

CITY OF MERRILL
REGULAR BUSINESS MEETING
Tuesday July 9, 2019 6:00 P.M.

MEETING CALLED TO ORDER:

Mayor Carlson called the Tuesday, July 9, 2019 Regular 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 Smith, Councilor Johnson, Councilor Carleton, Mayor Carlson, and City Recorder Hernandez. Councilor Hinton was appointed.

FLAG SALUTE:

The Flag Salute immediately followed with Mayor Carlson asking Councilor Johnson to 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 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.

- Alicia Venegas (Malin, Oregon): "Hi. My name is Alicia Venegas, and I am going into my freshman year at Lost River High School. I am here in place of Ivonne Hernandez. He is very sorry that he could not be here today, but I came here to thank you all for your generous donation that sent myself and 13 other FBLA Lost River Chapter Members to San Antonio, Texas for our National Leadership Conference. The total cost for our trip was around \$32,500.00. We were scrambling around of to how to pay for it, and without your donation, we truly would not have been able to go. We sincerely thank you for that. At first, when I was going to San Antonio, I was very nervous. I was the only eighth grader in my chapter who won both of her events. As soon as I got there, the butterflies quickly went away, and I realize how great of an opportunity I have been given. There in San Antonio, my teammates and I, got to tour The Alamo, visited the Tower of Americas, toured the River Walk, and, most importantly, compete in our national events that we have been working so hard for. Lost River FBLA greatly appreciates the opportunity you have given us. As this year's conference came around, we were scrambling around of how to pay for it. So, this year we are planning in advance for the upcoming year. Lost River FBLA would like to ask Merrill, the City of Merrill, for any donation. Any donation would truly help and greatly appreciated. Thank you so much for helping send our chapter to nationals."

Mayor Carlson thanked Alicia Venegas and stated the issue is agenized under new business to consider a donation to Future Business Leaders of America (FBLA).

No further public comment followed.

CONSENT AGENDA:

- **Meeting Minutes:**
Councilor Smith made a motion to approve revised Council Meeting Minutes for May 14, 2019. Councilor Carleton 2nd the motion. The motion passed 3 in favor, 0 against, 1 abstained. Councilor Hinton abstained from voting due to appointment of July 9, 2019.
Councilor Smith made a motion to approve the Meeting Minutes for June 11, 2019. Councilor Carleton 2nd the motion. The motion passed 4-0 in favor. *Councilor Hinton's vote nullified. The motion passed 3-0 in favor.*
- **Phone Poll:**
- **Business License Renewals:**
- **Business Licenses:**

- **Accounts Payable:**

Councilor Smith inquired to the status of the new accounting software program. City Recorder Hernandez stated payment has been received, data compilation into a folder has begun, training videos are in process, and Clerkbooks will need two days of personnel attention; otherwise, Clerkbooks will convert data from the desktop. Settlements are being received from Gov-Pay. The City is waiting for equipment and further approval. Councilor Smith made a motion to approve the June account payables and partial July 2019 account payables. Councilor Johnson 2nd the motion. The motion passed 4-0 in favor. *Councilor Hinton's vote nullified. The motion passed 3-0 in favor.*

Councilor Smith made a motion to approve the June 2019 water transfer for \$5,812.00. Councilor Carleton 2nd the motion. The motion passed 4-0 in favor. *Councilor Hinton's vote nullified. The motion passed 3-0 in favor.*

STAFF REPORTS:

- **Police:**

- Marshal Bicknell stated no reported crime for the past 30 days for the first time in 12 years. The month prior, only one report of a minor hit and run in a parking lot. Fourth of July was a success with a couple of firework complaints resolved; animal complaints has resulted in one or two transports of animals per week to the Klamath County Humane Society (Klamath County Sheriff's Office has taken over Animal Control as of July 1, 2019). Transition may take a few months to become fully operational. All citations issued have been on Front Street. Marshal Bicknell assisted Klamath County with a barricaded individual, which was published in the *Herald and News*. Marshal Bicknell located and transported a subject from Merrill to Klamath Falls to assist with negotiations. The outcome was successful with the aid of gas. Marshal Bicknell responded to two motor vehicle crashes for June 2019 at Front Street and Clay Street; Front Street and Post Office. Merrill Police Department assisted Malin Police Department and Tulelake Police Department. Coordination for the Bluegrass Festival with a Malin Reserve Officer has been in process. Councilor Carleton complimented Marshal Bicknell on the response in relation to the vehicle fire on Front Street with traffic direction and the treatment of the individual. Marshal Bicknell discussed safety protocol with gas station attendant.

