

CITY OF MERRILL
REGULAR BUSINESS MEETING
Tuesday, May 10, 2022 6:00 P.M.

MEETING CALLED TO ORDER:

Mayor Carlson called the Tuesday, May 10, 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, Mayor Carlson, and City Recorder Hernandez.

FLAG SALUTE:

The **Flag Salute** immediately followed with Mayor Carlson requesting Councilor Carleton 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.

Rafael Hernandez (Lost River High School FBLA Advisor): Mr. Hernandez introduced self as a resident of Malin, Oregon, a teacher at Lost River Junior/Senior High School, and FBLA at Lost River Junior/Senior High School. Mr. Hernandez introduced Chapter Officer Johan Lopez (Sophomore) and Joslin Cobian (Sophomore). FBLA is a co-curricular program where students learn to become business leaders through competitive events. COVID effected the program. For the 2021-2022 year, Lost River Students qualified for state competition in Portland, Oregon. Twenty-three students qualified for nationals to be held in Chicago, Illinois. Mr. Hernandez expanded upon the effects of COVID, such as the student store being closed between classes. FBLA has sold taco dinners and sold tamales to raise money. Mr. Hernandez thanked City Council for past support. Lost River Junior/Senior High School is the largest chapter in the State of Oregon. Mr. Hernandez sought donations from City Council.

Councilor Baley stated as a member of the Lion's Club, the club would most likely donate to FBLA.

Discussion of funding ensued.

Public Works Director volunteered to donate funds from the Water/Sewer Fund.

Student and FBLA Chapter Officer Joslin Cobian stated the chapter has increased tremendously and now sits as the largest chapter in Oregon, with twenty members qualifying for nationals. Qualifying is a huge accomplishment, but also a huge undertaking for fundraising. Chapter Officer Joslin Cobian stated any help from the City Council would be beneficial to the program.

Agendize FBLA donation from the Solar Fund June 14, 2022.

Councilor Carleton suggested airline mile donations for travel.

CONSENT AGENDA:

- **Meeting Minutes:**
April 12, 2022 Meeting Minutes: Councilor McCollam made a motion to approve the entire consent agenda. Councilor Baley 2nd the motion. The motion passed 4-0 in favor.
- **Phone Poll:**

- 4/19/2022 April 27, 2022 Special Business Meeting at 1:00 pm (Councilor McCollam-Text, Councilor Johnson, Councilor Carleton, Councilor Baley Verbally Approved 4-0)
- 5/3/2022 Authorize Chip Seal Agreement with Klamath County (Councilor McCollam, Councilor Carleton, Councilor Baley, Councilor Johnson Verbally Approved 4-0)
Phone polls ratified. Refer to Meeting Minutes for motion.
- **Business License Renewals:**
- **Business Licenses:**
Rocking 4R Water LLC Delivery Business License
Llamazing Boutique Business License
Refer to Meeting Minutes for motion.
- **Accounts Payable:**
April 2022 Account Payables: *Refer to meeting minutes for motion.*
April 2022 Water Transfer: *Refer to meeting minutes for motion.*

STAFF REPORTS:

- **Police:**
 - Councilor Baley reported communications with Marshal Broussard. Malin Police Department in coordination with Klamath County Sheriff's Department have an ongoing investigation. Klamath County Sheriff's Department staff and scheduling was discussed. Tulelake Police Department responded to assist last week.
- **Public Works:**
 - Public Works Director Matthews submitted report and read: Checked lifts; well level is 77 foot with pump running; completed and submitted Discharge Monitoring Report; hung pink tags; performed four locates; allowed outside dumping, which has resulted in approximately \$90,000.00 to date; cleaned restrooms; cleaned at lagoon; cleaned shop; fixed three sewer plugs. Public Works Director Matthews reported meeting with Oregon Department of Transportation in regard to the Falvey Road Reconstruction Project. Public Works Director Matthews will approach Klamath County Commissioners about the project. The report continued: Utility Worker Taylor has been discing properties posing fire hazards, such as Fourth Street; fabricated disc; wrote monthly article for newsletter; attended meeting with ODOT in regard to Safe Routes to School Grant; emailed Chip Sealing Agreement to Klamath County; piled brush and loaded limbs; sprayed weeds; and repaired sewer line for resident. Public Worked Director Matthews met with City Engineer Darryl Anderson on Friday, May 6, 2022. City Engineer Darryl Anderson determined the Swisher Road annexation should be simple. A legal description will be drawn up by City Engineer Darryl Anderson and given to City Attorney Ratliff. With a triple majority, which the City of Merrill has obtained by Public Works Director Matthews personally approaching each resident. Dencer Lane would not be annexed; however, Nowak would like to annex property behind Dencer Lane. Swisher Road is in the Urban Growth Boundary. Public Works Director Matthews proposed amending Resolution 702 to state, "an eight-inch line or at the discretion of the City Engineer with the approval of City Council", and Public Works Director Matthews will approach planning with the modification. Twenty-six people have signed up for the Neighborhood Watch. A meeting will be held, which should include a Sheriff. Mayor Carlson stated David Henslee, former Klamath Chief of Police, stated interest in participating in an advisory role. There will not be enforcement. 911 will be called when necessary.
- **City Recorder:**
 - City Recorder Hernandez submitted report and read: Budget Orientation, submitted Property and Liability renewal, received PERS 2021 Reporting Star, submitted SLFRP (ARPA) Annual Report, submitted Annual Depositor Verification Report, submitted Oregon Department of Revenue Information Request as OPRS is transitioning to Frances, City Clerk Northcutt attended Rural Klamath Connects Storytelling Workshop, attended Oregon Department of Transportation mandatory Right-of-Way Workshop, began Oregon Department of Transportation Part 2 Grant, in

