

**City Of Cove
Council Meeting Minutes
December 6, 2022**

Call to Order

Mayor Sherry Haeger called the regular session of the Cove Common Council to order at 7:00 p.m. located at City of Cove City Hall, 504 Alder St., Cove, Oregon, 97824. Remote access to the meeting was active with public participation.

Council Members Present: Council President Matt McCowan, Councilors Lana Shira, Jordan Hackwith, Alan Cadinha, Shawn Parker, and Youth Councilor Ashtyn Larson.

Council Members Present Virtually: Councilor Jason Stone.

City Staff Present: Public Works Director Dave Johnson, City Recorder Sherry Riley, Billing Clerk Kerri McCowan.

City Staff Present Virtually: No city staff was present virtually.

Council Members not Present: All council members were present.

City Staff not Present: All city staff was present.

Public Present: Dan Landa, Jamie Landa, Alexis Cannon, Maxine Parker, Dave Coleman, Cheryl Locken, Becky Turner, Jim Holland.

Public Present Virtually: Eric Stone, Mike Riley, Michael Otterstein, Amy Johnson.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Haeger.

Council Roll Call

Roll call performed by Sherry Riley, City Recorder. A quorum was determined to be present.

Additions/Changes to the Agenda

- City of Cove 2022 General Abstract of Election Acceptance Letter (See New Business)
- Calculations Bookkeeping QuickBooks Monthly Reconciliation (See New Business)
- WastePro 2024 Rate Increase (See New Business)
- Delegated Authority for Speed Zones (See New Business)
- Tom and Reta Swenson Response Letter (See Correspondence)

Public Comment

No public comment was made.

Consent Agenda and Approval of Bills to be Paid

- Council Minutes November 1, 2022
- Approval of Bills to Be Paid

Motion: Councilor Alan Cadinha moved to approve the Consent Agenda and bills to be paid as presented. Councilor Jordan Hackwith seconded. Motion approved by unanimous vote.

Correspondence

Tom and Reta Swenson Response Letter

No actionable measures were taken from the French Drain and weed complaint presented at last month's meeting. The letter dated December 5, 2022, that the Swenson's provided was read into the minutes. If any member of the public would like to read the letter it is available. No further discussion is necessary.

Kelli Snider/Cove School letter (Discussed added at 7:20 pm)

There is nothing for Council to discuss. It is a complaint between the school and Kelli Snider. The City has no authority or responsibility.

New Business

- City of Cove 2022 General Abstract of Election Acceptance Letter
Sherry Riley read the letter addressed to Robin Church, Union County Clerk, regarding the General Election Results.

Motion: Council President Matt McCowan moved to accept the General Election results. Councilor Alan Cadinha seconded. Motion passed by unanimous vote.

- Calculations Bookkeeping QuickBooks Monthly Reconciliation
Sherry Riley reported Lara Paustian, who owns Calculations Bookkeeping, was recommended by Yvonne Roberts to help with the monthly reconciliation. Sherry reviewed her fees and noted she is seeking Council support for this request. Discussion ensued, and it was clarified that having an accountant perform monthly reconciliation was recommended after the last audit. It was also requested that this person help Sherry prepare a financial report to be presented at every council meeting. It was concluded to approve Calculations Bookkeeping to help with reconciliation.

Motion: Councilor Lana Shira moved to approve Calculations Bookkeeping to perform monthly reconciliation for a maximum of 5 hours in a month. If more time is needed the Council needs to be notified. Councilor Shawn Parker seconded. Motion approved by unanimous vote.

- WastePro 2024 Rate Increase
There was no representative present from WastePro; therefore, this agenda item was tabled.
- Delegated Authority for Speed Zones
Dave Johnson noted that at Council President Matt McCowan's request, he investigated the new state law that allows all Oregon cities to seek authority to set their own speed limits. He reported after doing some research he discovered it is not as easy as it sounds. He reviewed the requirements, and noted he talked to our ODOT representative, who said it's geared towards bigger cities, and it doesn't allow cities to change speed zones on state highways. He concluded he does not believe it's worth the effort. Additionally, we already have ODOT working on our speed study, and we should have the results of that study soon.
- Backhoe Bid (Discussion ensued at 7:22 pm)
Dave reported he received a bid from Case New Holland for a brand-new backhoe. We budgeted for \$40,000. They submitted a bid for \$73,770. He explained it has been tough to find any used backhoes that are in good condition. Discussion ensued and it was determined to postpone purchasing a backhoe for now, and Dave will find out if Case New Holland will take our current backhoe as a trade-in.
- OLCC License Renewals
 - Dollars Corner
Informational only. No action needs to be taken.
 - Steakhouse at Cove
Informational only. No action needs to be taken.

