

**CAVE JUNCTION CITY COUNCIL MEETING
MINUTES
March 18, 2024**

Council met in the Chamber at City Hall located at 222 Lister Street, Cave Junction.

ATTENDING MEMBERS: Mayor Meadow Martell, Councilors, Jean Ann Miles, and Jesse Dugas. Councilor Lane and Jones were excused from tonight's meeting.

Meeting was available via ZOOM Video Platform: ID: 896 7559 3870 Password: 168390

The Mayor opened the meeting with the pledge of allegiance at 7:00PM.
The expected meeting protocol was briefed by the Mayor

1. COUNCIL UPDATE PROVIDED BY PUBLIC WORKS:

Alex Ponder was ill this evening but provided an excellent power point for review.

2. CONSENT AGENDA:

Minutes of Previous Meeting

Planning Updates

Park Use Requested(s): None

Councilor Miles made a motion to approve the consent agenda.

Councilor Dugas 2nd the motion.

Called to Vote: Councilor Miles – aye; Councilor Dugas – aye; Mayor Martell – aye.

Motion to approve consent agenda passes 3-0.

3. COUNCIL LIAISON REPORTS

Teresa Stover, IV Library Renovation Project:

Teresa provided her monthly update for the Library grant progress. Teresa shared that the pre-construction conference was held at City Hall attended by Ausland Group, ZCS Architects, the Library Team, Council President Jean Ann Miles and Mayor Meadow Martell. There were also representatives from Business Oregon and Peter Town from RVCOG. This meeting was an opportunity to discuss the project, scheduling, and lines of communication. Afterwards everyone walked to the Library, that now has been emptied and is ready for construction. Initial release of funds from the State will occur on Friday. Ausland Group believes they will be able to finish the project in August, which is much faster than originally anticipated. Public noticing of the library closures have been sent out in various formats.

Councilor Miles: Attended LPSCC last month; attending the Solid Waste Agency Meeting – on Earth Day there will be a tire recycling event where the public is allowed to deposit 4 regular vehicle tires for free at the Kerby Transfer Station. After the 4 you will receive a reduced charge for additional tires. She attended the Collaborative Economic Development Committee where creating an Industrial Lands Subcommittee was discussed. There may also be a subcommittee developed for farmland. Miles attended the Josephine County Housing Council meeting to discuss Section 8 and HUD requirements; the Chamber of Commerce Meeting; and the Josephine County Parks & Recreation Meeting and has been attending the Library Renovation meetings.

Councilor Dugas: No liaison updates.

Mayor Martell: Had little to report because she had just returned from an extended vacation. She did attend the Library Renovation preconstruction meeting today.

4. PUBLIC COMMENT

No written public comments were received.

Monique Allen (via Zoom) – Wished everyone a happy spring. On March 31st the Lions Club will host their annual Easter Egg hunt at Jubilee Park. The whistle blows at 12:00 noon sharp – they are expecting to distribute 150 easter baskets this year.

5. Land Partition – Quasi-judicial – 600 Schumacher Street. (Copy of written procedures for this hearing attached for reference.)

The Mayor suspended the council meeting and opened the public hearing.

Introduction & legal matters were covered by the Mayor.

This was a public hearing to heard a request for land partition submitted by Andrea & Timothy Schaeffer & Erica Beeler – Property known as 600 Schumacher Street, Assessor’s Map 39-08-21-BB Tax Lot 1303.

- a. Burden of Proof were read out loud by the Mayor.
- b. Conflicts of Interest – none were stated
- c. Ex Parte Contacts – The Mayor stated she lives nearby and walks near that area frequently.
- d. Challenges to Planning Commission’s jurisdiction – none were stated.
- e. Challenges to impartiality of any member of the Planning Commission – none were stated.

Staff Report provided by Rowan Fairfield, RVCOG Contract Planner

(Copy of staff report attached to these minutes for reference.)

It was noted that the applicant did not include any type of future development plan but has stated that no future development of these lots is planned. The applicant acknowledges that these lots have potential for future divisions up to 25 lots. It is possible that there could be a potential for 70 – 80 additional lots in this specific area include adjoining large lots nearby.

The Planning Commission must decide if a future development plan is required for this partition, especially considering the large lots surrounding these particular properties.

Rowan suggested the commission consider:

- a. 3 lots is appropriate at these sizes and no future development plan is required.
- b. A future development plan is required but no plan for future streets or right-of-way is required and flag lots or shared driveways are sufficient.
- c. A future development plan and future street plan is required; a new street needs to be constructed to serve these parcels and allow future development of the neighboring parcels.
- d. A future development plan and street plan are required but the street could be a deferred improvement until neighboring parcels are developed – until then it would be a shared driveway.

