

CITY OF MERRILL
REGULAR BUSINESS MEETING
Tuesday, January 11, 2022 6:00 P.M.

MEETING CALLED TO ORDER:

Mayor Carlson called the Tuesday, January 11, 2022 Business Meeting to order at 6:00 p.m.

ROLL CALL:

Roll call was taken with the following members of Council and others being present: Councilor Johnson, Councilor Carleton, Councilor Baley, Councilor McCollam (absent), Mayor Carlson, and City Recorder Hernandez.

FLAG SALUTE:

The Flag Salute immediately followed with Mayor Carlson requesting Councilor Baley to take the lead.

MAYOR STATEMENT:

Mayor Carlson 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 Carleton 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.

Nathan Hughes (325 Washington Street): Concerning local Law Enforcement and Code Enforcement, Resident Nathan Hughes stated the City of Merrill does not hire City of Malin. City of Malin is known to hire officer's that lie. The City of Merrill may not remove them from City Limits, but may ask the City of Malin not to patrol City of Merrill. The City of Merrill can request the City of Malin when needed. City of Malin will respond. It is the City of Malin's duty to act. The City of Merrill's Law Enforcement is designated to perform Code Enforcement. Code Enforcement is not active. Code Enforcement is in the Job Description of Merrill's Police Department. Resident Nathan Hughes stated that if an employee is not performing job duties, then find a new job. Resident Nathan Hughes stated the ability to double Business Licenses. The City of Merrill is losing revenue from Business Licenses. Resident Nathan Hughes stated the City of Merrill loses revenue when Public Works Director Matthew fails to Pink Tag residents. The City of Merrill is losing money "left and left". The City of Merrill is going broke due to employee's "sitting on their duff all day". Employee's only work when they are called. Resident Nathan Hughes thanked the City Council and stated the need to attend a scheduled training.

Public Works Director Matthews sought clarification on tags from Resident Nathan Hughes.

Nathan Hughes (325 Washington Street): Resident Nathan Hughes stated if a resident is late on a water bill. Public Works hangs a tag on the door.

Public Works Director Matthews confirmed followed by disconnecting the service.

Nathan Hughes (325 Washington Street): Resident Nathan Hughes confirmed, but if Public Works fails to Pink Tag residents, then the job is not being performed. Resident Nathan Hughes backpedaled to state that Public Works is performing job duties. Employees are performing job duties. As a previous City Councilor, Resident Nathan Hughes stated reading the Job Descriptions of employee's. Job Descriptions are in black and white. Resident Nathan Hughes stated researching employee's files and read job descriptions. The City of Merrill does not hire outside Law Enforcement. Resident Nathan Hughes suggested the City of Merrill call the Klamath County Sheriff's Department to patrol. The City of Merrill does not see the presence of Klamath County Sheriff's Department as part of the County and State. The City of Merrill is not incorporated with the City of Malin. The City of Merrill does not grow

marijuana for the City of Malin to protect. Resident Nathan Hughes requested the City of Merrill ask the City of Malin to not help the City of Merrill.

City Councilor Johnson inquired whether Resident Nathan Hughes has observed more important issues.

Nathan Hughes (325 Washington Street): Resident Nathan Hughes stated many. Resident Nathan Hughes sought confirmation from Mayor Carlson about being employed by Pacific Power.

Mayor Carlson confirmed.

Nathan Hughes (325 Washington Street): Resident Nathan Hughes stated vehicles were parked at the substation. In under 24 hours, the vehicles were tagged for removal. Resident Nathan Hughes stated a trailer next to Councilor Baley's residence has no tags, but is acceptable as it is not illegally parked. Resident Nathan Hughes questioned the demolition of a house, parked on a sidewalk, with a handicap placard on the dash, stands on a latter, and demolishes a house. Resident Nathan Hughes questioned the usefulness of laws without enforcement. Resident Nathan Hughes questioned whether rape and murder are legal within City of Merrill. As long as no one tells on anyone or is caught, all is a go.

Public Works Director Matthews questioned whether the City of Merrill is to enforce the demolition of a house because a gentleman has a handicap sticker.

Nathan Hughes (325 Washington Street): Resident Nathan Hughes stated questioning the Business License.

