

**City of Cove
Council Meeting Minutes
September 7, 2021**

Mayor Sherry Haeger opened the regular session of the Cove Common Council at 7:00 p.m. with Council President Matt McCowan, Councilor Jason Stone, Councilor Shawn Parker, Councilor Alan Cadinha, Councilor Jordan Hackwith.

Also present in person at the meeting were Public Works Director Dave Johnson, City Recorder Sherry Riley. Public presence: Dave Coleman.

Virtual attendance was on "Go to Meeting":

Representing T-Mobile Miranda Glenn representing Technology Associates Construction – Max Kvem. Public: Maxine Parker, Alexis Cannon.

Council members not present: Councilor Lana Shira.

Call to Order/Roll Call

Mayor Sherry Haeger called the meeting to order and led in the **Pledge of Allegiance**. Roll Call was taken and a quorum was determined to be present.

Mayor Sherry Haeger asked of people online when speaking to state name, location and why you were here.

Additions or Changes to the Agenda – None given.

Public Comment – No public comment given.

Announcements & Presenters – None.

Consent Agenda

- **Approval of August 3rd Council Minutes**
 - **Council Vote:** Councilor Jason Stone motioned to approve the Council Minutes. Councilor Jordan Hackwith 2nd the Motion. Unanimous vote.
- **Approval of Bills to be Paid**
 - **Council Vote:** Councilor Jason Stone motioned to approve the Bills to be Paid. Councilor Alan Cadinha 2nd the motion. Unanimous vote.

ARPR Funding Request Council Approval

- **Council Vote:** Councilor Shawn Parker motioned to Approve ARPR Funding. Councilor Jason Stone 2nd the motion. Unanimous vote.

One-Time Overage Forgiveness Adjustment

- *Daniel George* had sent a letter to the City of Cove Council. Water pipe broke/now repaired. Requested \$125 one-time overage forgiveness adjustment.
- *Rosemarie Thiesfeld had* sent a letter to the City of Cove Council. Water leak/now repaired. Requested \$144.61 one-time overage forgiveness adjustment.
Council Vote: Council President Matt McCowan motioned to do a one-time overage forgiveness adjustment at 50% of the overage cost. Councilor Jason Stone 2nd the motion. Unanimous vote.

Recorder's Report Sherry Riley

- Requested and received City of Union fee schedule from Doug Wiggins to view for the future City of Cove Municipal Ordinance.
- Contacted Deb Hansen of the Cove Rural Fire Dept to please call Mayor Sherry Haeger, as the Mayor had requested at the August 3rd Council Meeting.
- Cove Cherry Fair recap:
 - City of Cove banner displayed.
 - All went well and great fun was enjoyed even though it rained in the morning "Liquid Sunshine".
 - The Mayor Sherry Haeger, Recorder Donna Lewis, Public Works Director Dave Johnson and kids, City Recorder Sherry Riley all rode in various vehicles in the parade.
- The Oregon Association of Municipal Recorders Conference was canceled due to the current pandemic situation. They are working out details to hold the conference online.
- League of Oregon Cities American Rescue Plan update attended webinar August 24th.
- Completed Portland State Census Report
- Contacted Erin Lair with Soap Box Derby regarding Insurance Packet. Erin turned in the *Special Events Release* form in the Payment Drop Box this morning. We still need the *Certificate of Liability* Insurance with the specific dates on the paperwork.
- Posted Part Time Clerk Announcement, Job Description and Employment Application on the City of Cove website. Sent email to Oregon Employment Dept to put on their website.