Staff recommended that future development opportunities be preserved; orderly and efficient transition from rural to urban land use patterns is the major goal of the comprehensive plan. Therefore, the staff is recommending the requirement of a future development plan and a street plan.

Rowan stated that testimony has been received since the staff report was issued.

Conditions of approval were recommended with an addendum to require that applicants complete a Waiver of Remonstrance for any future improvements on Daisy Hill Road.

Applicants Presentation:

Sam Beeler, representing the Beelers and the Schaffers, shared his appreciation of the staff report. Sam stated that they have been in this community for 15 years and 30 years respectively and love this community and believe that their plan meets goals to benefit this community. They are looking for larger sized lots in the area. This concept was shared at the pre-planning meeting on May 2022. The sewer has been installed for all three lots, approved by the city in June 2023. Power has been installed to support up to 4 homes. Water may be pulled from Daisy Hill.

The applicant's concerns include the requirement for a future development plan for 25 lots – this is not their goal, nor do they want to engineer this project to that level. The engineering would be cost prohibitive for this project. Street improvements have been completed without being requested by the city as was required in the original Waiver of Remonstrance. In addition, there is no plan to grade anything more than an acre. We are only bringing in rock for the actual location of the houses. So DEQ requirements should not be necessary. There is some confusion about the fire hydrants – this particular issue was further discussed including input from the Contract Planner, City Planning Clerk and Planning Commission. Clarification was provided.

We prefer that streets do not go through these properties. Access will be from Schumaker and Daisy Hill.

Public Testimony

Public comment provided in support of this project: None

Public comment provided in opposition to this project: None

Question of Staff

Rowan added that the code does require a future development plan if there is an existing opportunity for the lots to be developed further.

Councilor Miles: Coming back to the fire hydrant – fire is a great concern for our community and sufficient hydrants is essential. Rowan stated that for Parcel 2, that is not completely covered by existing fire hydrants, she would at least recommend that a hydrant be installed as a condition of approval. Sam injected that there is a fire hydrant on the Daisy Hill side. Sam's map reflects this and he shared that map with the Planning Commission. There is another fire hydrant on the corner of the property. By previous standards this wasn't a concern. Rowan added that her map is out of date, and under this new information, no additional fire hydrant would be required. Sam added that the entire property is primarily brush, but no ladder fuels exist.

Councilor Dugas asked about the grading requirement. Rowan stated that the DEQ permit has requirements for anything larger than an acre. The way the conditions read, as long as they don't do anything over an acre, all is good. The requirement still stands for anything over an acre.

Dugas also asked about the split of only 3 – do they still need to require a future development plan? How can this be addressed? Rowan stated that engineering is not required. The requirement just needs to reflect things arranged, showing that it can be partitioned further. Lisa Richardson added that engineering isn't required. It just needs to reflect what "can be done" with the property potentially. This picture isn't a commitment – it just reflects what can be done. Lisa also addressed the requirement for a Waiver of Remonstrance – and that Daisy Hill will become a city street in the near future. When that happens, if improvements are required, these property owners would be required to participate in those improvements financially because of the location of the property access.

Sam asked about engineering requirements as it relates to future street plans. Rowan stated that in the event that the city requires a street, an engineered street plan would be required.

Sam asked to provide the prior approved items received during this process – Rowan will get a PDF of these items from Lisa.

The Mayor closed the Public Hearing and re-opened the Council Meeting.

Councilor Miles made a motion to approve the request for land partition with conditions 1 through 14 recommended by staff, excluding a future street plan referenced in #2.

Councilor Dugas 2nd the motion.

Discussion: Rowan interjected and suggested that Council may want to revise condition #2 to remove the requirement of a street plan.

Called to Vote: Councilor Miles – aye; Councilor Dugas – aye; Mayor Martell – aye.

Motion to approve land partition with conditions as stated 3-0.

6. Executive Session – ORS 192.660 (2)(b,f,h) {As/If Required}

7. COMMENTS:

City Recorder:

The City Recorder shared that City Hall will close at 3:30 on Friday, March 29th for administrative duties. The next council meeting will be April 8th. Most likely in April we will have two council meetings.

Councilor Miles: Commended the city staff for all their hard work during the snow season. She proposed a recognition day for city staff. There are 12 people who work for this city. The administration is invaluable, and they put up with the customers, the council members, they keep us solvent; the public works department keeps us in fresh water; we are blessed. We need to recognize our staff. Many staff members have been here a very long time and care about this community.

Councilor Dugas: It's baseball season.

Mayor Martell: Thanked the public for attending. She has been gone for 5 weeks and coming back to Cave Junction was really good. She is proud of where we live. We have a great staff and great people who live here.

8. **ADJOURNMENT:** Meeting adjourned at 8:05PM

Signed: Meadow Martell
MEADOW MARTELL, Mayor

Attest: Rebecca Patton
REBECCA PATTON, Recorder