

**CITY OF MERRILL
WORK SESSION**

301 E. Second Street Merrill, Oregon 97633
Monday, December 19, 2022 9:00 A.M.

MEETING CALLED TO ORDER:

Appointed Mayor Pro Tem Baley called the Monday, December 19, 2022 Work Session to order at 9:02 a.m.

ROLL CALL:

Roll call was taken with the following members of Council and others being present: Councilor Johnson (absent), Councilor McCollam, Councilor Gatliff, Mayor Pro Tem Baley, and City Recorder Hernandez. Others present: Public Work Director Matthews and Resident Miles Gatliff.

FLAG SALUTE:

The Flag Salute immediately followed with Mayor Pro Tem Baley requesting Councilor Gatliff to take the lead.

MAYOR STATEMENT:

Mayor Pro-Tem Baley asked that everyone please turn cell phones on silence. All meetings are recorded. When addressing the City Council, please speak clearly and state your name.

PUBLIC COMMENT:

Mayor Pro-Tem Baley 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.

No public comment followed.

NEW BUSINESS:

1. Revise Employee Pay Schedules: Councilor McCollam inquired to the last cost of living increase. In 2017 the City Council approved the Pay Schedules in the packet, except for the Code Enforcement Pay Schedule, which is recent. The Pay Schedules are the guidelines for annual raises to comply with the Pay Equity Act. Employees who have reached the Pay Schedule threshold receives a cost-of-living increase annually. Councilor McCollam inquired how the longevity increase is determined. City Recorder Hernandez stated the federal cost-of-living; however, the Oregon Minimum Wage increase is greater than annual increases and the federal cost-of-living. City Recorder Hernandez researched like positions in Klamath Falls, and the pay scale is comparable. The difference is that the City of Merrill Utility Workers have not obtained certifications; however, the Utility Worker's will be in line once certifications are obtained. Each certification is a \$1.00 increase. *City Recorder Hernandez exited the chambers to retrieve the 2022-2023 fiscal year budget.* The Utility Worker Step 0 is \$13.00 and Oregon Minimum Wage is increasing to \$13.50 July 2023 making the Pay Schedule wages obsolete. Councilor McCollam inquired when pay raises become effective. City Recorder Hernandez stated July 1. Councilor McCollam stated the cost-of-living should be included with each step annually. Step 0 needs to be eliminated and start at Step 1. City Recorder Hernandez stated the difficulty of creating a balanced budget with what employees are currently earning. Councilor McCollam inquired to Police Personnel Wages. City Recorder Hernandez stated the majority of the revenue for police wages is from property tax from the General fund and discussed historical liquidity. The General Fund is Police (100%/5%) and Recorder's Office (5%) but the majority of wages are paid from the Water/Sewer Fund (80%), and Street Fund (20%). Discussion of revenues and expenditures ensued. The Police Personnel Budget for 2022-2023 was \$184,000.00. City Council consensus is to have one Chief of Police/Marshal. The Marshal's salary was budgeted for \$61,000.00. Public Works Director's salary is budgeted for \$5,000.00 less than the Marshal who does not have the option of 911. Theoretically, if the City of Merrill were to hire a Marshal for \$50,000.00, what are the additional benefits and expenditures? City Recorder Hernandez stated employees are capped at \$1,580.60 monthly for health insurance that includes self plus spouse or child, PERS employee portion 6%, employer 12%, life insurance, which is a requirement, water and sewer. Water and sewer benefits were implemented in lieu of