Public Works Director Report Dave Johnson

- **FEMA Payment Request Forms**
 - Council Vote: Councilor Jason Stone motioned to approve the FEMA Payment Requests. Councilor Jordan Hackwith 2nd the motion.
- **Public Works Director Report:**
 - Finishing up projects from flood damage from February 2020 flood. Need to have signed the FEMA reimbursement request forms.
 - Speed cushions should be installed within the next couple weeks on Haefer Ln.
 - Installed new street signs on Conklin and Geni/Common intersections.
 - Safe routes to school audit that was canceled last spring has been rescheduled for November 2nd .
 - DLCDD has a technical assistance grant application open for assistance with comprehensive plan update if council wants to work on the comp plan. Applications due October 1, 2021. See attached.
 - Upgraded/replaced the influent meter at the wastewater lagoons.

Public Hearing 7:30 pm

T-Mobile Cell Addition Application Approval on property 03S4021AD-600

Online representatives: Miranda Glenn representing T-Mobile for Daniel Bowen.

Max Kvem representing Technology Associates EC, Inc.

Mayor Sherry Haeger opened the Hearing.

Staff Report was given to the Council.

Presentation by Miranda Glenn representing T-Mobile for Daniel Bowen.

Miranda Glenn stated, T-Mobile is applying to add equipment to existing US Cellular Tower. The proposal includes (6) antennas, (6) RRUs, and other corresponding equipment to the tower and ground equipment on a 12'x16' concrete slab. Miranda asked if there were any questions or concerns.

Council President Matt McCowan had a question for City of Cove Public Works Director Engineer Dave. Is there anything we can do about the existing tower up there has made loud banging noise in the wind. Matt spoke up so Miranda could hear online. The existing antennas are very noisy when the wind is blowing. There have been complaints. There are 3 residents near the tower. Councilor Jason Stone stated I think that there is a law about making sure that they are maintained.

Council President Matt McCowan asked if there was anything in the application request and plans that hold them accountable for maintenance.

Mayor Sherry Haeger asked Miranda Glenn if there was a maintenance clause in the proposal Miranda?

Miranda Glenn, I am not sure if there is a maintenance clause. I know when we install everything, we complete a full structural analysis, and everything is per State Code for mounting and everything on the tower including the antennas.

Mayor Sherry Haeger spoke up saying, We do have a comment from a resident and asked him to state his name, address and question.

Dave Coleman 800 Rose Ridge Road. I own the initial home up there. The clanging situation has taken care of itself. I believe the safety cable went up the side of one of the towers and on a windy day, it was loose enough that it was banging against the tower. I believe that has been taken care of and that was a year and a half ago. Two years ago, before Max and Lana even moved into their house, the original power had a wind problem some of the shields, but that nuisance has gone away.

Mayor Sherry Haeger asked Miranda Glenn, You said there is a full structural analysis after the installation to meet State Guidelines. Do you think you could provide that to Dave our Public Works Director afterwards?

Miranda Glenn, We actually complete that beforehand usually that where we apply for before we get our building permit. We should have that completed already for this project. In regard to noise and making sure that everything is secure on the tower, I know when we go to install there are signs on the outside that are usually our contacts for the power owner and there will be one for T-Mobile if we get approved and are able to install to contact if you have concerns. Our contact information is on the set of plans as well. You can reach out to us if you have concerns beforehand.

Mayor Sherry Haeger, Miranda how often does T-Mobile go and look at the equipment to make sure it is still the way you installed it?

Miranda Glenn, That is a good question. I am not 100 percent sure of the answer. I know that T-Mobile has field operations technicians that go to the site, fix it, make sure everything is running smoothly and running correctly. If there are any concerns that are brought up regarding the tower are the responsibility of the tower owner specifically to keep up to code. But that would be something that we could definitely help fulfill the tower owner if those cables are loose. Those that work on the tower are unable to climb the tower if something is loose.

Council President Matt McCowan, After initial installation T-Mobile is responsible for maintenance?

Miranda Glenn, They are responsible for their equipment yes.

Council President Matt McCowan, Who's responsible for US Cellular?

Miranda Glenn, So any equipment that US Cellular they would be personally responsible for as a company. They own the tower. They lease the grounds from the property owners. T-Mobile is leasing space from US Cellular to locate on the tower.

