/17 \$15,752.21 approved 2/16/17 by Councilors Smith, Lesh, Taylor mailed 2/28/17

A motion was made by Councilor Smith to ratify the phone polls: January 2017 business licenses and Accounts Payables for 1/27/17, 2/16/17 and 2/28/17. There was a 2nd by Councilor Lesh. All other members present voted Aye and the Motion carried.

4) Training costs for Utility Worker I (UWI)

Training costs for UWI \$721.50 were approved in a phone poll on 2/22/17 by Councilors Smith, Lesh and Taylor. A motion was made by Councilor Smith to ratify the phone poll approving the training costs for the UWI. There was a 2nd by Councilor Carleton. All other members present voted Aye and the Motion carried.

5) **Bills to Pay for approval:** Accounts Payable 3/13/17 & 3/14/17 check run approvals totaling \$3,334.13.

Councilor Smith made a motion to approve the 3/13 & 3/14/17 bills to pay. There was a 2nd by Councilor Carleton. All members present voted Aye and the Motion carried.

ACTION ITEMS/GENERAL BUSINESS:

ORDINANCES:

- **332A CenturyLink Franchise Agreement** 1st reading was read by title, open for discussion and reread by title. The second reading will be on the agenda for the April 2017 Council meeting.

- **2017-627A Code of Ordinances, Charter and Code of Rules** as well as **2017-628A Comprehensive Plan**

The City Recorder received a letter dated 2/16/17 from the City Attorney, Melvin Ferguson. The attorney mailed this same letter to Council and the Mayor. Attached to the letter were copies of proposed Ordinances 2017-627A and 2017-628A to be nunc pro tunc June 12, 2007. **Nunc pro tunc** is a Latin expression in common legal use in the English language. It means now for then. In general, a court ruling **nunc pro tunc** applies retroactively to correct an earlier ruling. **Nunc pro tunc** is a phrase which theoretically applies to acts that are allowed to be done after the time expires.

Mayor Saunders reiterated that only unsigned minutes and ordinances from June 2007 were found in a search of the City records.

The City Attorney's letter suggests:

1. that prior to the first reading of the ordinance pertaining to the Comprehensive Plan that the Merrill Planning Commission should review the wording to make sure that what was proposed in 2007 still makes since ten years later in 2017.
2. that if the ordinance is approved as is that an amendment to the Comprehensive Plan making the plan consistent with what is occurring in 2017 would be needed.
3. contacting DLCD to determine if they would need to be noticed with respect to any changes that Merrill might make to the Comprehensive Plan.
4. that a work session be conducted before beginning formal ordinance readings.

The Council requested the City Recorder to contact the City Attorney to ask that no further work be done on Ordinances 2017-627A and 2017-658A.

RESOLUTIONS

- **2017-757 Red Flag and Identity Theft Protection Policy**

Mayor Saunders read Resolution 2017-757 by title and asked for discussion. The City Recorder briefly explained the types and reason for the policy. Exhibit A, Protection of Confidential Information Agreement, was pointed out. Department Heads are responsible for oversight of the program, program implementation, education and are responsible for obtaining employee signatures/dates. Resolution 2017-757 was re-read and a motion was made by Councilor Smith to approve Resolution# 2017-757 Red Flag and Identity Theft Protection Policy. There was a 2nd by Councilor Lesh. All members present voted Aye and the Motion carried.

RECORDER'S FINANCIAL REPORT:

The City Recorder presented January and February reports:

Accounts Receivable

Bank Balances

ACH detail

Payroll

The City Attorney February invoice was submitted with credits for a billing error in January. The rates remain unchanged at \$200/hr attorney and \$75/hr staff.

A flyer was distributed for the Rural Klamath Connects (RKC) community website.

Councilor Smith made a motion to approve the Recorder's report.

There was a 2nd by Councilor Lesh. All members voted Aye and the Motion carried.

PUBLIC WORKS:

The Public Works Director, Greg Matthews, distributed a PW Director's report (attached to end of minutes).

The street light sensor cleaning requested by Councilor Lesh has not been done. As per Greg, apparently there is a sensor that needs to be cleaned and Pacific Power will need to be notified for that maintenance. The PW Director will handle this with Pacific Power.

Officer Srch is working on a list of street lights that need to be replaced. Officer Srch will provide the list to the PW Director who in turn will notify Pacific Power of the needed maintenance.

POLICE:

Marshal Bicknell reported that there have been four call-outs in two days and that there was a burglary and arrest over the weekend. There have been seven crimes this year so far. The relationships with partner agencies and state police have improved. He will be attending CIT training the week of April 10-14, 2017 (40 hours) which will be paid for by County.

LAWYER:

Not requested to attend.

CODE ENFORCEMENT OFFICER REPORT: STAN HINTON

- The February 2017 Code Enforcement Councilor Report was distributed and discussed.
- Betty VanRansler's letter dated March 9, 2017 requesting an extension to June 15, 2017 was distributed, reviewed by Council and denied by Council. The Code Enforcement Officer suggested that Council send a second 60-day notice. Next steps, if non-compliant, would be a letter of citation and if non-compliant, a citation.
- The Code Enforcement Officer talked about remapping of the City and reported that some houses have no numbers at all while some other numbers seem random and need

