

Agenda

Shady Cove Regular City Council Meeting

Shady Cove City Council Chamber
22451 Highway 62, Shady Cove, Oregon
Thursday, September 5, 2019
6:00 p.m.

I. Call to Order

- A. Roll Call
- B. Pledge of Allegiance
- C. Announcements by Presiding Officer

- 1. This meeting is being digitally recorded.
- 2. The next regularly scheduled meeting of the Planning Commission will be September 12, 2019, at 6:30 p.m. in the Council Chamber.
- 3. The next meeting of the City Council will be September 19, 2019, at 6:00 p.m. in the Council Chamber.
- 4. Public may comment on agenda items – Public must state name, address and standing to discuss an issue. Issues must have a city-wide impact and not be personal issues.

II. Consent Calendar

- A. Regular Meeting Minutes of August 15, 2019 (pg. 3-6)

III. Written Communication

None.

IV. Staff Reports

- A. Bills Paid Report, July 13, 2019 – July 31, 2019; \$47,310.07 (pg. 7-8)
- B. Bills Paid Report, August 1, 2019 – August 27, 2019; \$63,542.25 (pg. 9-10)
- B. City Administrator
- C. Jackson County Deputy

V. Old Business

- A. Second Reading Ordinance 293 – Accessory Dwelling Units (pg. 11-14)

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

VI. New Business

- A. Proclamation – Home Inventory Week (pg. 15-17)
- B. Resolution 19-11- Establishing Fees and Charges (pg. 18-21)
- C. Resolution 19-12 – Oregon Drainage Law (pg. 22-24)
- D. Parks and Recreation Bridge Flag recommendation (pg. 25)

VII. Public Comment on Non-Agenda Items

VIII. Council Comments on Non-Agenda Items

- A. Mayor Richardson – Rogue Valley Council of Governments
- B. Councilor Mitchell – Rogue Valley Area Commission on Transportation
- C. Councilor McGregor – Southern Oregon Regional Economic Development Inc
- D. Councilor Hohenstein – Planning Commission
- E. Councilor Tarvin – Parks Commission

IX. Adjournment

City of Shady Cove
City Council Regular Meeting Minutes
Thursday, August 15, 2019

CALL TO ORDER

Mayor Richardson called the Regular City Council Meeting to order at 6:00 p.m. in the City Council Chamber.

Council Present: Mayor Richardson, Councilor Mitchell, Councilor McGregor, Councilor Tarvin, and Councilor Hohenstein

Staff Present: Thomas J. Corrigan, City Administrator; Bonnie Pickett, Administrative Assistant.

ANNOUNCEMENTS

The Mayor led the audience in the Pledge of Allegiance and made the announcements on the agenda.

PUBLIC COMMENT

Terry Weyers commented on the alleged investigation of the Upper Rogue Community Center Board of Directors by the Department of Justice.

Ruth Marie commented on the community need for the Upper Rogue Community Center.

CONSENT CALENDAR

Regular Meeting Minutes of August 1, 2019

Motion to Accept the Minutes of the Regular Council Meeting August 1, 2019

Motion: Councilor McGregor Second: Councilor Hohenstein

All Ayes. Motion carried 5-0

WRITTEN COMMUNICATION

None.

STAFF REPORTS

Motion to Accept the Bills Paid Report for July 13, 2019, to July 31, 2019

Motion: Councilor Mitchell Second: Councilor McGregor

No Vote Taken

Motion to Table the Expenditures on the Check Budget Report Until Such Time that Councilor Tarvin has a Chance to Communicate with the Administrator to Provide a Report to the Council

Motion: Councilor Mitchell Second: Councilor McGregor

Motion carried 4-1 (Nay Councilor Tarvin)

City Administrator

- Jackson County was given a punch list of six items that needed to be addressed at the Upper Rogue Regional Park.