Council President Matt McCowan, I guess the question is who is ultimately responsible for the maintenance of the tower?

Miranda Glenn, That would be the tower owners themselves.

Council President Matt McCowan, I just want to be clear.

Councilor Jason Stone, My question is the FCC has given a list of definitions as to what is considered a substantial change. But is it for all of these things the FCC Appendix changes you are making or is there just one change that falls into that category?

Miranda Glenn, Everything that we are going to install are not a substantial change to the tower. It doesn't cause extended height of the tower or width.

City Recorder Sherry said to the Council, What you are voting on is the cell tower upgrade.

Councilor Jason Stone stated, We should make a motion.

Mayor Sherry Haeger asked for Public Comment. No testimony was given in favor or against.

Mayor Sherry Haeger closed the Hearing.

Council Deliberated.

Council Vote: Councilor Jason Stone motioned to approve the zoning for the T-Mobile cell tower upgrade. Councilor Jordan Hackwith 2nd the motion. Unanimous vote.

The Council thanked Miranda Glenn.

Mayor's Report

- **Covid Update**

Mask and Vaccine Mandate

Mayor Sherry Haeger stated, She had a Union County Mayor's Meeting with Jeremy Davis who is the Grande Ronde Hospital CEO. There is a big concern about employment for the people in the county whether or not they are vaccinated, getting tested or are going to wear masks. I am going to take this from a nurse's/medical worker's perspective because they are one of our biggest employers in the valley. All of a sudden their workforce quits because they don't want to be vaccinated, we've got a problem. Jeremy is well aware of that problem, but he is not changing the requirement.

Councilor Jason Stone asked if the decision is up to Jeremy?

Mayor Sherry Haeger answered, It probably is but there is also a Grande Ronde Hospital Board of Directors.

Council President Matt McCowan stated, In the letter he had read, Jeremy said it was up to the Governor and he had nothing to do with it.

Mayor Sherry Haeger stated, Well that's not what he said on the phone. I did ask him, because I actually come from that world.

Council President Matt McCowan asked the Mayor did you actually read the letter he put out to the public?

Mayor Sherry Haeger stated, The mandate is coming from the Governor and it up to Jeremy to enforce and he is going to enforce it. He doesn't have to enforce it, but he is going to enforce it.

Councilor Jason Stone asked, So he is going to actually enforce that they have to be vaccinated?

Mayor Sherry Haeger answered, Yes.

Councilor Jason Stone stated, There are a lot of people out there that are putting themselves on a line for future lawsuits. It's not FDA approved. It is still experimental. There are still people who have died from it and have very severe and permanent damage from it. There is still not enough really known. So you put somebody in a position where they are going to lose their job or get a vaccine that is still experimental and something happens to them or you take your job away you stand a good chance of ending up getting sued in sometime. Even if someone says, "Okay I don't want to lose my job." They get vaccinated and next thing you know they have inflammation of the heart and are permanently disabled. Even though the drug company can't be sued, the Governor can't be sued, the hospital sure as heck can be sued. The problem with that is that if they do get sued and end up paying out a bunch of money, they are going to transfer that cost off to everybody else because that's what they do.

Mayor Sherry Haeger continued, So that's what I learned about the vaccine. We talked about it at length, because I know of at least four nurses personally that are taking jobs outside of here, in Idaho or Washington because they don't have to do vaccines in those places. So I am wondering, I don't want to be insensitive, if anyone here has input based on personal experience. I got the vaccine because I wanted to keep my job and I wish I hadn't. I didn't know that much about it then.

Councilor Jason Stone stated, I think the issue it should be each person's personal choice.

Council President Matt McCowan responded, We're not going to solve the problem tonight. It does affect my family directly as well. My wife has worked there for 30 years and she could lose her job.

Mayor Sherry Haeger, Yeah. So I just want you to know the sentiment I expressed to Jeremy was my personal sentiment. I made clear that I had not talked to you all yet. But you are all saying the same thing.