the process of reviewing the General Journal for Year End compliance and accuracy, performed records maintenance, and other administrative duties.

- **Lawyer:**
 - Report: Mayor Carlson has been in regular contact with City Attorney Nathan Ratliff regarding administration issues. City Attorney Ratliff has been responsive and competent.
- **Code Enforcement:**
 - Councilor Baley stated the complaints filed have been abated.
- **Planning:**
 - Report (*Mayor Carlson recused self due to personal interest in Municipal Sewer Line*): The easement with Bigoni has been turned over to City Engineer Darryl Anderson. City Clerk Northcutt reported a letter was mailed to a resident parking a semi-trailer on Front Street in the School Zone. The resident is eager to comply by parking behind Martin's Food Center. Troy Containers has yet to comply with City Engineer Darryl Anderson recommendations. The City is waiting for property boundaries among other questions. Verizon has submitted changes to the tower. Equipment has been relocated. The City of Merrill is in the process of creating a Solar Panel Ordinance. A Letter of Intent was mailed to Planning Commissioner Green due to absences. CIS and Great Basin Insurance requested changes to the Street Cut Permit to read as: "3. Performance bond or other adequate assurances, such as cashier's check not greater than 100% of the total project cost is required"; and "General Liability Certificate of Insurance in the following amount naming City of Merrill (officers, agents, and employees) as additional insured for projects requiring a street cut, over-head work, or impact to lane of traffic."
 - Otak, Inc. Land Use Compatibility Statement: No objection from City Council to Mayor Carlson executing the Land Use Compatibility Statement for Umpqua Banks signage change.
 - Interest to Extend Municipal Sewer Line: Developer Bill Carlson is proposing, if the easement succeeds, a pressure sewer line that would serve approximately 40 hook-ups. The line would benefit the Bigoni parcel, Developer Bill Carlson's parcel, and City of Merrill parcel. Councilor Carleton stated the City Engineer would engineer the specifications once the easement is in place.

LOST RIVER ARTS AND CULTURAL ALLIANCE:

- Public Works Director Matthews reported Lost River Arts and Cultural Alliance has received the following sponsorships: Spring Street Analytical, R & J Auto, Woodhouse Farms, The Wild Goose Lodge, Merrill Parks Department, Frank King, Robin King, Duncan Family Farms, Merrill Lion's Club, Michael Sheets, Jim and Lori Baley, Basin Fertilizer, Merrill Polar Bear, Sherm's Thunderbird, Anderson Engineering, Wild Goose Meadows, KLAD, Pape Machinery, Glen Gailis, Gold Dust Farms, and Andrew Smith Dentistry. Lost River Arts and Cultural Alliance has received grants from The Roundhouse Foundation and City of Merrill. Tiny Might and Strong will provide activities for the children. Public Works Director Matthews stressed the free Thursday night show, July 7, 2022, with a performance by The Western Flyers featuring Redd Volkaert. Merrill Historical Society purchased over \$500.00 in circus tickets for Friday, May 13, 2022 performance. Councilor Baley stated the Merrill Lion's Club is hosting the circus, and the proceeds benefit the organization, which 100% goes back into the community. A bible was donated to Merrill Historical Society that belonged to Nathan Merrill's father from the Scrogen Family. Merrill Historical Society will be hosting a tour in partnership with Klamath Historical Society on June 4, 2022.

NEW BUSINESS:

- Discuss Purchase Offer of 227 Washington Street Vacant Lot: The City of Merrill has been discussing options to attract police leadership. Resident Janet Herman has offered the City of Merrill first option to purchase the vacant lot at 227 Washington Street for \$30,000.00 but open to negotiations.
- Appoint City Council President: Councilor McCollam and Councilor Baley nominated Councilor Johnson as City Council President. Mayor Carlson voted in favor a Councilor Johnson.
- Preliminary Swisher Road Annexation Proposal: *Refer to Public Works Report.* City Engineer Darryl Anderson will proceed with annexation.