- The City received the exact quote to insure the Upper Rogue Regional Park, the private insurers wanted \$5,500 and CIS wants \$1,760.00.
- Jackson County notified the City that they will be removing most of the playground equipment because it violates current code.
- The City has spoken with the home renter associated with the Upper Rogue Regional Park.
- The City has been dealing with a large number of encroachments.
- The City is currently researching Oregon Drainage law.
- Cleveland project has run into a couple of snags regarding Avista and Hiland Water.
- Hudspeth Lane has been oiled.
- Working on a cost quote from Jackson County Roads for the street striping on the bottom half of Hudspeth.
- The City Engineer has met with Jim Willis and Knife River regarding the paving on the first portion of Mallory Lane.
- Sign code notifications will be sent out to the business owners regarding the updated code.
- The Rogue River Watershed Council will be Aunt Caroline's Park on August 19th to August 23rd to start the riparian bank work.
- Revenue payment to Rogue Valley Sewer Services has been made.
- The City is reviewing a Hemp processing application.
- The City is working with the neighbors of the 104 Cedar property, once posted, the Oregon Health Authority has funds to assist with cleaning the Meth from the property.
- The City Administrator met with Blue Sky representatives, who would give a presentation to the Council regarding switching to clean energy.
- White Oak way will be resurfaced by the homeowners of the private drive.

Fire Chief Greg Winfrey went over the stats for the month of June. He noted campfires are illegal except in designated campgrounds.

Deputy Dalke noted that things are going well.

NEW BUSINESS

A. First Reading Ordinance 293 – Accessory Dwelling Units

Mayor Richardson read the ordinance by title only.

B. Request to reside in an RV while the home is being built

Discussion ensued.

Motion to Approve the Stoebe Family to Occupy the Two Current Recreational Vehicles Until November 15, 2019. As of November 16, 2019, There Will Be No Residing in Recreational Vehicles on the Property

Motion: Councilor Hohenstein

Second: Councilor Mitchell

All Ayes. Motion carried 5-0

C. Councilor Mitchell's Report on the Upper Rogue Community Center

Councilor Mitchell gave his report from the Upper Rogue Community Center board meeting.

Discussion ensued.

PUBLIC COMMENTS

None.

COUNCIL COMMENTS

Mayor Richardson noted there has not been a meeting at Rogue Valley Council of Governments in a couple of months. She attended the Oregon Association of Mayors meeting in Medford where new Mayor's are afforded learning opportunities. Mayor Richardson noted she attended a communication training regarding communication in small cities. She also attended the State Agency Director's forum which gives the Mayors a chance to speak with State representatives. Mayor Richardson noted she attended another session with the County regarding public records and public meetings. She advised that Dennis Ellingson donated a copy of the book he wrote called "The Lost Villages of Lost Creek Lake" as well as a map of the businesses along Hwy 62 from the '80s.

Councilor Mitchell noted that the Rogue Valley Area Commission on Transportation will not have its next meeting until September. He noted that he thinks that there should be a background check of staff, Councilors and Commissioners being we are in close proximity to the schools.

Councilor McGregor noted that he was approached by a neighbor questioning if property address could be posted on the river to identify where the floaters are along the river. He would like to look into this option to help people know where they are when they are calling for help. Councilor McGregor would also like to see a Fire Marshall position with the City, to monitor when businesses that are being updated or new structures.

Councilor Hohenstein communicated he believes that if the City chooses to take on the Upper Rogue Community Center that it would be beneficial for both the City and the Community in keeping an invaluable resource available.

Councilor Tarvin noted that she attended the Charter Revision Committee meeting and that they were addressing background checks. She noted that she has read "Lost Village of Lost creek", she found it to be a great read. Councilor Tarvin advised that last Friday she made herself available to the public to discuss topics of interest to them.

ADJOURNMENT

There being no further business before the Council, the Mayor adjourned the regular meeting at 7:46 p.m.