Unfinished Business (Discussion was stopped at 7:30 pm to open the Minor Partition Hearing. Discussion resumed at 7:45 pm)

- One-Time Forgiveness Allowance – Water Leak, Doug Taylor on Elm St. The forgiveness request from Doug Taylor was reviewed, and it was agreed to forgive one half of his October and November water bill. The amount to be forgiven is \$329.42.

Motion: Council President Matt McCowan moved to approve the one-time forgiveness request of \$329.42 for the overage of Doug Taylor's October and November water usage. Councilor Jason Stone seconded. Motion approved by unanimous vote.

- Oregon Mayors Association clarification on homelessness
Mayor Haeger reported the City of Cove will not be able to take advantage of what is being offered in the homelessness proposal. Report requirements are burdensome, and we don't have the types of issues that big cities have. There will be strings attached if the money is taken, but it is unclear what they will be. Additionally, if the money was taken and we couldn't determine how or what to spend it on, it would have to be given back.

Hearing 7:30 p.m. Turner/Locken Minor Partition

- Open Hearing
Mayor Haeger opened the hearing at 7:30 pm and read the hearing disclosure statement.
- Staff Report
Sherry Riley read the Staff Report.
- Applicant's Testimony
Questions arose from Cheryl Locken regarding Alder Street which she stated has been vacated. She noted according to the map, the vacated portion of the street would give them an extra 40 feet that would allow them to split the remaining property into two lots. It was noted that request would require a separate hearing. It is not part of the current request. It was also noted the city would have to verify that the street has been vacated. Cheryl Locken indicated it was vacated in 1952. Further discussion ensued and it was determined to move forward with the minor partition request as presented.
- Proponent's Testimony
Sherry Riley read a letter from Kathy Musick in support of the Minor Partition request.
- Opponent's Testimony
No opponent's testimony was provided.
- Applicant's Rebuttal
No applicant's rebuttal was provided.
- Close Hearing
Mayor Haeger closed the hearing at 7:44 pm.
- Council Deliberation and Final Decision

Motion: Council President Matt McCowan moved approval for the applicants Rebecca Turner and Cheryl Locken to partition Tax Lot 2600 into 2 parcels to get existing residence on its own parcel in preparation for a land sale. Parcel 2 meets the lot size requirements. The applicants have satisfied the City of Cove 1984 Zoning Ordinance and the Cove Partition and Subdivision Ordinance 1990 by the applicant's verbal testimony. Councilor Shawn Parker seconded. Motion approved by unanimous vote.

Hearing 8:00 p.m. Landa Variance with Lot Line Adjustment

- Open Hearing

Mayor Haeger opened the hearing at 8:00 pm and read the hearing disclosure statement. Councilor Jason Stone reported he talked to Dan Landa about the variance earlier this week.

- Staff Report
Sherry Riley read the Staff Report.

- Applicant's Testimony
Mr. Landa noted it is the same request he submitted at the October meeting, but no official vote was taken at that time. He needs official approval so he can move forward. Discussion ensued regarding what exactly he is requesting. He reported he is asking for an easement and not a flag lot. His reasoning for requesting an easement is because he does not want a road there. He would rather use the future road that is designated in the TSP. That would allow the easement to be vacated back to the front lot. Further discussion ensued regarding granting and vacating easements and other ways to access the property. Mr. Landa responded saying he had been directed by professionals to ask for an easement. It was discussed that at the last meeting the Council told Mr. Landa if all he wanted to do was build a house on his back property that could be made to happen. It was further clarified because the property isn't adjacent to a street for a minimum distance of 20 feet, the variance from the ordinance needs to be requested. Further clarification was sought on why Mr. Landa was not creating a flag lot, as he requested at the last meeting. Mr. Landa indicated he never requested to create a flag lot, it was always an easement; however, it was pointed out it is documented in the meeting minutes of the initial request that he would be creating a flag lot. He indicated he does not want to spend the money to create a flag lot, he feels it is just semantics. Mrs. Landa indicated they do not wish to create a flag lot; they are now only requesting a variance for an easement. It was confirmed the request for access via an easement is included in the zoning application.

- Proponent's Testimony
There was no proponent's testimony.

- Opponent's Testimony
There was no opponent's testimony.

- Applicant's Rebuttal
There was no applicant's rebuttal.