Councilor Jason Stone stated, There is currently a class action lawsuit against the Governor over this very issue.

Council President Matt McCowan stated, There is actually more than one.

Mayor Sherry Haeger shared, Jeremy said that their hospital is full. They've only got two beds usually left. They have 25 beds, they are not a big hospital.

Council President Matt McCowan responded, That number is skewed. The fill rate is depending on how well it is staffed. It is not the actual number of beds in the building.

Councilor Jason Stone remarked, That is a statewide issue. They have been downsizing hospital beds for years in Oregon and now they are screaming they don't have enough. So they don't have staffing for enough beds so what do they do? They turn around and tell a bunch of nurses they have a mandate. They leave and now what are you going to do?

Council President Matt McCowan, Even though they say it's not political, it is political.

Mayor Sherry Haeger, It is absolutely political. So it's just something that is coming to our town, it might be a concern about employment going forward. If the Council decides you want to make some sort of public statement as the City, I am happy to draft up something and talk about that at our next meeting. If not, we just had a conversation and I let you know what is going on.

Council President Matt McCowan, I will let you know when my house is up for sale.

Mayor Sherry Haeger, You saw the letter from Cody Bowen saying he wouldn't enforce. I spoke to four business owners in La Grande specifically, not here in Cove. That four of them are saying they have all the signs on the door, but they don't enforce. There are some that do enforce and you find out when you walk into them.

Councilor Jason Stone, So we don't have the health department walking around threatening the property owners?

Mayor Sherry Haeger, No and I haven't talked to him. I saw him at the Cove Cherry Fair and he said I am not enforcing anything about masks. Something else that was interesting, I know people who were concerned were trying to distance themselves at the Cove Cherry Fair this year. But when it rained really hard, it pushed people into the booths, and they did better than when the sun was out two years ago.

Councilor Alan Cadinha apologized for not attending the Cove Cherry Fair to host the City of Cove Booth, he was ill. Alan said, I had gotten the first Pfizer Vaccination. Then I wish I didn't get the shot just as you also said. I was not pressured. I was not going to lose my job. I made a decision. I was not feeling well for four days. I went to a concert 3 days after that in Baker. I came down with it. I don't know if I got it or was just already fighting it – the shot. Because I talked to other people that had gotten the shot. They fought it and then it hit them. They got the full blown Covid virus.

Council President Matt McCowan asked Alan if it was the two-shot vaccine.

Councilor Alan Cadinha responded, Yes. I got the first shot. I haven't had the second shot. Now I am worried what will happen with the second shot.

Councilor Shawn Parker asked Alan if he was tested?

Councilor Alan Cadinha responded, No. I did not want to get wrapped up in the testing steps because I know I had it. My sinuses, I couldn't see out of my eyes, I had a fever. I was insisting I don't have it. My lungs were okay I could breathe. Then after 5 days it hit my lungs. I went through times I could not stop coughing. I took that horse medicine. Ivermectin. I took the two doses of it. A neighbor told me about it. I was worried about dying! I took that medicine in the morning and the second day, I started feeling better. I took two doses, one on one day and another the next day. You set it on your weight and with a cup of milk. Shake it up. I looked it up on the internet before I was well enough to go anywhere. It was \$20. Then I heard it was \$5 at the livestock place. I got three and gave one back to the neighbor. So that is my information.

Council President Matt McCowan replied, I am glad it worked for you.

Councilor Jason Stone said he knows other people who have taken that. The CDC just came out, their stuff is already saying everything we thought we knew, we don't know.

- **Update on Jim Bars brush pile**

Mayor Sherry Haeger stated she had visited Jim Bars property to talk to Jim regarding the complaints filed about his long brush piles.

Councilor Jason Stone replied, It is a fire hazard and at some point, I think his intention is to light it on fire.