- **Public Works:**

- Public Works Director Matthews was absent. Public Works Director Matthews submitted tasks performed for June 2019.
- Councilor Carleton stated Bob's Excavating is past deadline of June 15, 2019. There is a \$200.00 per day penalty for exceeding the deadline in the contract. No work has been performed for the past two weeks. Public Works Director Matthews, City Engineer Darryl Anderson, and self are in the opinion the penalty should be imposed. Councilor Smith inquired whether Bob's Excavating has been paid in full. Councilor Carleton replied with a negative. City Attorney Jennifer Schade stated Bob's Excavating should be notified by an official letter stating the penalty has been in effect and the City of Merrill intends to enforce the contract. Councilor Smith noted City Recorder Hernandez write the letter and Mayor Carlson sign.

- **City Recorder:**

- City Recorder Hernandez reported on submitting the Oregon State Revenue Sharing Resolution; submitting LB 50 to Klamath County Assessor's Office; submitting Budget Letter and Packet to Klamath County Clerk; Clerkbook's compilation and training; meeting with City Attorney Jennifer Schade on lien and foreclosure process; receiving Gov-Pay settlement reports; year-end general ledger; Public Records Update PowerPoint Presentation by Oregon State; and other administrative duties.

- **Lawyer:**

- City Attorney Jennifer Schade: City Attorney Jennifer Schade reported on meeting with City Recorder Hernandez to discuss lien process proper and standard procedures and most cost effective avenues. Marshal Bicknell joined the meeting toward the end. The best method for the lien process is to cite the person or estate into Justice Court. The person must have a period of abatement and the opportunity to be heard by the judge. Once found guilty, the fine liens the property and allows the City to foreclose on the property if the City so chose. If the resident is deceased, the City becomes the creditor. The City may choose to probate the house; however, if

the liens are too high, foreclosure may be the better option. Foreclosure would cost the back due taxes. The City of Merrill could purchase the property from Klamath County for back taxes and sell the property. Additionally, City Attorney Schade reviewed past City Council Meeting Minutes to become current on City business. City Attorney Schade reviewed the Volunteer Descriptions, documents, and insurance policies in regards to status for any recommendations needed. Marshal Bicknell stated Justice Court, currently structured, becomes the creditor when a ruling is made. City Attorney Schade took the action item to speak with Karen about the feasibility of the City of Merrill becoming the creditor to lien the property for Code Enforcement purposes to allow the City of Merrill more legal avenues to sell the property. City Attorney Schade was unaware Justice Court became the creditor. There are no Oregon State Statutes in regards to the lien process. Klamath County and City of Klamath Attorney's advised City Attorney Schade on the County and City processes. Code Enforcement Officer cites, opportunity to abate, official letter with a deadline (verbal abatements should be followed by a written notice), and judgement rendered by Justice Court. Mayor Carlson inquired about executive sessions. City Attorney Schade intends to create a synopsis of executive sessions for reference. If the subject is not listed, an executive session may not be held. A bullet point procedural list expanded upon Marshal Bicknell's Code Enforcement Procedures is in the process. Councilor Hinton inquired whether Standards and Procedures dictate executive session subject matter. City Attorney Schade affirmed and stated the specificity. Councilor Hinton referenced Standards and Procedures instead of League of Oregon Cities.

- **Code Enforcement:**

- Mayor Carlson reviewed May 14, 2019 concept of Planning Commission Officer as Code Enforcement Officer. City Council appoints a Code Enforcement Officer. Past Code Enforcement Officers were Stan Hinton and Brandi Shilling. Marshal Bicknell has been de facto Code Enforcement due to Volunteer Code Enforcement Officers Hinton and Shilling reporting purposes. Mayor Carlson proposed nominating a Planning Commission Officer. City Clerk Jensen's job description includes Code Enforcement duties, or Martin Hicks with City Clerk Jensen working under Planning Commissioner Hicks' direction. Councilor Smith stated the Code Enforcement Officer should be a City employee who has responsibility and liability under City of Merrill's rules and regulations. Councilor Hinton agreed. Councilor Smith stated Code Enforcement Volunteers duties should not be "searching houses". The duty should be by a paid employee. Councilor Hinton stated agreement and recommended a local resident, Gary Robeson, with Federal, State, and City Law experience. Councilor Carleton was in agreement. Discussion of legal processes, procedures, and budget followed. Regina Picke inquired to the interview process. Councilor Smith stated any person seeking employment with the City of Merrill would interview for the position. City Council consensus was to nominate City Clerk Jensen as Interim Code Enforcement Officer with guidance from Mayor Carlson.