- Close Hearing
Mayor Haeger closed the hearing at 8:19 pm.

- Council Deliberation and Final Decision
Motion: Councilor Jason Stone moved approval of the applicant Dan Landa's request for a variance from the 1984 Cove Zoning Ordinance Section 8.10: ACCESS to allow an easement for access to the adjusted tract through a 20-foot easement through Tract A for ingress, egress, and utilities allowing the building of a single- or two-family dwelling as indicated in the Landa Lot Line Adjustment. The applicant has satisfied the City of Cove Variance Criteria identified in the Variances Section 10.02 REQUIRED CONDITIONS because of the applicant's responding to the variance criteria and the verbal testimony. He moved approval of the Variance/Lot Line Adjustment application by Dan Landa, that the applicants have satisfied City of Cove Zoning 1984, Landa Lot Line Adjustment exhibit prepared by a professional licensed surveyor. Condition of Cove City Council approval for Union County Planning to sign the Final Plat. Councilor Alan Cadinha seconded. Council President Matt McCowan and Councilor Shawn Parker opposed. Councilors Lana Shira and Jordan Hackwith approved. Motion was approved by majority vote.

City Council Working Committee Report (8:26 pm)

- Transportation System Plan (TSP)
Councilor Stone reported there is another meeting scheduled for December 21st. The definitions need to be reviewed by all the committee members at the next meeting. They have pared out all chapters that will be used and will be comparing those to ours.
- Municipal Court
There is no report for the Municipal Court.

City Recorder Report

Sherry Riley provided a verbal report:

- She recognized Billing Clerk Kerri McCowan’s one year anniversary on November 22, 2022.
- She has been working on surveys.
- SAM.Gov registration was completed November 16th.
- She provided information on LOC’s upcoming Elected Essentials and Mayor’s Workshop to be held at Island City Hall on January 18th (Mayor’s Workshop) and January 19th (Elected Essential Workshop).

Public Works Director Report (Discussion began at 8:26 pm)

Dave Johnson provided a verbal report:

- He reported we are short on hydro production for November. It has been too cold, and we need rain.
- They have been working on an issue with the diversion up Mill Creek. A debris screen collapsed, and some debris needs flushed. This has impacted production as well.
- They have installed a few more stop signs and the new City Hall sign is up.

Mayor’s Report (Discussion began at 7:56 pm)

Mayor Haeger provided a verbal report:

- She will be attending the Cove Community Association’s Tree Lighting event and reading books to children at the library.

Youth Councilor Report (Discussion began at 8:28pm)

Ashtyn Larson provided a verbal report:

- Basketball season has started. Cove School held a basketball tournament in Cove.
- Christmas break starts on December 22nd and resumes on January 9th.

Motion: Council President McCowan moved to extend the meeting another 5 minutes at 8:30 pm. Councilor Jordan Hackwith seconded. Motion approved by unanimous vote.

Good of the Order

Councilor Shawn Parker noted by passing the Landa variance the city has set a precedence. The only reason Mr. Landa requested the variance was because he did not want to spend the money for a flag lot, so now anyone who does not want to spend money can use that against the city. Discussion ensued regarding the initial request, and it was noted that Mr. Landa was told then and agreed that he would create a flag lot with 20 feet touching the street.

Public Comment

Maxine Parker asked for clarification regarding the option for either a flag lot or an easement.

Motion: Council President McCowan moved to extend the meeting 10 more minutes at 8:34 pm. Councilor Alan Cadinha seconded. Motion approved by unanimous vote.

Discussion ensued, and it was concluded a variance needs to be requested when what property owners within the City of Cove are requesting to do with their property doesn’t meet the city’s criteria.

Suggestions for Future Workshops & Meeting Agendas

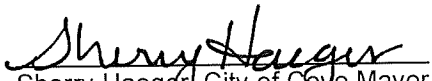
No suggestions for future workshops or meeting agendas were made.

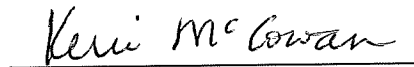
Upcoming Meetings

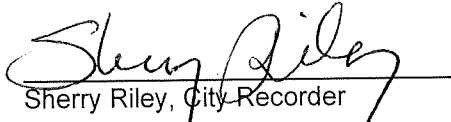
No upcoming meetings are scheduled at this time.

Adjournment

Mayor Sherry Haeger adjourned the meeting at 8:41 p.m.


Sherry Haeger, City of Cove Mayor


Kerri McCowan, Billing Clerk


Sherry Riley, City Recorder