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson

Councilor Mitchell

Councilor McGregor

Councilor Tarvin

Councilor Hohenstein

DRAFT

Check Issue Date	Check	Payee	Description	Amount
07/25/2019	44098	Genuine Parts Company, Inc.	Finance Charge	-99
07/25/2019	44098	Genuine Parts Company, Inc.	Equipment Maintenance	-5.88
07/25/2019	44098	Genuine Parts Company, Inc.	Equipment Maintenance	-43.46
07/25/2019	44125	Genuine Parts Company, Inc.	Equipment Maintenance	-119.98
07/25/2019	44125	Genuine Parts Company, Inc.	Vehicle Maintenance	-21.28
07/30/2019	44286	AT&T Mobility	Mobile Phone #2872860888814	238.42
07/30/2019	44287	Avista Corporation	Natural Gas 4941620000	17.34
07/30/2019	44288	Banner Bank	Disaster Preparedness	19.50
07/30/2019	44288	Banner Bank	Parks - Bark Materials	35.00
07/30/2019	44288	Banner Bank	Personal Protective Equipment (PPE)	83.96
07/30/2019	44288	Banner Bank	Streets - Vehicle Maintenance	10.00
07/30/2019	44288	Banner Bank	Budgt Meeting	3.65
07/30/2019	44288	Banner Bank	Streets - Small Equipment / Tools	359.00
07/30/2019	44288	Banner Bank	Promotion & Tourism - Signs	24.00
07/30/2019	44288	Banner Bank	Promotion & Tourism - Signs	38.00
07/30/2019	44288	Banner Bank	Publications/Ads	70.00
07/30/2019	44288	Banner Bank	Promotion & Tourism - Banners	575.00
07/30/2019	44289	Banner Bank	Office Supplis - Computer Software Subscription	14.99
07/30/2019	44289	Banner Bank	Streets - Small Equipment / Tools	76.34
07/30/2019	44289	Banner Bank	Parks - Small Equipment / Tools	76.34
07/30/2019	44289	Banner Bank	City Hall - Small Equipment / Tools	76.32
07/30/2019	44289	Banner Bank	Office Supplies - Computer Software Subscription	83.96
07/30/2019	44289	Banner Bank	Miscellaneous - Budget Meeting	18.98
07/30/2019	44289	Banner Bank	Office Supplies - Budget	109.73
07/30/2019	44289	Banner Bank	Office Supplies - Paper/Pens/Clipboards/Misc.	122.59
07/30/2019	44289	Banner Bank	Promotion & Tourism - Canopy / Fans	102.26
07/30/2019	44289	Banner Bank	Wildfire App - Emergency Services City Website	.99
07/30/2019	44290	Canon Financial Services, Inc.	Copier Lease & Copies 612930	428.39
07/30/2019	44291	Celtic Circle, LLC	Shop Rental	800.00
07/30/2019	44292	CIS Trust	Life Insurance	48.07
07/30/2019	44292	CIS Trust	Long Term Disability	75.51
07/30/2019	44292	CIS Trust	Property/Liability Renewal	20,467.13
07/30/2019	44293	Crystal Fresh	Bottled Water C82225	49.50
07/30/2019	44294	David Christian	Radio Programming, 5 1/2 hrs.	82.50
07/30/2019	44294	David Christian	Radio Programming, 6 hrs.	90.00
07/30/2019	44294	David Christian	Radio Programming, 6 hrs.	90.00
07/30/2019	44295	GDMI Enterprises, Inc.	Equipment Maintenance	5.88
07/30/2019	44295	GDMI Enterprises, Inc.	Equipment Maintenance	43.46
07/30/2019	44295	GDMI Enterprises, Inc.	Vehicle Maintenance	21.28
07/30/2019	44295	GDMI Enterprises, Inc.	Equipment Maintenance	119.98
07/30/2019	44295	GDMI Enterprises, Inc.	Vehicle Maintenance	13.76
07/30/2019	44296	Hornecker Cowling, LLP	General - Acct 32076-001	391.00
07/30/2019	44297	Hunter Communications	Phone Services & Internet Charges 698	575.96
07/30/2019	44298	International Institute of Muni. Clerks	Membership Dues - Pickett	170.00
07/30/2019	44299	Jackson County Information Technology	ORCATS Download	126.00
07/30/2019	44300	Jackson County Property Mgmt.	Utility Billing Refund	10.17
07/30/2019	44301	Jesse & Grace Wilson	Utility Billing Refund	6.02
07/30/2019	44302	Jessie Bridgham	Professional Services	720.00
07/30/2019	44303	Kyle Gala	Promotion & Tourism	300.00
07/30/2019	44304	Medford Builders Exchange	Cleveland Street/Pond	28.00
07/30/2019	44305	PennyMac	Utility Billing Refund	705.89
07/30/2019	44306	Perfection Cleaning	Cleaning Services	300.00
07/30/2019	44307	Postmaster	Sewer Billing	350.00
07/30/2019	44308	Project A, Inc.	Development and Hosting	200.00
07/30/2019	44309	RVCOG	Planning	2,812.11
07/30/2019	44309	RVCOG	Floodplain	88.73
07/30/2019	44309	RVCOG	Floodplain Membership for Planning Services	40.00

