

CITY OF MERRILL
REGULAR BUSINESS MEETING
Tuesday March 13, 2018

MEETING CALLED TO ORDER:

The meeting was called to order at 6:01 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 Carleton, Councilor Taylor, Mayor Carlson, City Recorder Hernandez, and Inter City Recorder Jenson.

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

MAYOR STATEMENT:

Mayor Carlson asked that everyone please turn cell phones on silence. All meetings are recorded and when addressing the council, please speak clearly and state your name.

PUBLIC COMMENT:

Mayor Carlson stated the public is invited to provide their comments and opinions to the City Council at this time on issues of concern. Non-emergency issues brought up in this form will not be considered tonight other than in this preliminary discussion, but if found warranted, may be considered at a future meeting of the city council. Public comment is limited to five minutes per person.

CONSENT AGENDA:

- **Meeting Minutes:**
 1. Councilor Carleton made a motion to approve the meeting minutes for February 13, 2018, City Council Minutes. Councilor Smith 2nd the motion. The motion passed 4-0 in favor.
- **Business License:**
 2. Councilor Carleton made a motion to approve the February Business License list to include Cubbies Kitchen and Hickey Organic's. Councilor Smith 2nd the motion. The motion passed 4-0 in favor.
- **Accounts Payable:**
 3. Councilor Carleton made a motion to approve the February Accounts Payables. Councilor Smith 2nd the motion. The motion passed 4-0 in favor.

STAFF REPORTS:

- **Police:**
 - City Marshall Bicknell reported Dollar General has taken a proactive approach on shop lifting by new management. City Marshall Bicknell attended a two day conference hosted by the Oregon Association Chief of Police. Merrill was represented well. Techniques, procedures, and policies have been requested by various small departments to create solutions. There have been a few domestics. Overall, it has been a busy and productive month.
- **Public Works:**
 - Public Works Director Matthews reported on multiple issues resolved and provided a list of duties accomplished. Highlighted were the duties started and finished by Utility Worker Taylor.
 - Public Works Director Matthews wanted to thank CenturyTel for fixing a fallen line after a car hit a telephone pole by R&J Auto Repair.
 - John Fitzroy from Oregon Fish and Wildlife is matching 21,000.00 of the 60,000.00 grant for the Good Duck Park.
 - Public Water Works Director Matthews met with Darryl from the water project about well drilling, and the bid will be going out by the end of the month. Councilor Carleton mentioned a restricted easement which will need to be in place (100 ft.), which falls on Martin's Food Center and Polar Bear property. There are no foreseen complications after speaking with them. The Polk Street Project bid came in at 19,800.00.

- **City Recorder:**
 - City Recorder Hernandez and Inter City Recorder Jensen reported on the budget, the IRS and WR forms, and the 2017 Census. City Marshal Bicknell informed the council on the progress being made with the new computers being installed and new e-mails set-up due to CenturyLink's cancellation. There is better integration and professionalism. Lee Harris has concerns about lack of WI-FI.
- **Lawyer:**
 - Not requested to attend.
 - Mayor Carlson did give notice about business with Arlene Morris' letter and a counter claim involving the cable plant.
- **Code Enforcement:**
 - Code Enforcement Officer Hinton reported on progress being made by abatement notices (Steve Omar on Court Drive, 638 First Street, and 155 Elm Street), and 8 verbal notices now in compliance.
 - A letter is to be brought before the April City Council to endorse a letter to remove a motor vehicle at 411 Water Street.
 - City Council, Code Enforcement Hinton, and City Marshal Bicknell discussed the illegal fences on Court Street (151 Court Street and 141 Court Street). The fences are in the lane of travel; the lane is supposed to be 80 ft. with 10 ft. parking on each side amounting to 100 ft. creating a safety issue. Motion made to draft a letter inviting property owners residing at 151 Court Street and 141 Court Street to attend April Council meeting, siting appropriate ordinances and codes on fencing and property lines. Motion passed 4-0.
 - Code Enforcement Officer Earl Perry of Klamath County has asked the City of Merrill to help enforce regulations on burn piles at two locations; Pappy Gander's and Taco's ala Mexicana.
 - Owner of 145 Elm Street has been located. County Health has been notified about the property, and with permission from the owner, they can enter the property to analyze the danger to public health. It could be demolished as a result.
- **Planning:**
 - Councilor Carleton reported on the finalizing arrangements for Les Schwab. Mark Smith has asked to replace Bill Beasley whom term ended from Planning Commission. Councilor Lesh made a motion to appoint Mark Smith and Councilor Taylor 2nd the motion. Motion passed 4-0 in favor.