- raises. Councilor McCollam stated City Council receives water and sewer benefits. City Recorder Hernandez stated the benefit has been discussed in the past; however, the benefit was vetoed due to Oregon Ethics Commission reporting. City Council's personal water and sewer is flat rated though. Councilor Baley opined the City Council should receive a benefit as City of Malin receives free water and sewer and Tulelake receives at \$277.00 per month stipend. City of Merrill receives zero. Councilor McCollam stated contentment with zero. Councilor Gatliff echoed Councilor McCollam's sentiments. Councilor Baley stated, not knowing about the other City Councilors, but as Police Commissioner, does a lot for the City. The discussion turned back to property tax revenue and City Recorder Hernandez stated actual figures from past audited numbers. Councilor McCollam recommended the wages for a Chief of Police/Marshal and Code Enforcement Officer be budgeted for \$110,000.00 that includes benefits and use the remaining \$23,000.00 for personnel raises. Discussion regarding the domino effect of salary increases and personnel budgeting ensued and strategies for a balanced budget. The annual personnel expenditures without benefits is \$316,418.00. Councilor McCollam figured an 8.5% cost of living increase for the upcoming year would cost the City \$26,895.53 wages only. Councilor McCollam stated paying the Chief of Police \$50,000.00 and a part-time Code Enforcement Officer \$19,240.00. Councilor Baley stated the Chief of Police can be the Code Enforcement Officer. Then clarified the Chief of Police will be the Code Enforcement Officer and stated no need to hire both. Councilor McCollam inquired about how much benefits and other personnel expenditures would cost based upon \$70,000.00. City Recorder Hernandez estimated: \$18,729.60 for Health Insurance (Code Enforcement part-time is non-qualifying), \$3,100.00 Medicare, \$725.00 Social Security, \$22.96 WBF, \$450.00 SUI, \$6,000.00 PERS, \$150.00 Life Insurance for the Marshal equating to approximately \$29,177.56. A Code Enforcement Officer and Marshal could be hired for under \$100,000.00, and a cushion for salary increases. Other expenditures were discussed. City Recorder Hernandez inquired if the language a Pay Schedules are to be modified. Councilor McCollam stated the 8.5% cost of living increase will be applied to the step the employees are at and be added to the Pay Schedule for future employment. Councilor McCollam described the federal pay schedule pay raises and suggested the City of Merrill Pay Schedule be as follows: Step 1-7 annual, Step 8-10 bi-annual, and thereafter longevity. Public Works Director Matthews reiterated that each certification is a \$1.00 salary increase. Discussion of Tulelake employee salaries ensued resulting in the Police Chief's salary range to be \$50,000.00-\$60,000.00. The proposals will be brought at the January 11, 2022 City Council Meeting. City Recorder Hernandez stated the direction provided will be beneficial for the upcoming 2023-2024 fiscal year budget. Councilor McCollam discussed increasing operating costs. League of Oregon Cities surveys water and sewer throughout Oregon. The City of Merrill is average for water, but below average for sewer.
2. Revise Proposed Ordinance 2057: Councilor McCollam stated fences and walls needs to be built upon an owner's property. The encroachment onto the City of Merrill property must be abated. There is no Grandfather Clause. City Recorder Hernandez stated, via communications with Code Enforcement Officials, that the best way to take the City's property back is to have the land surveyed and then proceed forward. City Recorder Hernandez stated the cleanest way to abate the encroachments and avoid lawsuits would be to budget for survey's, determine how many per year, the highest priorities, and bring to the Budget Committee. Councilor McCollam stated the City Council is elected to represent the entire community, and when the Councilmen know violations are in place, then we are not doing our job to see the violations fixed. Public Works Director Matthews listed the most egregious violations and stated the City Attorney should be included in the abatements. Councilor McCollam is in favor of the ordinance. The issue is when a fence is torn down that was on City property and rebuilt. City Recorder Hernandez stated a fence that was out of compliance and replaced must revert to the owner's property line. Public Works Director Matthew's inquired about out of compliance structures that were approved by the past Planning Commission. Discussion of historical practices ensued. Councilor Gatliff stated a survey not recorded is approximately \$600.00. A recorded survey with the County and State is approximately \$1,200.00. The consensus was to budget \$1,500.00 per survey because the City would want the document recorded. Councilor McCollam suggested creating an action letter to each resident out of compliance with verbiage stating the owner may be responsible for the cost of the survey and survey the property. The words "and/or" should be added to line number four of the ordinance.
 3. Discuss Part-Time Code Enforcement Officer: Councilor Gatliff felt that the Code Enforcement Officer and Chief of Police should be one and the same is too much. Yes, Code Enforcement is in the job description but normal job duties on top of Code Enforcement clerical duties creates a heavy workload for 40 hours per week. Public Works Director Matthews stated the concept to hiring a Code Enforcement Officer was to relieve the Recorder's Office from Code Enforcement. City Clerk Northcutt was spending 20-30 hours per