- **Planning:**

- Letter of Recommendation: The issue arose from 124 Monroe Street. The owner wanted a second residential dwelling on the property lot. The minimum lot size for a second dwelling is 9,500 square feet. Planning Commission recommended increasing the lot size to 10,000 square feet.

PROJECT MERRILL:

LOST RIVER ARTS AND CULTURAL ALLIANCE:

- Public Works Director Matthews was absent. Public Works Director Matthews submitted tasks performed for June 2019.

NEW BUSINESS:

- Appoint City Council Position: Mayor Carlson proposed the appointment of City Councilor be moved to the front of City business. No opposition followed. Mayor Carlson invited each candidate the opportunity to address City Council and attendees. Candidate Regina Picke: "I hadn't prepared a speech. I do not know what you want to know. (*inaudible*) have any questions? You will be the ones I would be working for. No questions?" Mayor Carlson inquired to Candidate Regina Picke's priorities. Candidate Regina Picke: "Growing the City. This City has definitely....it's got the potential to be a hub City to the other cities around us. I would like to see it grow." No questions followed from City Council. Candidate Stan Hinton: "I have some background on Council. Got kicked off with the rest of the Council. I did get a little bit of

knowledge in that time. Did Code Enforcement for about four to five years. My main agenda, I would like to help make a stronger infrastructure for the City in case it does want to grow into multi-family dwellings and things like that. Things need to be made a little stronger before you move into areas like that I believe. That would be my main agenda." Discussion followed on terms. Councilor Johnson favored Stan Hinton due to City experience. Councilor Carleton was in agreement. Resident Teresa Perry inquired to the protocol for appointment in *City Charter*. Councilor Carleton stated protocol is in *City Charter*. Resident Teresa Perry stated City Council is "not on the same page." Mayor Carlson reviewed *City Charter* for procedure without success. There would be a motion, a second to motion, call for a vote, and the majority would be the affirmation. Resident Teresa Perry stated action to research the protocol in *City Charter*. Councilor Carleton made a motion to appoint Stan Hinton due to past experience with the City of Merrill. Councilor Johnson 2nd the motion. The motion passed 3-0 in favor. Mayor Carlson welcomed Councilor Hinton and thanked Candidate Regina Picke for the interest. City Attorney Jennifer Schade brought forth *City Charter* "Section 32. Filling of Vacancies" stating "vacant elective offices in the City shall be filled by appointment by the mayor and approved by a majority of the incumbent council members". Mayor Carlson had stated "staying out of the decision" and any votes brought forth may be invalid. Councilor Hinton's votes for the July 9, 2019 have been nullified by executive decision. Motion was rescinded to appoint Councilor Hinton. Mayor Carlson appointed Stan Hinton as City Council Member and sought affirmation. Councilor Carleton made a motion to accept the appointment of Stan Hinton to office. Councilor Johnson 2nd the motion. The motion passed 3-0 in favor. Councilor Smith made a motion to add Councilor Hinton to all existing checkbooks. Councilor Carleton 2nd the motion. The motion passed 3-0 in favor. One abstention from Councilor Hinton.

- Appointee Oath of Office: Mayor Carlson swore appointed Councilor Hinton to Office: "I, Stan Hinton, do solemnly swear I will uphold the Constitution of the United States of America; the State of Oregon; the City Charter and Ordinances of the City of Merrill; and I will, to the best of my ability, honestly, faithfully, and lawfully perform the duties of City Councilor for City of Merrill, so help my God." Mayor Carlson congratulated Councilor Hinton.
- Rafael Ivonne Hernandez-Future Business Leaders of America (FBLA): Mayor Carlson inquired whether City of Merrill desires to donate to Future Business Leaders of America (FBLA). Councilor Smith stated postponing a donation until fundraisers are held. Councilor Carleton stated the City of Merrill made a donation. Councilor Smith clarified the donation was for 2019. The donation sought is for 2020. Consensus of City Council was to allow for fundraising efforts first.
- Letter of Understanding-Jordan Cove: Moved to be read with ordinance.