Project Merrill:

- Lee Harris' intent was to alleviate the 500.00 amount in 152.50 D; however, it had already been approved at the February 13, 2018 meeting. Lee wanted to thank the city for the 2000.00 donation and support. Project Merrill will also place stuffers in April's water bill to keep residents informed and engaged. City Marshal Bicknell suggested linking a Facebook page for Project Merrill to the City of Merrill's site. A 90,000 grant was received extending the positions for Katie, Linda, and the Outreach worker needed. Public Works Director Matthews invited everyone to look at the Bluegrass Festival website coming to Merrill in July (lostriverfestival.com), and extended his thanks to the Parks Department.

NEW BUSINESS:

- **Consider Response to Morris Damage Claim:** Mayor Carlson proposed a letter in regards to the Morris Damage Claim. A review letter will now be part of building applications. The City of Merrill proposes to buy any materials at cost and take possession of for public works use and 500.00 for compensation. Receipts are required.
- **Consider Proposal from Vector Control Vendor:** Price and budget were discussed and found to be reasonable. The business will be budgeted for in July and divided into each department. Horvath, representing Vector Control, wanted to start placing stuffers in water bills for public feedback and knowledge. Contract, permits, and numbers will be needed. Councilor Smith made a motion to include Vector Control into the 2018-2019 budget and proceed with informing the town. Councilor Carleton 2nd the motion. Motion passed 4-0 in favor.
- **Receive Presentation from Klamath County on Urban Growth Boundaries:** Mayor Carlson talked to Mark Gallagher who believes the city has a strong case to expand its Urban Growth Boundaries if it so chooses. Scott Edelman of the state of Oregon believes the city could receive grant money to expand. The

question of whether to expand the city or to remain small was put before the council and azenized for April's Council Meeting. City of Merrill boundaries, possible expansion boundaries, and impact to residents were explained to answer comments. An exploratory survey was suggested by Councilor Carleton.

- **RFP for lawn care landscape and general maintenance proposal:** City Marshal Bicknell proposed the lawn care and general maintenance RFP for code enforcement. Through another party, it improves the appearance of the city, fire hazards, and record keeping for liens against the abandoned properties. The city could reclaim its money when Klamath County takes possession and possibly make money. Under code enforcement, it needs to be included in budget. Councilor Smith made a motion to submit an RFP for landscape and general maintenance. Councilor Carleton 2nd the motion. Motion passed 4-0 in favor.
- **Safety program:** City Recorder Hernandez proposed a general health and safety program published by OSHA. Records need to be kept for 3 years. The cost is 99.00 for a 2 year booklet. The binder is for general purposes, but if we want a more in depth plan, it can be reassessed at a later date. Councilor Taylor made a motion to approve 99.00 for the safety packet. Councilor Smith 2nd the motion. Motion passed 4-0 in favor.

OLD BUSINESS:

- **Merrill Cable Plant Status:** Mayor Carlson contacted all parties required for the ordinance. Hunter communications responded and Mayor Carlson anticipates a challenge to the assertion that the City of Merrill owns it. The debate is April 12, 2018, where all cases are to be made and to seek the RFP request for proposal.

ORDIANCES:

- **Second Reading-Residential Zoning Classifications:** Azenized for April's Council Meeting. Councilor Smith opposed the ordinance. Councilor Lesh found the ordinance confusing.
- **Second Reading-Revise Manufactured Housing Code:** Azenized for April's Council Meeting.

RESOLUTIONS:

- **Statement of support for Bluegrass Festival Application for Oregon Community Foundation:** City proposed to financially support 7000.00 in total; 4000.00 to be refunded after all expenses paid. The extra 1000.00 is for security. Councilor Smith made a motion to request the 7000.00 from Oregon Community Foundation Fund to the Bluegrass Festival and 4000.00 refunded after expenses. Motion passed 4-0 in favor.
- **Establish policy to sell public lands:** Mayor Carlson proposed procedure of 25, 000.00 and acre (high-end), advanced permitting, minimum of half the sale price to tax and utility rebates and remaining for special projects, include in ordinance book. Councilor Smith proposed a motion to accept this procedure, but it needs to be finalized and placed in ordinance book on establishing a policy to sell public lands. Councilor Carleton 2nd the motion. Motion passed 4-0 in favor.
- **Thank you resolution for Century Link:**

FUTURE AGENDAS:

- Councilor Carleton proposed free water and sewer for members serving on City Council per term. If served on City Council for 10+ years, for lifetime. Azenized.
- Councilor Smith needs to be removed as banking administrator and Mayor Carlson added as banking administrator and/or Recorder Rayna as an authorized user. Azenized.
- Tim Saunders is listed as Trustee on retirement funds. Mayor Carlson needs to be added as Trustee. Azenized.

PUBLIC COMMENT:

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ADJOURN MEETING:

- Councilor Taylor made a motion to adjourn. Councilor Smith 2nd the motion. With all in favor, the meeting adjourned at 7:39 p.m.