Check Issue Date	Check	Payee	Description	Amount
07/30/2019	44309	RVCOG	Computer Software, Upgrades & Assistance	341.99
07/30/2019	44309	RVCOG	Email Hosting	86.16
07/30/2019	44310	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	19.99
07/30/2019	44310	Shady Cove Hardware, LLC	Streets - Maintenance Supplies	15.99
07/30/2019	44310	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	23.58
07/30/2019	44310	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	-19.99
07/30/2019	44310	Shady Cove Hardware, LLC	Streets - Maintenance Supplies	12.98
07/30/2019	44310	Shady Cove Hardware, LLC	City Hall - Facilities	9.98
07/30/2019	44310	Shady Cove Hardware, LLC	City Hall - Maintenance Supplies	7.59
07/30/2019	44310	Shady Cove Hardware, LLC	Promotion & Tourism	8.76
07/30/2019	44310	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	15.00
07/30/2019	44310	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	11.96
07/30/2019	44310	Shady Cove Hardware, LLC	Promotion & Tourism	15.18
07/30/2019	44311	Southern Oregon Sanitation	City Hall 088054	40.22
07/30/2019	44311	Southern Oregon Sanitation	Nork lane 088070	40.22
07/30/2019	44311	Southern Oregon Sanitation	aunt Caroline's Park 088094	58.50
07/30/2019	44312	Thomas J. Corrigan	Expense Reimbursement - Parks	50.17
07/30/2019	44312	Thomas J. Corrigan	Expense Reimbursement - Office Supplies (Coffee/Paper Sup	165.61
07/30/2019	44313	TRG Enterprises, LLC	Utility Billing Refund	81.94
07/30/2019	44314	Upper Rogue Independent	Government Public Notice - Budget Meeting	39.00
07/30/2019	44314	Upper Rogue Independent	Government Public Notice - LB1	156.00
07/30/2019	44315	WECO - Carson	Public works gasoline/diesel 1-01737	180.70
07/30/2019	44315	WECO - Carson	Public works gasoline/diesel 1-01737	83.92
07/30/2019	44315	WECO - Carson	Public works gasoline/diesel 1-01737	25.82
07/31/2019	44317	KAS & Associates, Inc.	SCA Grant - Schoolhouse	960.00
07/31/2019	44317	KAS & Associates, Inc.	Private Project Review	87.26
07/31/2019	44317	KAS & Associates, Inc.	Professional Services	300.00
07/31/2019	44317	KAS & Associates, Inc.	Cleveland Street Storm Drain Impr	8,115.42
07/31/2019	44317	KAS & Associates, Inc.	Preliminary Engineering - Hwy 62 & Indian Creek Rd.	90.00
07/31/2019	44318	Nuckles, Kathryn P.	James Place Paving - Grabowski Paving, LLC Reimbursemen	5,097.00
07/31/2019	44319	Superior Stamp & Sign Co	Plaque	65.00
Grand Totals:				47,310.07