Mayor Sherry Haeger, Yes, I talked to them. He is going to light it on fire. I guess a couple years ago they got a complaint of what was in the burn pile. They were told you can't burn your trash. He was more worried when I went to meet him about having the wrong things in the pile. The complaint was that he was burning garbage. He said there is only wood and paper on the burn pile, nothing else. He said, after we are allowed to burn again, he can.

Council President Matt McCowan stated, The complaint was it was on the City of Cove easement.

Mayor Sherry Haeger said she didn't know that part.

Public Works Director Dave Johnson responded, It is in the City's Right of Way that is dedicated and his side of the fence is not.

Council President Matt McCowan, Okay then we are fine.

Mayor Sherry Haeger stated, Whoever made the complaint is worried about it. Mr. Bars is completely aware of ordinances and requirements for a safe burn pile and that is what he is going to do. Driving around the City, I saw seven other piles just like his. There were no complaints about those.

Councilor Jason Stone suggested, that should be something we keep an eye on as we go on, because it is better not to let people make massive burn piles.

Council President Matt McCowan something that could get out of control. It looks pretty big. But didn't they just remove the burn ban today?

Councilor Alan Cadinha, just for recreational fires.

Mayor Sherry Haeger, not for open pit fires. Burn barrels and a firepit you can do.

Council President Matt McCowan remarked, so we are going into fall.

Mayor Sherry Haeger stated, It is taken care of. I did my due diligence.

Councilor Alan Cadinha said, I also remember our Public Works Director Dave already went there.

Windwave Franchise Agreement update

City Recorder Sherry Riley stated, Mayor Sherry and I called Lynn with Windwave. She had said that they were extremely busy and would get back to us by Friday last week and she did not. I have been emailing and calling leaving messages for a couple of months with Lynn Rodriguez and Paden LaCourse who have been our correspondents at Windwave Communications. They are reviewing our legal changes on the Franchise Agreements we sent them on July 13th.

Mayor Sherry Haeger, They have a lot sickness because of Covid. A lot of people out, so that is their excuse. I think we should take it off of the Agenda. There is not more we can do.

Council President Matt McCowan responded, Then they need to remove their utility.

Mayor Sherry Haeger stated, Well that's true, but I have no recourse. You guys do you guys have recourse of what I can do with them? They are not responding.

Councilor Shawn Parker, I have a backhoe.

Mayor Sherry Haeger requested City Recorder Sherry Riley give me her number and she will call her again and also send email?

City Recorder Sherry Riley, Okay. Thank you.

Transportation System Plan – committee selection

Council volunteered for the TSP Committee:

- Mayor Sherry Haeger
- Councilor Jason Stone
- Councilor Shawn Parker

The Committee will meet and discuss possible changes to the Transportation System Plan and the Comprehensive Land Use Plan. Then report back to the Council each monthly Council Meeting.

Good of the Order

Councilor Jason Stone mentioned, Something come up with the Baker City about the mandate.

Mayor Sherry Haeger, Yes and, I am meeting with Kerry McQuisten in two weeks. She is running for governor. So she is doing a meet and greet.

Councilor Jason Stone asked, What is the attitude of what is going on with the other city councilors?

Mayor Sherry Haeger, So, it is interesting. Most of them are of the same as we are. The City of La Grande is not. They are very liberal. That is the best way to say it. We are conservative. I think Imbler and Union did the same ordinance we did. I think Elgin was looking at it, but they didn't do it formally. Or it is the other way around between Imbler and Elgin, I don't know. I don't remember. So we're all saying, We will educate, but we are not going to enforce. They are all behind this, except for the City of La Grande. Everybody has the same opinion in this area, I think. Let us manage ourselves. We have common sense.

Councilor Jason Stone, Even if we make a mistake, it should be our choice.

Public Comment – Future Considerations or Comments on today's decision.

Mayor Sherry Haeger asked for Public Comment. No comments given.

Adjournment

Mayor Sherry Haeger adjourned the meeting.

Mayor

Recorder