OLD BUSINESS:

- Police Operations Including Departmental and Management Expectations: Mayor Carlson designed the format of Police Operations and Departmental and Management Expectations. Marshal Bicknell set the goals. The proposal is a management technique to establish three (*sic*) overall goals: Public Safety, Quality of Life, Community Commitment, and Operational Excellence. Examples were read. The goal is to establish non-changing goals for a period of time. Once the duration has come to pass, the goals would be reassessed. Mayor Carlson sought affirmation for the submitted document, which would become effective as of July 10, 2019. Assessment of the goals would be January 1, 2020. The form would create clear direction from City Council. Councilor Hinton inquired to the factor to determine noise violations. Mayor Carlson stated noise parameters need to be established. Councilor Hinton stated there are codes in place for noise. Mayor Carlson stated the code lacks a decibel level and proposes 45 decibels during daytime and 40 decibels at nighttime. Councilor Hinton stated previously enforcing footage, which is state law. Marshal Bicknell stated footage is vehicular state law only. Councilor Smith inquired as to enforceability of noise. Mayor Carlson stated a \$40 device. Marshal Bicknell stated or cellular phone. Councilor Johnson inquired to the enforceable hours. Mayor Carlson proposed 6 a.m. to 6 p.m.; however, the intent of the discussion is to agree on format. Further discussion followed on noise levels. Councilor Smith inquired to whom questions or concerns are to be directed to. Mayor Carlson state self as interim. Councilor Smith inquired to stately response time. Mayor Carlson stated two days.
- Discuss Speed Sign Options: There are three options and one recommendation. Marshal Bicknell recommended a permanently mounted speed sign. A location has been secured at minimal cost. A larger 30 m.p.h. sign to accompany the speed sign would be optimal, and mount the speed sign on the newly installed utility pole by Fireserve. Fireserve has generously agreed to assist with the mounting of the sign. The sign would face the highway as vehicles round the turn, the sign is solar powered, and no further maintenance

would be required. Councilor Johnson inquired the exact location of the sign. Marshal Bicknell stated between both Court Drive streets and mounted on a utility pole. Councilor Johnson inquired to the overall expense. Marshal Bicknell stated the 30 m.p.h. sign upon the approval of Public Works Director Matthews to purchase from streets. Councilor Johnson inquired to the expense of mounting the sign. Marshal Bicknell stated Fireserve has volunteered to assist with the installation. Mayor Carlson stated the other options were a trailer, which was too expansive and a vehicle, which was too cumbersome. Marshall Bicknell estimated the cost of the sign at \$100. No objections followed to pursue the installation of a static sign. Marshal Bicknell sought clarification for approval. Mayor Carlson stated Marshal Bicknell may proceed with the installation.

- Volunteer Job Description: Mayor Carlson stated no volunteers in Police Department and deferred to Marshal Bicknell. Marshal Bicknell stated the Police Department has three volunteers whom were approved by City Council years prior. Councilor Carleton inquired to the names of the volunteers. Marshal Bicknell stated Brandi Shilling, Martin Picke, and Regina Picke. Councilor Smith and Councilor Carleton stated having placed a hold on volunteer efforts for The City of Merrill. Mayor Carlson took the action item of creating a report for the use of volunteers. Councilor Carleton inquired as to whom appoints volunteers. Marshal Bicknell stated hiring the volunteers under The Police Department. Councilor Carleton inquired to who hires the volunteers. Marshal Bicknell stated self. Councilor Carleton inquired to who holds responsibility for volunteers. Marshal Bicknell stated self. Councilor Carleton inquires to whom ultimately is responsible for the volunteers. Marshal Bicknell stated following Marshal Job Description allowing appointment of volunteers. Councilor Carleton stated Councilors have the ultimate responsibility and any volunteer for any department should be approved by City Council. Mayor Carlson agreed of some form of oversight.