Check Issue Date	Check	Payee	Description	Amount
08/26/2019	44302	Jessie Bridgham	Professional Services	-720.00
08/06/2019	44318	Nuckles, Kathryn P.	James Place Paving - Grabowski Paving, LLC Reimbursemen	-5,097.00
08/15/2019	44322	Banner Bank	Streets - Miscellaneous Expenses	22.90
08/15/2019	44322	Banner Bank	Streets - Vehicle Maintenance	10.00
08/15/2019	44322	Banner Bank	Postage	25.50
08/15/2019	44322	Banner Bank	Finance Charges	12.44
08/15/2019	44323	Banner Bank	Office Supplies - Computer Software Subscription	14.99
08/15/2019	44323	Banner Bank	Keys - Aunt Caroline's Park	32.00
08/15/2019	44323	Banner Bank	Printer - Finance Dept	319.99
08/15/2019	44323	Banner Bank	Finance Charges	21.09
08/15/2019	44323	Banner Bank	Wildfire App - Emergency Services City Website	.99
08/15/2019	44323	Banner Bank	Training - Staff	375.00
08/15/2019	44323	Banner Bank	Training - Councilor	375.00
08/15/2019	44323	Banner Bank	Training - Councilor	375.00
08/15/2019	44323	Banner Bank	Office Supplies - City Hall	103.73
08/15/2019	44323	Banner Bank	Office Supplies - Computer Software Subscription	83.96
08/15/2019	44323	Banner Bank	Keys - Law Enforcement	14.94
08/15/2019	44323	Banner Bank	Office Supplies - Audit Prep Supplies	64.24
08/15/2019	44323	Banner Bank	Office Supplies - Finance/New FY File Supplies	168.01
08/15/2019	44323	Banner Bank	Office Supplies - City Hall	169.22
08/15/2019	44324	Bow Wow Waste Products	3 - 1000 Single Pull Bags	149.97
08/15/2019	44325	DMV	2003 Ford UT Registration	112.00
08/15/2019	44326	Hart Insurance Agency	Cyber/Network Liability Policy IFI681054	1,249.00
08/15/2019	44327	Hydro-Flow, Inc.	Aunt Caroline's - Pump House / Well Repairs	844.32
08/15/2019	44328	Jackson County - Community Justice Work	Weed Eat, Weeds, Rake Leaves, Flower Beds	900.00
08/15/2019	44329	Jackson County Sheriff	Law Enforcement Services- Monthly	30,937.46
08/15/2019	44330	Medford Builders Exchange	No Fireworks Sign	60.00
08/15/2019	44331	Nuckles, Kathryn P.	James Place Paving - Grabowski Paving, LLC Reimbursemen	2,548.50
08/15/2019	44332	Pacific Power	Aunt Caroline's Park 32847641-005	73.73
08/15/2019	44332	Pacific Power	street Lights 32847641-002	765.82
08/15/2019	44332	Pacific Power	Nork Lane 32847641-009	43.72
08/15/2019	44332	Pacific Power	City Hall 32847641-007	348.23
08/15/2019	44333	Pair-A-Dice Contracting, LLC	Storm Drainage Improvements - Cleveland & Detention Pond	19,798.00
08/15/2019	44334	Postmaster	Box Rent - 1 year	120.00
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	2.79
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	10.58
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	45.98
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	4.99
08/15/2019	44335	Shady Cove Hardware, LLC	City Hall - Facilities	9.59
08/15/2019	44335	Shady Cove Hardware, LLC	City Hall - Facilities	5.58
08/15/2019	44335	Shady Cove Hardware, LLC	City Hall - Facilities	23.98
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	13.45
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	14.99
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	59.53
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	5.88
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	4.58
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	9.87
08/15/2019	44335	Shady Cove Hardware, LLC	City Hall - Facilities	2.83
08/15/2019	44335	Shady Cove Hardware, LLC	Park - Maintenance & Upkeep	49.99
08/15/2019	44336	Sorenson Ransom Ferguson & Clyde LLP	General	385.00
08/15/2019	44337	SOS Alarm	City Hall	152.85
08/15/2019	44337	SOS Alarm	Celtic Circle - (Shop)	118.35
08/15/2019	44338	Spencer R. McMahan Jr.	Expense Reimbursement - Small Tools/Equipment	65.90
08/15/2019	44339	TouchPoint Networks, LLC	Computer Services	31.00
08/15/2019	44340	Upper Rogue Independent	Government Public Notice - Planning Department	84.50
08/15/2019	44341	WECO - Carson	Public works gasoline/diesel 1-01737	213.21
08/27/2019	44342	AT&T Mobility	Mobile Phone #2872860888814	221.00

