

**City of Cove
SPECIAL MEETING
Thursday, October 12, 2023
7:00 p.m.
AT 504 ALDER STREET
COVE, OR 97824**

Call To Order

Mayor Sherry Haeger called the Special Meeting 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 Jason Stone, Eric Stone, Jordan Hackwith, Shawn Parker.

Council Members Present Virtually: No Council Members were present virtually.

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

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

Council Members not Present: Councilor Alan Cadinha.

City Staff not Present: City Recorder Lana Shira.

Public Present: Maxine Parker.

Public Present Virtually: There was public present virtually. See meeting diagnostics print out.

Pledge of Allegiance

Mayor Sherry Haeger led the Pledge of Allegiance.

Council Roll Call

Roll call was performed by Billing Clerk Kerri McCowan. A quorum was determined to be present.

Public Comment

No public comment was made at this time.

Subject to be Discussed:

- Employee Handbook (*Discussed second.*)
The Draft Employee Handbook was reviewed, and the following amendments were recommended:
Section I - Equal Opportunity Policies:
 - Sub-section A. No-Discrimination, No-Retaliation Policy - Delete the entire paragraph "For purposes of this and all other City of Cove policies "race" is defined..."
 - The last paragraph regarding equal opportunity was discussed and Councilor Parker questioned what the definition of Equal Opportunity is. Mayor Haeger googled the definition and read it. Councilor Parker wanted it noted in the minutes that he felt like we did not apply equal opportunity in hiring our current City Recorder. Council President McCowan noted the way the city hires is at the sole discretion of the council. All council members got a vote, the city wasn't illegal in the hiring process, every rule was followed.
 - Sub-section C. No-Harassment Policy – Accept the red-line to strike "or with the City Council."
 - Sub-section C. Complaint Procedure – Accept the red-line to strike "or a member of the City Council and replace with "or the Council President or Mayor."
 - Sub-section C. Protection Against Retaliation – Accept the red-line to strike "a member of the City Council" and "or any supervisor" and insert "the Council President."

- Sub-section D. No-Bullying Policy – Accept the red-line to insert “President or Mayor.”
- Section II – Classification and Compensation:
- Sub-section B. Employee Classification – Accept the red-line in #2 from “40” to “36” hours.
 - Sub-section C. The Workweek – Strike the entire last sentence of the first paragraph. Strike the entire last sentence of the second paragraph. Strike the entire first sentence of the third paragraph.
 - Sub-section L. Performance Reviews – Strike “on an annual basis” and replace with “every March.”

Section III – Time Off and Leaves of Absence:

- Sub-section B. Vacation – Change Years of Service “8th through 12th” to “8th through 15th.” Change “Start of the 13th year and after” to “Start of 16th year and after.”
- Sub-section C. Sick Leave
 - Eligibility and Accrual of Sick Leave – Strike all “unpaid” to “paid” in the third paragraph.
 - Carryover – Change “40 hours” and “80 hours” to “120 hours” in the second paragraph.
 - Use of Sick Leave – Accept the red-line change “Family member” means...
- Sub-section D. Holidays and Floating Holidays – Change #8. from “Day after Thanksgiving” to “Veteran’s Day, November 11th” and strike the entire paragraph about Veteran’s Day.
- Sub-section G. Bereavement Leave – Change “40 hours” to “24 hours” in the first sentence. Change “unpaid” to “paid” in the second sentence and accept the red-line change “Family member” means...”
- Sub-section H. Jury and Witness Duty:
 - Change the heading to “Jury and/or Witness Duty” and strike the heading “Witness Duty.”
 - Strike the entire sentence “Although jury duty leave is unpaid...”

Section IV. Employee Benefits:

- Sub-section A. Healthcare Benefits and Sub-section B. Employee Assistance Program - Accept the red-line changes and insert the verbiage used in the current Employee Handbook regarding pay in lieu of benefits.
- Sub-section I. PERS (Public Employees’ Retirement System) Benefits – Strike the entire section and replace with the verbiage used in the current Employee Handbook regarding pay in lieu of benefits.

Councilor Jason Stone noted if Dave and Lana would like to look into the cost for the City to participate in PERS, instead of the current pay in lieu of benefits, the Council would be willing to review and consider the change.

Section V. Miscellaneous Policies:

- Subsection E. – Confidential the City of Cove Information - Remove “the”.

The remainder of the Handbook was reviewed with no recommended changes.

It was agreed Kerri will redline the changes discussed and present to council at the November Regular Council meeting.

- Oregon Wireless, Inc. In-kind Agreement and Hold Harmless Agreement (*Discussed first*)
The attorney’s feedback on the Oregon Wireless, Inc. In-kind Agreement and Hold Harmless Agreement were reviewed, and discussion ensued. It was noted the attorney is suggesting we use a Term Sheet until a formal Franchise Agreement and Option Agreement can be drawn up. It was discussed we don’t need to have a franchise agreement with Oregon Wireless, Inc. Oregon Wireless is not using any city right-of-way or impeding any structures underground or overhead within our right of way. However, it was also discussed that the city’s liability should be covered

equally amongst all utility providers. Ultimately it was determined to suggest the following changes to the Term Sheet:

- Remove "Franchise fee for use of the public rights-of-way to be 7% of gross revenues derived from" from #2 of and leave "Provide telecommunication services within the boundaries of the City limits."
- Compensation in #3 and #4 to be determined, but the number of years will be three (3).

Good of the Order

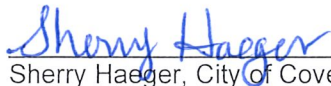
No Good of the Order was presented.

Public Comment

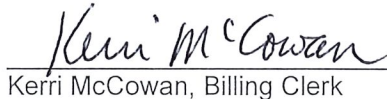
Maxine Parker commented on city job openings questioning whether or not the city is required to advertise or otherwise make notification of an opening to the general public. It was noted that LOC communicated to the city and clarified that when a job opening is identified, advertising for it is not a requirement.

Adjournment

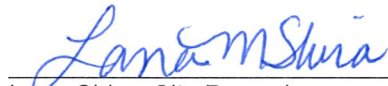
Mayor Sherry Haeger adjourned the meeting at 8:37 pm.



Sherry Haeger, City of Cove Mayor



Kerri McCowan, Billing Clerk



Lana Shira, City Recorder