month on Code Enforcement with minimal pay from the Police Fund. Councilor Baley stated helping as the Code Enforcement Commissioner. Public Works Director Matthews stated the Officer had the time for Code Enforcement because the City also had the Marshal. Councilor Baley stated the Officer had time when the Marshal was on leave. City Recorder Hernandez stated the Officer had the time because City Clerk Northcutt was performing the clerical duties. The paperwork is time consuming. Councilor Baley stated the General Fund is strained and the City is discussing hiring a Code Enforcement Officer, which makes no financial sense. City Recorder Hernandez stated the City no longer has an Officer that was budgeted for \$50,000.00. City Clerk Northcutt's time has been consumed with planning. To bring back Code Enforcement could become overwhelming. Code Enforcement is minimal at the moment except for resident complaints. Spring and summer is the busiest time for Code Enforcement. If the City decides to hire a Code Enforcement Officer, the employee should handle the clerical duties. Councilor McCollam suggested a joint effort between the Recorder's Officer, Code Enforcement Commissioner Baley, and the Chief of Police for abatements and delay the hiring of a Code Enforcement Officer. City Recorder Hernandez stated the City has a Pay Schedule for a Code Enforcement Officer and inquired whether the City is going to compensate City Clerk Northcutt an extra step for the clerical duties of the position. City Council was in agreement and should award a step increase. Code Enforcement Commissioner Baley stated City Clerk Northcutt does a lot, but Code Enforcement Commissioner Baley stated driving around to notify residents of violations and the like, as City Clerk Northcutt has in the past. Code Enforcement Commissioner Baley asks City Clerk Northcutt about violations or complaints because she receives the information, whereas Code Enforcement Commissioner Baley does not. City Recorder Hernandez stated City Clerk Northcutt receives a complaint and independently mails an abatement letter and then reports to City Council. Discussion of the Code Enforcement Abatement Processes located in the *Development Code* commenced and support for City Clerk Northcutt.

4. Discuss Advertisement for Police Chief: City Recorder Hernandez provided advertisement examples from the Association of Chief of Police's website, which can be formatted in the City's interest. The position would be advertised in the *Herald and News*. Public Works Director Matthews inquired about the process to re-establish the Police Department. City Recorder Hernandez stated DPSST would coordinate with the City to re-establish the Police Department. Councilor Baley stated Sheriff Kaber uses word of mouth and newsletters for open positions. Councilor Baley reiterated City of Malin's advertising process. Councilor McCollam inquired to the cost of posting the advertisement to the Association of Chief of Police's website. City Recorder Hernandez was unsure; however, the benefit would outweigh the cost. Councilor McCollam was in favor of posting to the Association of Chief of Police's website. Police vehicle usage was discussed and the effects to Public Works. Councilor Gatliff suggested employees who live within City Limits may take the vehicles home. Councilor McCollam stated that would be within reason. Discussion of Emergency Services Intergovernmental Agreement, job duties outside of City Limits, and ethical practices ensued. An advertising possibility is mailing a pamphlet to other Oregon cities in regard to the open position. Councilor Gatliff inquired about posting on Facebook. City Recorder Hernandez stated the City of Merrill once had a Facebook Page. During a League of Oregon Cities Training, public records retention was discussed. Special software is required for Facebook to comply with public records retention, which costs approximately \$2,000.00 annually. The advertisement can be posted on the City of Merrill website. Councilor Gatliff liked the Cottage Grove example format. Councilor Baley suggested compiling the advertisement with City Recorder Hernandez and post on the internet, social media, and newspaper. Councilor Gatliff stated the City of Merrill already has the information in the Job Description. The Job Description can be reformatted to make the advertisement appealing. Crater Lake and Tulelake Lava Beds National Monument should be included in the geographical description as a gateway. Klamath Basin Potato Festival and Lost River Bluegrass Festival should sell the small-town feeling. The Polar Bear has been in business since 1949 and Griggs Grocery Store in 1947.

OTHER-FUTURE AGENDAS:

PUBLIC COMMENT:

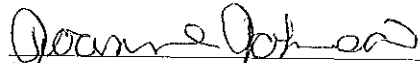
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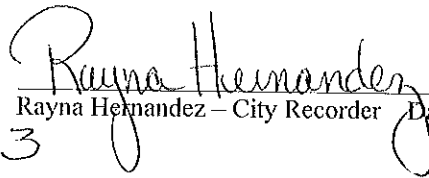
ADJOURN MEETING:

Councilor McCollam made a motion to adjourn the December 19, 2022 Work Session. Councilor Gatliff 2nd the motion. With all in favor, the meeting adjourned at 11:59 a.m.

Respectfully Submitted,


Joanne Johnson - Mayor Pro Tem Date

 1-11-2023

 1/11/2023
Rayna Hernandez - City Recorder Date

Folder A 12-19-2022-10-06-30