ORDINANCES:

- Bill 2019 Minimum Parcel Amendment: First Reading: City Recorder Hernandez stated the ordinances are in correlation with the letter of recommendation from the Planning Commission. Councilor Carleton stated the ordinances are to amend the codes to 10,000 square feet after the 124 Monroe Street incident. City Recorder Hernandez stated the codes are from two different books necessitating two ordinances. Mayor Carlson clarified one ordinance would amend the Planning Handbook and one would amend the Code Handbook. Councilor Hinton sought clarification. In 2007, the Plan Commission allowed a single dwelling unit permissible on 7,000 square feet whereas the recommendation was 5,000 square feet. Councilor Hinton inquired whether the amendment reverted to the 5,000 square feet. Councilor Carleton stated the square footage is for a secondary dwelling. A mother-in-law dwelling and the maximum size is 750 square feet. Councilor Smith stated the ordinances lacked a number. City Recorder Hernandez stated ordinance numbers should be assigned after adoption. Otherwise, the ordinances become out of chronological order, which has occurred. Governing bodies may assign a "bill" number as reference before the ordinance has been adopted. The ordinances have been brought before City Council with a "bill" number to bring the ordinances back into chronological order. Councilor Smith's paperwork was blank. Councilor Johnson stated tabling the ordinance. Tabled.
- Bill 2020 Minimum Parcel Size: First Reading: Tabled.
- Bill 2021 Drainage Policy: First Reading: City of Merrill has no drainage policy. A project engineer would submit a drainage plan to be approved by City of Merrill's engineer. City Engineer Darryl Anderson would review the ordinance after the first reading. Councilor Carleton recommended adding no combined sewer and drains. Consensus of City Council as first reading, to be reviewed by City Engineer Darryl Anderson, and voted upon August 13, 2019.

RESOLUTIONS:

- Resolution 2019-797: Assign Residential Address: Assigning Michael McVey's barn as 181 E. Court Drive Merrill, Oregon 97633 as directed by Councilor Carleton and Public Works Director Matthews. Water has been installed creating the necessity for an address. Councilor Hinton stated the lot already has water as one lot. City Recorder stated Michael McVey owns three lots (*sic*). Councilor Carleton stated the adjacent lot is 179 E. Court Drive. City Clerk Jensen stated Pacific Power also needs an address to connect electricity to the barn. McVey applied for an agriculture exemption through the City of Merrill. Allegedly, sewage and a living unit have been installed. The application through Klamath County is as a shop instead of a barn. Klamath County approved the shop but has not permitted plumbing. Discussion of a Stop Work Order ensued. City Attorney Schade stated the Code Enforcement Officer would issue the Stop Work Order. The resident would communicate with the City Planning or Permitting Department. Code Enforcement Officer

would give a report to the City Planning or Permitting Department for the permit portion of the abatement and to perform further construction. Councilor Carleton inquired whether Klamath County has an interest in the Stop Work Order. City Clerk Jensen stated Klamath County did not permit sewage, water, or electricity. City Attorney Schade suggested communicating with Earl from Klamath County. City Clerk Jensen communications are already in process. Tabled pending Stop Work Order.

- Resolution 2019-798: Assign Residential Address: Gary Turner purchased the property addressed as 638 E. First Street Merrill, Oregon 97633. The designated address was removed from Klamath County Records. The City of Merrill needs to reassign the property as 638 E. First Street Merrill, Oregon 97633. Councilor Johnson made a motion to approve Resolution 2019-798. Councilor Smith 2nd the motion. The motion passed 4-0 in favor.
- Resolution 2019-799: Jordan Cove Pipeline Construction Support: Councilor Carleton and Joe Spendolini referred to the *Letter of Understanding Between Jordan Cove LNG LLC, Klamath County Chamber of Commerce, and Klamath County Economic Development Association*. Councilor Carleton stated the concern from the City of Merrill was the requirement to pay for the access to the natural gas line. The agreement stated in the Letter of Understanding addressed the issue. Councilor Carleton stated subsection 3 (*sic*) addressed the concern of Avista supplying the City of Merrill natural gas from a tap at a reasonable cost.

“3. Jordan Cove also recognizes that while this is a relatively short pipeline distance and a relatively small pipeline would be required to provide natural gas service to the City of Merrill, the cost of the connection to Pacific Connector Gas Pipeline and the associated necessary equipment could mean that it would be unlikely for the LDC in Klamath County to receive approval from the Oregon Public Utility Commission to provide natural gas service to City of Merrill.

