

CITY OF MERRILL
SPECIAL BUSINESS MEETING
(ORS 192.640(3))
Friday, January 20, 2023 9:00 A.M.

MEETING CALLED TO ORDER:

Mayor Pro Tem Johnson called the Friday, January 20, 2023, Special Business Meeting to order at 9:00 a.m.

ROLL CALL:

Roll call was taken with the following members of Council and others being present: Mayor Pro Tem Johnson, Councilor Gatliff, Councilor Baley, Councilor McCollam, and City Recorder Hernandez. Others present were: Public Works Director Matthews and Resident Teresa Perry.

FLAG SALUTE:

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

MAYOR STATEMENT:

Mayor Pro Tem Johnson 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 Johnson 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.

CONSENT AGENDA:

NEW BUSINESS:

Corrective Action Plan: On January 20, 2023, the material weakness and deficiency were brought before a Special Meeting of the Council.

“The City requested that Romig & Associates, PC prepare the financial statements, including notes. Generally Accepted Auditing Standards consider the City’s inability to prepare its financial statements in accordance with the cash basis of accounting without the assistance of its auditor to be a control deficiency that adversely affect the City’s ability to report financial data reliably. Due to cost effectiveness, Romig and Associates do not recommend the City make any change in regard to this matter.”

Councilor Gatliff made a motion to approve the Corrective Action Plan. Councilor McCollam 2nd the motion. The motion passed 4-0 in favor.

Councilor Gatliff made a motion to approve Councilor McCollam to sign the Corrective Action Plan on the behalf of Mayor Pro Tem Johnson. Councilor Baley 2nd the motion. The motion passed 3-0 in favor.

- Discuss Code Enforcement Officer Position Details: Councilor McCollam stated establishing oversight for the Code Enforcement Officer position as the Police Commissioner. In the absence of a Chief of Police, oversight must be maintained. *Mayor Pro Tem Johnson left meeting for a telephone call. *Mayor Pro Tem Johnson appointed Councilor McCollam as Presiding Officer and left the meeting at 9:05 a.m.* City Recorder Hernandez stated that the position does not allow for benefits as part-time; however, City Recorder Hernandez inquired whether the City of Merrill desires to offer free water and sewer to the perspective applicant or partial water and sewer. The consensus of City Council was to offer full water and sewer benefits. Councilor McCollam back tracked to oversight. The Chief of Police shall have oversight of the Code Enforcement Officer, and with the vacancy, the Police Commissioner shall fulfill the

responsibility. Discussion of hours ensued. City Recorder Hernandez stated \$18.50 at 1042 hours annually would be over the \$19,000.00 threshold. City Recorder Hernandez listed the annual wages per step. Councilor Baley inquired how many hours per week the wages would translate to. City Recorder Hernandez stated the hours were figured annually due to the flexible of the position. Some weeks would require more hours, whereas other weeks less. The determination would be the Code Enforcement Officer's discretion to avoid wasteful spending. Councilor Baley objected to having a Code Enforcement Officer in the winter. Councilor McCollam stated the Code Enforcement Officer is limited to 1042 and the City has opened the position. Councilor Baley stated as Code Enforcement Commissioner, he and City Clerk Northcutt has minimal abatements during the winter. Councilor Baley reiterated not having the time during summer months for Code Enforcement. City Recorder Hernandez stated clerical Code Enforcement has taken City Clerk Northcutt 30+ hours per month, and City Clerk Northcutt is prohibited from patrolling by self. There is also follow-up to ensure the abatements have been completed. Public Works Director Matthews stated the purpose of hiring a Code Enforcement Officer is to remove the responsibility from the Recorder's Office. There are violations that the Public Works Department find a resolution to on a weekly basis. Councilor McCollam stated that not knowing the depth of the position, the Code Enforcement Officer can review codes, identify conflicts within the codes, and the behind-the-scenes job duties. The position is not 20 hours per week "beating on the ground" around the community. The majority of the time is clerical. Discussion of transportation ensued. The determination was that the Code Enforcement Officer would drive the 2011 Dodge Charger due to the liability of the City and the safety of the officer. Councilor Baley stated that Sheriff Kaber said the lights and siren are not allowed to be used on the 2011 Dodge Charger because the car does not have police decals. Councilor McCollam wanted to clarify that wages were available for a Step 1 to a Step 4 position. City Recorder Hernandez affirmed. Councilor McCollam inquired to a fair entry level position. Councilor Gatliff and Councilor Baley both stated the entry step would be based upon experience. City Recorder Hernandez stated the person interested in the position has a degree in Criminal Justice, currently works in a related field, and has volunteered in the field for multiple years, and is highly qualified. Councilor McCollam and Councilor Gatliff stated the qualifications would place the applicant at a Step 4. Consensus of the City Council was to allow flexibility with up to 20 hours per week based upon the Code Enforcement Officer discretion and the supervisor. Councilor Baley did not know if the job could be flexible or not. Councilor McCollam reiterated that the position is part-time. City Council again agreed to the Code Enforcement Officer's use of the 2011 Dodge Charger. City Council consensus was the start date for the perspective Code Enforcement Officer would be January 20, 2023.