Check Issue Date	Check	Payee	Description	Amount
08/27/2019	44342	AT&T Mobility	Finance Charges	2.46
08/27/2019	44343	Canon Financial Services, Inc.	Copier Lease & Copies 612930	390.53
08/27/2019	44344	Celtic Circle, LLC	Shop Rental	800.00
08/27/2019	44345	CIS Trust	Life Insurance	48.07
08/27/2019	44345	CIS Trust	Long Term Disability	75.51
08/27/2019	44346	Crystal Fresh	Bottled Water C82225	34.50
08/27/2019	44347	Hornecker Cowling, LLP	General - Acct 32076-001	255.00
08/27/2019	44348	Hunter Communications	Phone Services & Internet Charges 698	586.66
08/27/2019	44349	James Eastman	Utility Billing Refund	54.90
08/27/2019	44350	Jessie Bridgham	Professional Services	720.00
08/27/2019	44350	Jessie Bridgham	Professional Services	2,452.50
08/27/2019	44351	Mail Tribune	Annual Subscription Acct #22469	117.00
08/27/2019	44352	Pitney Bowes Purchase Power	Postage Refill 8000-9090-0092-9849	402.50
08/27/2019	44353	Postmaster	Sewer Billing	341.60
08/27/2019	44354	Richard W Brewster CPA PC	2nd Quarter Payroll Services	500.00
08/27/2019	44355	Rogue Valley Sewer Services	Inspected & Flushed Culvert	812.00
08/27/2019	44356	WECO - Carson	Public works gasoline/diesel 1-01737	89.85
Grand Totals:				<u>63,542.25</u>

Section 3: Amendment The Shady Cove Comprehensive Plan is amended; the definition for “Accessory Dwelling” contained in Chapter 154.006 of the Shady Cove Code of Ordinances is amended to read, “An interior, attached sharing a common wall or heated space, or detached residential structure with permanently installed cook top and oven that is used in connection with, or that is accessory to, a single-family dwelling.”.

Section 4: The City Council adopts as its own, and incorporates by reference, the Planning Commission recommendation attached as Exhibit A.

PASSED AND APPROVED by the City Council of the City of Shady Cove this ____ day of _____, 2019.

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

EXHIBIT A

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF SHADY COVE
COUNTY OF JACKSON, STATE OF OREGON**

IN THE MATTER OF CONSIDERATION OF)
AMENDMENTS TO THE DEFINITION OF)
ACCESSORY DWELLING UNITS IN SECTION 154.006) **RECOMMENDATION**
OF THE SHADY COVE CODE OF ORDINANCES) **TO CITY COUNCIL**

RECITALS:

- 1) Chapter 154, of the Municipal Code of the City of Shady Cove governs Type IV Legislative Procedures within the corporate limits of the City and requires, if approval is recommended by the Planning Commission, that the City Council of the City of Shady Cove make the final decision regarding the application; and,
- 2) The Shady Cove Planning Commission, after providing proper public notice, met in Public Hearing on July 11, 2019, to consider amendments to Sections 154.006 of the Shady Cove Code of Ordinances to provide greater clarity the definition of "Accessory Dwelling Units". The Commission received testimony from interested parties and staff. The staff recommendations, as submitted to the Planning Commission, are contained in a staff memorandum that is part of the record; and,
- 3) On July 11, 2019, following the close of the public hearing, the Planning Commission deliberated on the record of the proceedings, after which a motion was made and duly seconded, to recommend that the City Council approve amendments to the definitions found in Chapter 154.006. The motion passed by a roll call vote of 4 to 0.