4. Therefore, to improve the economics for an LDC to provide natural gas service to the City of Merrill, if the Pacific Connector Gas Pipeline is constructed by or for the account of Jordan Cove or its affiliates, Jordan Cove will cover the reasonable costs of installing an access point and related equipment necessary to allow an LDC to connect to Pacific Connector Gas Pipeline at or near mile post 215 for the purpose of providing natural gas service to the City of Merrill.”

Councilor Carleton sought advice from Joe Spendolini. Joe Spendolini state the document is signed. Mayor Carlson understood the letter was in effect; however, inquired to the fee limit imposed to make the application to hook in to the line. Erring on the side of caution, Joe Spendolini stated the opinion of the City of Merrill would not be charged a connection fee. The Letter of Understanding was written by sophisticated attorneys’ using language so as not to avoid complications with FERC such as relicensing requirements. The letter does state Jordan Cove would cover all reasonable costs. Joe Spendolini stated Resolution 2019-799 is support of the Jordan Cove Project. Support of communities are helpful when regulatory agencies are considering applications. Currently, Federal Energy Regulatory Commission (FERC), is considering the project. Two more hearings will be held with Oregon Department of Environmental Quality for air and water. The resolution would show the City of Merrill is in support of the project. Joe Spendolini stated additional information of surrounding tax districts financial impact totaling approximately 5.3 million dollars if interested in viewing. Merrill Rural Fire District, Merrill Park District, and Merrill Cemetery will have increased tax revenue as a direct result from the project. Councilor Carleton stated industries interested in Merrill require high speed internet and natural gas. The resolution of support does not bind the City to anything else. Councilor Carleton made a motion to approve Resolution 2019-799. Councilor Johnson 2nd the motion. The motion passed 4-0 in favor.

FUTURE AGENDAS:

- Traffic at A&M Shell Station: East/West Highway traffic congestion and accidents.
- Bob’s Excavating Contract and Imposed Penalty: Brought forth by public comment.

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.

- Lee Harris (212 N. Main Street Merrill, Oregon): “Are employees of the City public employees?”

Mayor Carlson stated any employee of the City would be a public employee. Councilor Carleton stated the City is a public entity and pays PERS. (inaudible).

- Gary Robeson (405 Water Street Merrill, Oregon): "(inaudible)...where that big pole barn is going in. It was accepted for an agriculture purpose? Where it would qualify in some manner?"

Councilor Smith affirmed stating the building was to be used for agricultural purposes.

Gary Robeson: "How did it qualify for that? What agricultural purpose?"

Councilor Carleton stated storing farm machinery. Agricultural activities are permitted on residential property within the City of Merrill.

Gary Robeson: "He has farm machinery? You have to have some qualifying behavior...farm machinery?"

Councilor Carleton affirmed.

Gary Robeson: "For duck boats and trailers and hunting."

Councilor Carleton stated the City of Merrill approved the building for agricultural use. Klamath County denied the agricultural exemption due to criteria.

City Clerk Jensen stated the City of Merrill had Resident McVey apply for a different permit. The City of Merrill approved the application for agricultural exemption. The City of Merrill does not issue permits. Residents submit the approved applications to Klamath County. Klamath County denied the permit. City Clerk Jensen is in possession of the denial. Klamath County had Resident McVey apply for a different permit.

Councilor Smith inquired whether the barn was originally for storage.

City Clerk Jensen affirmed.

- Regina Picke (105 E. Court Drive Merrill, Oregon): "Just a question. With the water, I know you are charging two hundred dollars a day. Is there a limit to where you cut them off and say enough is enough and we are going to get somebody else to finish the job?"

Councilor Carleton stated staff have discussed the issue but needs further research. Councilor Carleton thoughts reflect Resident Picke's. When the project is government funded, there are different regulatory rules. For example, the City of Merrill was required to pay for hours not performed. The City of Merrill objected to the pay request and was informed the contractor must be paid. Since the grant is one million dollars, Councilor Carleton acquiesced.

Mayor Carlson stated the action item of reviewing the contract, imposed penalties, and agenizing for August 13, 2019.

No further public comment followed.

ADJOURN MEETING:

Councilor Smith made a motion to adjourn the July 9, 2019 Meeting. Councilor Carleton 2nd the motion. With all in favor, the meeting adjourned at 7:18 p.m.

Respectfully Submitted,

Bill Carlson - Mayor

Date

Rayna Hernandez - City Recorder

Date