Public Works Director Matthews stated Resident Nathan Hughes did not perform his duties as a City Councilor for three weeks before resigning and then has the audacity to complain about other's performance. Resident Nathan Hughes had a chance to make a difference and failed to do so.

Councilor Carleton responded that Law Enforcement is not contracted for Code Enforcement. Law Enforcement was requested to perform Code Enforcement when the Code Enforcement Officer resigned. Secondly, the City of Malin patrols and responds under mutual aid. The City of Merrill does not pay City of Malin and City of Merrill reciprocates mutual aid.

CONSENT AGENDA:

- **Meeting Minutes:**
December 15, 2021 Council Meeting Minutes: Councilor Johnson made a motion to approve the December 15, 2021 Meeting Minutes and entire consent agenda. Councilor Carleton 2nd the motion. The motion passed 3-0 in favor.
- **Phone Poll:**
- **Business License Renewals:**
- **Business Licenses:**
Councilor Johnson inquired to the nature of Shannon Heaton's Business. City Recorder Hernandez stated Home-based jewelry making.
Dan's AutoBody, Orem Rental #1, Orem Rental #2, Arrow Seed Cleaning, Pape Machinery, Inc., R&J Auto Repair, Tater Patch Quilts, Umpqua Bank, Lester Realty, Lester Realty (Quadplex), Whisenhunt Rental, Crater Lake Realty, Inc., H&T Organics, LLC, Quail Mountain, Inc., K&K Espresso and Deli, Dollar General #16686, Superior Fence, LLC, Wild Goose Lodge Motel, Walker Rental, Rookstool Moden Realty Rental #1, Rookstool Moden Realty Rental #2, Rookstool Moden Realty Rental #3, Reynold's Ag Service, The Waterhole 2, Schwan's Home Service, Chuy's Barber Shop, Shannon Heaton Allen Jewelry, Gary Turner Rental, Leon Langley Jr. Rental, Donald and Kristine Hendrix Rental, The Merrill Clinic, Carter Offices, LLC, Les Schwab Center #231, Verna Hughes Rental #1 Verna Hughes Rental #2.
- **Accounts Payable:**
December 2021 Account Payables: *Refer to meeting minutes for motion.*
December 2021 Water Transfer: *Refer to meeting minutes for motion.*

STAFF REPORTS:

- **Police:**
 - Councilor Carleton inquired to the status of the Police Commissioner. Mayor Carlson stated City Councilor Baley is Police Commissioner. Councilor Carleton inquired to the status of the Marshal. Mayor Carlson stated administrative. Councilor Carleton inquired to who is enforcing the administrative leave. City Recorder Hernandez stated CIS. Councilor Carleton inquired to communications with CIS to remedy the lose of a police officer. City Recorder Hernandez stated mid-January. Councilor Carleton inquired to the extensive time lapse. City Recorder Hernandez stated that processes and procedures must be followed. Discussion about deadlines and expectations ensued. Councilor Carleton suggested City Attorney Nathan Ratliff contact CIS to complete the process. City Recorder Hernandez stated we cannot surpass employee rights. Councilor Carleton suggested hiring a second patrol officer. Mayor Carlson suggested agendizing and applying for a grant. Councilor Carleton stated the City of Merrill is relying upon the City of Malin, which is unfair. The action item for City Recorder Hernandez to contact CIS for a status update was made. City Recorder Hernandez is authorized to contact the City Attorney.

- **Public Works:**
 - Public Works Director Matthews submitted report and read: Checked lifts; took water and sewer samples; well level is 79 foot with pump running; completed and submitted Discharge Monitoring Report; hung pink tags; performed three locates; allowed outside dumping, which has resulted in approximately \$58,000.00 to date; cleaned restrooms; cleaned at lagoon; fixed three sewer plugs; assisted in defrosting two citizen's water meters; wrote monthly article for newsletter; removed Christmas Baskets; attended meeting with ODOT in regards to Safe Routes to School Grant. There is a committee and ODOT. The suggestions are to install sidewalks around the elementary school, install sidewalks from McKinley Street to Elm Street, install sidewalks on Main Street on each side, install push button pedestrian crossings. The Front Street Project is already in process and will benefit and support the recommendations. Also suggested is the reconfiguration of Falvey Road intersection. Public Works Director Matthews thanked ODOT and resumed report. Removed Christmas tree lights and snowflakes on Front Street; plowed snow from roads and sidewalks, with special thanks to Randy Rieger, the office, and Utility Worker Roman Vazquez; trimmed trees, and fixed leak on shop roof. Councilor Johnson inquired to vandalism. Public Works Director Matthews stated the vandalism has ceased. Public Works Director Matthews stated appreciation for Malin Police Department.