NOW THEREFORE, the Planning Commission of the City of Shady Cove finds, concludes, and recommends as follows:

SECTION 1: FINDINGS

- 1) The Planning Commission hereby finds that it has received all information and evidence necessary to consider the above request; and,
- 2) The City provided public notice through the Upper Rogue Independent, and mailed notices to all property owners within the city limits via United States Postal Service. The Planning Commission finds and concludes that proper notice has been given; and,

EXHIBIT A

- 3) The Planning Commission hereby incorporates by reference all oral deliberations and findings of fact established in the record of the public hearing, and cites by reference: oral and written testimony of interested citizens, and staff and findings of fact which are a part of the record, the City Planner's staff report; and,
- 4) The Planning Commission finds that no one spoke in opposition to the proposed amendments.
- 5) The criteria used to evaluate the requested amendments to the definition are contained in Section 154.438. The Planning Commission finds that the request meets the criteria.

SECTION 2: CONCLUSION

The Planning Commission concludes that the proposed amendment to the definition of "Accessory Dwelling Unit" complies with procedural requirements of the Shady Cove Code of Ordinances, and provides greater clarity about what constitutes an Accessory Dwelling Unit within the City of Shady Cove.

SECTION 3: DECISION

Based on the record of the public hearing on this matter, the Planning Commission recommends approval of the proposed amendments to the definition of "Accessory Dwelling Units" of Section 154.006 of the Shady Cove Code of Ordinances.

This RECOMMENDATION for APPROVAL is given to the Shady Cove City Council this 24th day of July 2019, in Shady Cove, Oregon.


Arthur Stirling, Chair

City of Shady Cove

PROCLAMATION

Whereas, each September is recognized as National Preparedness Month; and

Whereas, Oregonians have witnessed and experienced natural disasters in our community; and

Whereas, every community member can take active steps to protect their families and neighbors from natural and manmade disasters; and

Whereas, every family and business in Shady Cove is encouraged to take active steps to be financially secure after a disaster; and

Whereas, every community member is encouraged to make sure they are properly insured against fire, flood, earthquakes, and storms; and

Whereas, every community member is encouraged to create a home inventory to include as part of their disaster preparedness kit,

NOW THEREFORE, I Lena Richardson Mayor of the City of Shady Cove do hereby declare that the week of September 1, through September 7, 2019, be known as

Home Inventory Week

And join cities across Oregon to encourage everyone to build a home inventory for their personal property, and speak with an insurance agent to make sure they are financially prepared for a disaster.

THEREFORE, I have ordered there be placed on this proclamation, the seal of the City of Shady Cove and here by place my signature on 5th day of September 2019

Lena Richardson
Mayor

NATIONAL PREPAREDNESS MONTH 2019



**PREPARED,
NOT SCARED**



FEMA

Ready



National Preparedness Month 2019

**September 1-7 is
Home Inventory Week**

PREPARE NOW

LEARN HOW

**Get ready at
dfr.oregon.gov/preparenow**



DCBS | Consumer and
Business Services
Division of Financial Regulation



FEMA

NATIONAL PREPAREDNESS MONTH 2019



PREPARED, NOT SCARED



National Preparedness Month 2019

In 2018:



More than
500,000 acres
burned statewide



Nearly 4,000
Oregonians
evacuated from
wildfires



Over 300
earthquakes
in Oregon

PREPARE NOW

LEARN HOW

Get ready at dfr.oregon.gov/preparenow



FEMA



**City Council Agenda Item Summary
City of Shady Cove, Oregon**

Meeting Date: September 5, 2019

Prepared By: Bonnie Pickett, Administrative Assistant

Issue/Agenda Title: Resolution 19-11 – Establishing Fees and Charges

Attachments: Resolution 19-11 – Establishing Fees and Charges

Issue Before the Council: Shall the City Council pass a resolution that adjusts the fees and charges for City services.