- Present Councilor Carleton with Certificate of Appreciation: Mayor Carlson thanked Councilor Carleton for years of service and presented Councilor Carleton with a Certificate of Appreciation. (*Councilor Carleton received applause and standing ovation*). Councilor Carleton discussed the history of City Council upon election to office. The City Council hired Public Works Director Matthews during the same timeframe. The City Council obtained City Engineer Darryl Anderson services. Councilor Carleton discussed City history with DEQ and the lagoon, which transitioned into City of Merrill staff's excellence. Public Works Director Matthew's highlighted Councilor Carleton's successes: Lagoon Project and Water Project.
- Organizational Structure for Code Enforcement: Public Works Director Matthews suggested hiring a part-time Code Enforcement Officer with experience, such as Klamath County Code Enforcement Officer. Discussion of current Code Enforcement Officer status ensued. Tabled.
- Discuss Basin Transit Service for Veterans: Basin Transit Service travels from Merrill to Malin. Veterans are free. Tabled.
- Consider Municipal Speed Control: Traffic tickets are civil. Recent laws have been passed to allow Municipal Speed Control. A camera is approximately \$65,000.00 and the revenue remains with the City. Cameras are controversial, but they may be effective. Councilor Baley inquired to the cost as one or two cameras. Mayor Carlson stated one. Councilor Carleton inquired to monitoring. Mayor Carlson stated internal. Public Works Director Matthew stated a low opinion; however, with enough warning, the idea is tolerable. Councilor McCollam inquired if the register owner receives the ticket. Mayor Carlson affirmed. City Recorder Hernandez stated Traffic Logix offers a variety of cameras and can outsource the traffic citations. A zoom meeting is scheduled from 9:00 a.m-10:00 a.m. May 11, 2022.
- Confined Space Hazard Awareness: A safety training was held on Confined Space Hazard Awareness. Sewer gas kills people. Confined spaces are critical. Materials are provided for awareness.

OLD BUSINESS:

- Discuss Police Department Contracting: Tabled.
- Position #1 Vacancy Letters of Interest (Resignation Effective June 1, 2022): City Recorder Hernandez stated the City of Merrill received one letter of interest. City Recorder Hernandez read the letter into the record. Councilor Johnson made a motion to nominate Kallie Gatliff to the City Council. Councilor McCollam 2nd the motion. The motion passed 4-0 in favor. Oath of Office will be held June 14, 2022.
- Consider Water Contract with State of Oregon: Tabled.
- Adopt Revised City of Merrill Employee Handbook: City Recorder Hernandez emailed the Employee Handbook to each City Councilor as directed at the April 12, 2022 City Council meeting. Councilor Carlson inquired to the changes. City Recorder Hernandez stated the addition of the Crown Act, EAP name changed, a clause for workplace violence was added, meal period verbiage changed, sick leave verbiage updated, bereavement leave has been clarified, jury duty language added to include certificate, and no expectation of privacy in regard to City owned equipment. The changes were discussed with the City Attorney and the changes are from City Insurance Services (CIS) Councilor Johnson made a motion to approve the City of Merrill Employee Handbook. Councilor McCollam 2nd the motion. The motion passed 4-0 in favor.

ORDINANCES:

RESOLUTIONS:

- Resolution 2022-887 Transfer Funds to Comply with Budget Law Requirements: Tabled.
- Resolution 2022-888 Transfer Funds to Comply with Budget Law Requirements: City Recorder Hernandez read Resolution 2022-888 into the record. Councilor McCollam made a motion to approve Resolution 2022-888. Councilor Baley 2nd the motion. The motion passed 4-0 in favor.
- Resolution 2022-889 Authorize Signature on all Bank Accounts: City Recorder Hernandez read Resolution 2022-889 into the record. Councilor Baley made a motion to approve Resolution 2022-889. Councilor McCollam 2nd the motion. The motion passed 4-0 in favor.

OTHER-FUTURE AGENDAS:

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: The Lost River Bluegrass Festival is seeking the use of a golf cart for the festival's photographer due to mobility issues.

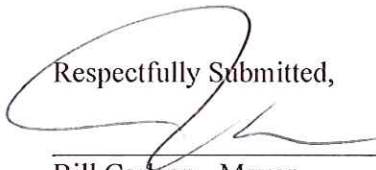
City Recorder Hernandez: The City of Merrill has provided German Chocolate Cupcakes as a thank you for Councilor Carleton's service.

Councilor Carleton: The City Council has had serious disagreements, but everyone has been able to come to back to the table to do business and be professional, which is important. It has been a pleasure to work with the Council in that respect.

ADJOURN MEETING:

Councilor Baley made a motion to adjourn the May 10, 2022 Meeting. Councilor Johnson 2nd the motion. With all in favor, the meeting adjourned at 7:10 p.m.

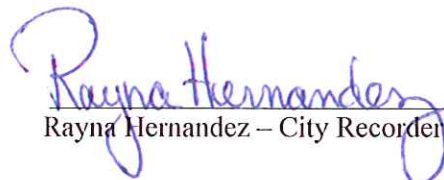
Respectfully Submitted,



Bill Carlson - Mayor

14 Jun 27

Date



Rayna Hernandez - City Recorder

6-14-2022

Date

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