- **City Recorder:**
 - City Recorder Hernandez submitted report.

- **Lawyer:**
 - Report: Not requested to attend.

- **Code Enforcement:**
 - Councilor Baley asked that snow be removed from the corner of Garfield Street and First Street. Councilor Baley stated the fence posts on Court Drive have not been removed. Resident Kallie Gatliff stated obtaining an attorney and have given the residents until January 14, 2022, to respond about the fence posts. Further documents will be delivered by the attorney in the event of no response. Public Works Director Matthews stated no time limit was given. City Recorder Hernandez stated the residents had a certain time frame to appeal the decision. Discussion ensued regarding time limits for removal.

- **Planning:**
 - Report: Planning Commission has postponed Ed Fournier's application for the Verizon attachment on the US Cellular Tower until a permission letter is received. 415 Clay Street with a Change of Address and new modular construction was received. A building permit was received for an addition on Court Drive.
 - Approve Excavation Street Cut Permit: City Clerk Northcutt stated Planning Commission approved the Street Cut Permit. The City Engineer helped refine and approve the permit.

- Ed Staub's Card Lock Station General Review Application: Planning Chairman Trotman created and submitted a letter of recommendation to the City Council to approve the Ed Staub's General Review and Land Use Compatibility Statement. ODOT has been contacted for approval. A motion was made to approve the Ed Staub's Card Lock Station General Review Application and Ed Staub's Card Lock Station Land Use Compatibility Statement by Councilor Carleton. Councilor Johnson 2nd the motion. The motion passed 3-0 in favor.
- Ed Staub's Card Lock Station Land Use Compatibility Statement: Planning Chairman Trotman created and submitted a letter of recommendation to the City Council to approve the Ed Staub's General Review and Land Use Compatibility Statement. ODOT has been contacted for approval. A motion was made to approve the Ed Staub's Card Lock Station General Review Application and Ed Staub's Card Lock Station Land Use Compatibility Statement by Councilor Carleton. Councilor Johnson 2nd the motion. The motion passed 3-0 in favor.

LOST RIVER ARTS AND CULTURAL ALLIANCE:

- Public Works Director Matthews reported Lost River Arts and Cultural Alliance is starting a \$500.00 annual scholarship for a Lost River High School graduate pertaining to arts by staff recommendation. Michael Howard finished rebuilding the fiddle and learned two ballads. Johana Hernandez Barajas has received an extension on the photography project. Public Works Director Matthews requested on the behalf of Project Merrill, for the flower baskets, \$2,000.00. Farm Country Nursery estimated the flower baskets will cost \$2,700.00. Councilor Carleton made a motion to allocate \$2,700.00 for the flower baskets. Councilor Johnson 2nd the motion. The motion passed 3-0 in favor. Lost River Bluegrass Festival has signed the last band, Western Flyers from Fort Worth, Texas. The Lost River Bluegrass Festival received two very generous donations, \$1,000.00 from Robin King and \$2,500.00 from Frank King. Volunteers are wanted for the Lost River Bluegrass festival. The Merrill Historical Society thanked Kenny Haskin's Family for donating literature to the museum's library.

NEW BUSINESS:

- Discuss Air Force F-15: *Mayor Carlson recused self due to potential conflict of interest.* An F-15 has been sought for a particular land development. There is potential for the vision to come to fruition. Does the City of Merrill want a retired F-15 from the Air Force? Where would the F-15 be homed? Who would work in coordination with the Air Force? Councilor Carleton inquired to the maintenance requirements by the City. The F-15 must remain clean. Councilor Baley approved as a veteran. Councilor Baley was designated to head the project.
- Appoint Budget Committee: Teresa Perry, David Wade, Kallie Gatliff, Ben Keeney: City Recorder Hernandez sought a motion to appoint Teresa Perry, David Wade, Kallie Gatliff, Ben Keeney to the Budget Committee. Councilor Carleton made a motion to appoint Teresa Perry, David Wade, Kallie Gatliff, Ben Keeney to the Budget Committee with thanks. Councilor Baley 2nd the motion. The motion passed 3-0 in favor.
- Safe Routes to School Draft Recommendations: *Refer to Public Works report.*
- Endorsement of Klamath County Press Release: City Recorder Hernandez read the Idaho initiative press release into the record.