- Appoint Code Enforcement Officer Position: Councilor Gatliff made a motion to appoint a Code Enforcement Officer. Councilor Baley 2nd the motion. The motion passed 3-0 with Teresa Perry as the newly appointed Code Enforcement Officer. Code Enforcement Officer Perry asked for questions. Councilor Baley inquired whether Code Enforcement Officer Perry had time to perform the job duties. Code Enforcement Officer Perry affirmed. Code Enforcement Officer Perry reported on background. Code Enforcement Officer Perry moved to Merrill, Oregon 24 and a half years ago from Central California, have three grown children (two in the military and one married into the military), and familiar and involved in the community. Code Enforcement Officer Perry works Monday through Thursday and occasionally on Friday if a court appearance is necessary. The flexibility to work on Friday was discussed along with available hours in detail. Councilor Baley stated Code Enforcement Officer Perry has knowledge of law enforcement. Code Enforcement Officer Perry affirmed. Code Enforcement Perry has a degree in Applied Psychology with a background in criminal justice and a double degree in alcohol and drug studies and a second degree in early childhood education. Code Enforcement Perry worked in the elementary school arena for 24 years and recently retired to work for a non-profit. Councilor Baley inquired when the Code Enforcement position would start. Councilor Gatliff stated when the supplies arrive. Councilor Baley stated starting by reading the 200-page *Development Code* since abatements are minimal currently. Councilor McCollam stated starting in the office on Monday, January 23, 2023. City Recorder Hernandez stated Code Enforcement Perry is able to work Friday, Saturday, and Sunday. Code Enforcement Officer Perry stated the willingness to begin today, Friday, January 20, 2023 with the office staff to begin patrols on Friday, January 27, 2023. Code Enforcement Officer Perry described security measures to keep documents confidential from home. City Councilor consensus was Code Enforcement Officer Perry shall begin job duties Friday, January 20, 2023. Code Enforcement Officer Perry stated familiarity with the 2011 Dodge Charger as a ride-along for five years between City of Malin and City of Merrill and has ridden in the vehicle with both of the previous officers. Councilor Baley stated no being allowed to use the radio or the siren. Code Enforcement Officer Perry stated there will be no need too. Councilor Baley stated Code

Enforcement Officer Perry can write tickets for code violations. Councilor McCollam inquired to insurance. City Recorder Hernandez stated the CIS policy will cover Code Enforcement Officer Perry; however, the driver's license will need to be run through Department of Motor Vehicles. Councilor McCollam stated emailing the insurance company just to inform them of the new employee. City Recorder Hernandez affirmed. Councilor Baley informed Code Enforcement Officer Perry that violators are given two warnings before a ticket is issued. Code Enforcement Officer Perry has researched to position, ordinances, and trainings for certifications prior for preparation of the position.

ORDINANCE:

OTHER – ADDRESS ITEMS FOR FUTURE AGENDAS:

- Discuss Applications for Chief of Police/Marshal Position

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.

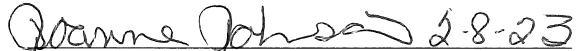
Public Works Director Matthews discussed the 1.4 million dollar grant recently awarded from Oregon Department of Transportation and the changes to the City of Merrill including Washington Street becoming a one-way.

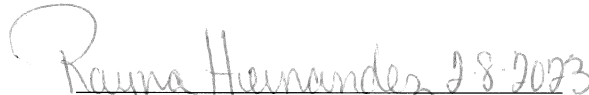
Code Enforcement Officer Perry thanked City Council for the appointment and opportunity.

ADJOURN MEETING:

Councilor Gatliff made a motion to adjourn the Friday, January 20, 2023 Meeting. Councilor Baley 2nd the motion. With all in favor, the meeting adjourned at 9:33 a.m.

Respectfully Submitted,


Joanne Johnson – Mayor Pro Tem Date


Rayna Hernandez – City Recorder Date

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