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**CITY OF MERRILL**  
**REGULAR BUSINESS MEETING**  
Tuesday September 8, 2020 6:00 P.M.

**MEETING CALLED TO ORDER:**

Mayor Carlson called the Tuesday, September 8, 2020 Regular Business Meeting cancelled due to no quorum. Public discussion ensued.

**ROLL CALL:**

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

**General Discussion with Public:**

Mayor Carlson stated self and Councilor Carleton, as members of the sub-committee, have been having discussions with the landscape owner of the Solar Farm. A meeting will be held Friday, September 11, 2020. There has been discussion replacing the landscape buffer with a seven or eight foot fence with slats to obscure sight of the solar panels. If there is any negative feedback to the proposal, please contact Mayor Carlson or Councilor Carleton.

Public Works Director Matthews elaborated on the "slats". The material is not a "slat" and is difficult to install; however, the aesthetics are pleasing to the eye.

Councilor Carleton stated the landscaping that died cost the Solar Company \$200,000.00.

Mayor Carlson inquired to the longevity of the fencing material.

Councilor Carleton stated the material is guaranteed for 10 years.

Mayor Carlson stated speaking as a sub-committee and not as City Council, the question of whether the City has jurisdiction outside of City limits (extramural authority). Mayor Carlson affirmed. A City may own property and exert authority outside of City limits.

Councilor Carleton stated the landscaping maintenance as whole was included in the Conditions of Approval. The original proposal was to landscape the entire perimeter of the project.

Mayor Carlson reiterated tonight is a non-meeting.

Public Works Director Matthews thanked the City of Merrill for matching the Merrill Historical Society's donation of \$1,000.00 for the Nathan Merrill Headstone. \$500.00 is needed to complete the project. The Potato Festival will be held for 2020 the third week of October. Resident Lee Harris passed away and the service has been postponed. A bench will be dedicated to Lee Harris at The Good Duck Park marked with a brass plaque by Lost River Arts and Cultural Alliance. A dedication ceremony may be held for Lee Harris.

Resident Gary Robeson recalled a conversation with Lee Harris in regards to an abatement. Allegedly Lee Harris contacted Klamath Falls Code Enforcement about the validity of the abatement. Resident Gary Robeson stated Lee Harris mentioned the City of Merrill never withdrew the abatement or citation. Resident Gary Robeson requested the City of Merrill dismiss the abatement as a tribute to Lee Harris.

City Recorder Hernandez stated the City of Merrill is required to retain records per Oregon Secretary of State Retention Schedule, which includes expunged records as explained to Lee Harris.

Resident Gary Robison responded, "Okay. Whatever you guys say". Resident Gary Robeson wanted an item added to the October 2020 agenda in regards to Merrill City Code section 90.24 Nuisances Affecting Public Peace. The

terms are not definitive and subject to argument. What is one man's junk may be another man's treasure. Resident Gary Robeson made a recommendation for proposal that the term junk as used in this section includes all wrecked, disrepair, or non-operating vehicles or parts thereof, appliances or parts thereof, machinery or parts thereof, iron or other discarded metal, glass, paper, lumber, wood, or mattresses, and similar waste material stored outside in public view. Resident Gary Robeson stated the title of "MCC" 90.24 is titled "Nuisance Affecting Public Peace". The title is particularly meaningful as violations of the section affects nearby resident's right of peaceful enjoyment of their property and further lowers their property values by definition, and in general, the property values of all the properties within City limits of Merrill. Resident Gary Robeson stated the issue is not of beautification but rather the removal of unsightly junk to all who live in or visit the City of Merrill and reiterated the recommendation to City Council.

City Clerk Northcutt stated Marshal Bicknell and self have already initialized Code Enforcement Abatements. The abatements are in sections as to not overwhelm the City Clerk with cases. Junk vehicles and such will be addressed next.

Mayor Carlson stated the item will be agendized for October 2020 and sought other issues to agendize. No further public comment followed.

**CONSENT AGENDA:**

- **Meeting Minutes:**  
August 11, 2020 Planning Hearing, Supplemental Hearing, and Council Meeting Minutes:
- **Phone Poll:**  
Adoption of Qualified Retirement Plan (Councilor Picke Verbally Approved 9:10 am; Councilor Carleton Approved Via Text 9:09 am; Councilor Hinton Verbally Approved 9:37 am)  
Letter of Support-Safe Routes to School (ODOT) (Councilor Picke Approved Via Text 9:04 am; Councilor Hinton Verbally Approved 11:38 am; Councilor Smith Verbally Approved 9:31 am)
- **Business License Renewals:**
- **Business Licenses:**
- **Accounts Payable:**  
August 2020 Account Payables:  
August 2020 Water Transfer:

**STAFF REPORTS:**

- **Police:**
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- **Public Works:**
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- **City Recorder:**
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- **Lawyer:**
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- **Code Enforcement:**
  - Report:
  - Appoint Code Enforcement Officers
- **Planning:**
  - Report:
  - Approve Planning Commissioners Terms of Office

**PROJECT MERRILL:**

**LOST RIVER ARTS AND CULTURAL ALLIANCE:**

- Report:

**NEW BUSINESS:**

- Audit Engagement Letter
- Authorization to Open Merrill Commercial Reserve Account
- Consider Solar Landscape Alternate Approaches
- Consider ODOT Trails Program and Discuss Merrill Trail Proposal

**OLD BUSINESS:**

- Review Solar Landscaping Response

**ORDINANCES:**

- Bill 2027-Amending Chapter 90: Health and Sanitation: Nuisances §90.27 Violations; Remedies Subsection (B)-Second Reading:
- Bill 2028-Amending Chapter 90: Health and Sanitation: Nuisances §90.26 Abatement; Procedures-Second Reading:

**RESOLUTIONS:**

- Resolution 2020-823: Transfer Funds to Comply with Budget Law Requirements:
- Resolution 2020-825: Transfer Funds to Comply with Budget Law Requirements:
- Resolution 2020-826: Authorize Specific Purposes for Merrill Commercial Reserve:

**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.

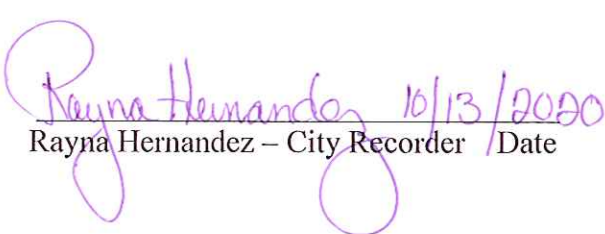
**ADJOURN MEETING:**

Councilor \_\_\_\_\_ made a motion to adjourn the September 8, 2020 Meeting. Councilor \_\_\_\_\_ 2<sup>nd</sup> the motion. With all in favor, the meeting adjourned at \_\_\_\_\_ p.m.

Respectfully Submitted,

  
\_\_\_\_\_  
Bill Carlson - Mayor

13 OCT 2020  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Rayna Hernandez – City Recorder / Date