OLD BUSINESS:

- FEMA Update: FEMA received the appeal letter and documentation January 11, 2022.
- Discuss Utility Easement: Tabled.
- Neighborhood Watch Update: Tabled.
- Consider Endorsing "Welcome to Merrill" Signs/ODOT Improvement Project: Resident Eric Taysom was unable to be present due to a family emergency. City Recorder Hernandez stated the redesign of the Falvey Road intersection would eliminate the triangle location designated for the "Welcome to Merrill" sign. Public Works Director Matthews stated the sign could be designed with a material such as rock or brick as a concept. There is no water for living plants. The Friends of Merrill Park has water and could be a potential location for the welcome sign. Councilor Baley inquired to the language on the sign. Potential possibilities to the language ensued.
- SCOEDD Highway Tourism Update: Mayor Carlson presented with a power point presentation for the SCOEDD Highway Tourism Project. Mayor Carlson has a business along HWY 50 with a steady flow of

tourism to receive stickers for a passport. The project was successful for the State of Nevada. The name of the project was Idaho-Coos Bay Tourism Corridor but has been changed to Idaho to the Sea Project. The project is not unprecedented. In the 1950's, there was Winnemucca to the Sea Project. SCOEDD is presenting Ontario to Coos Bay. There are various routes, but one route would travel through City of Merrill. Mayor Carlson named possible participants. The project may purchase a seal for each participant, a \$30-\$40 value. "We Choose Freedom" may be the slogan. SCOEDD is seeking County endorsement. There are parallel efforts to the east and west. The project promotes tourism and working partnerships with small local governments. The estimated starting cost for the project is \$125,000.00, \$45,000.00 per region. The City of Merrill initiated the project. Public Works Director Matthews stated favoritism for the project. Councilor Carleton inquired whether other Counties have been approached with the project. Mayor Carlson affirmed with positive results.

ORDINANCES:

- Bill 2050 Amending Development Code 3.3.400 Fences and Walls-First Reading: City Recorder Hernandez read Bill 2050 into the record for the first reading. Councilor Carleton requested naming the Type 1 Land Use Review as a Type 1a. Mayor Carlson questioned whether the City of Merrill will prevent a homeowner from personally installing a fence. City Recorder Hernandez stated a negative as the language is and/or. Councilor Carleton affirmed. City Council approved the first reading with corrections.
- Bill 2051 Amending Ordinances Nuisances Affecting Public Safety Subsection (E)-First Reading: City Recorder Hernandez read Bill 2050 into the record for the first reading. Councilor Carleton requested naming the Type 1 Land Use Review as a Type 1a. City Council approved the first reading with corrections.

RESOLUTIONS:

- Resolution 2021-867 Transfer Funds to Comply with Budget Law Requirements: City Recorder Hernandez read Resolution 2021-867 into the record. Councilor Carleton made a motion to approve Resolution 2021-867. Councilor Baley 2nd the motion. The motion passed 3-0 in favor.

OTHER-FUTURE AGENDAS:

- Police Discussions

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 5 minutes per person.


Councilor Baley announced tickets for the Merrill Lion's Club Crab Feed are on sale and may be found at Merrill Lumber.

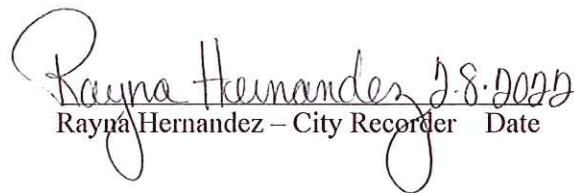
Public Works Director Matthews reiterated the appreciation for the City Council and staff.

ADJOURN MEETING:

Councilor Baley made a motion to adjourn the January 11, 2022 Meeting. Councilor Johnson 2nd the motion. With all in favor, the meeting adjourned at 7:00 p.m.

Respectfully Submitted,


Bill Carlson - Mayor
08 FEB 22
Date


Rayna Hernandez - City Recorder
2.8.2022
Date