Other Alternatives Considered: Council could choose not to pass the resolution, maintaining the current fees and charges.

Staff Recommendation: Staff recommends the Council pass the resolution as presented.

Proposed Motion in Favor:

"I MOVE TO APPROVE RESOLUTION 19-11 – 'A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON ESTABLISHING FEES AND CHARGES.'"

City of Shady Cove

Resolution 19-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE,
OREGON, ESTABLISHING FEES AND CHARGES**

Whereas, it is the policy of the City of Shady Cove to require the recovery of certain City costs from fees and charges levied therefore in providing City services products and regulations; and

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1: Fees Established

Fees and charges for certain City services, products and regulations are established and set as enumerated in the attached Exhibit "A" incorporated by reference as though fully set forth herein.

SECTION 2: Rates Note Enumerated

Rates for any category, not enumerated in this Resolution, may, from time to time, beset by the City Council.

SECTION 3: Resolutions Repealed

All previous Fee Resolutions are hereby repealed.

SECTION 4: Effective Date

This Resolution shall be effective September 5, 2019

Adopted by the Shady Cove City Council this 5th day of September 2019

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

Exhibit "A"
Attachment to City of Shady Cove Fee Resolution No. 19-11
Effective Date: September 5, 2019

ADMINISTRATIVE FEES		Proposed		Proposed Change
Administrative Fee	\$45.00		Per hour, per person, after first 15 minutes.	
Copies	\$0.30	\$0.55	Per page	Per side for 11x17
Audio Recording (CD)	\$5.00		Actual cost of CD and staff time to reproduce CD.	
Returned Check Fee	\$30.00			Returned Check/ACH Fee
BUSINESS LICENSE FEES				
Business License	\$85.00		All business licenses, Businesses located in the City, out of City or Home Occupations	
Duplicate Business License	\$10.00			
1 to 30 Day License	\$10.00			One per fiscal year (July to June)
License Late Fee	20%		If paid after August 1 a 20% (\$17.00) late fee will be assessed.	
License Reinstatement Fee	\$25.00			
Prorated Business License	\$7.00/Month + Next Fiscal Yr.		For a new business beginning after Dec 31 through the end of the fiscal year + full rate of the next fiscal year	
Medical Marijuana License	\$25,000.00		Supplemental license, per location, in addition to the business license fee. License is prorated after Dec 31 through the end of the fiscal year + full rate of next fiscal year.	
LIQUOR LICENSE FEES				
Change of Ownership	\$35.00			
Renewal	\$35.00			
Temporary/Special Event	\$15.00	\$35.00		
TAXES AND FEES				
Raft Rental Tax	\$3.00		Per raft rental (Ord. 199 & 232)	
Transient Occupancy Tax	6%		(Ord. 140, 140-01, & 171)	
PLANNING FEES				
Access Permit	\$75.00	\$200.00	Road access	
Ancillary - up to 100 sq. Ft.	\$75.00		Applies to small outdoor improvements ancillary to existing structures such as decks and stairs.	
Appeal	\$300.00			
Conditional Use Permit	\$600.00			
Consulting, Legal and Professional Charges	Actual Costs	Admin Fee		Plus \$45.00 per hour, per person after first 15 minutes
Extensions	\$25.00			
Fence Permits (Non-Floodplain)	\$25.00	\$50.00		
(Floodplain)	\$100.00	\$250.00		
Final Plat	Half Original Fee			
Floodplain - Additional Inspections	\$100.00	\$150.00		
Floodplain Applications: Minor	\$175.00	\$275.00	Minor includes one inspection.	
Floodplain Applications: Major	\$700.00		Includes up to three inspections.	
Floodplain Minor File Review	\$75.00	\$150.00	No on site inspection	
Floodplain Minor File Review	\$0.00		Tree removal	
Lot Line Adjustment	\$300.00			
Land Partition Minor	\$600.00		No road creation	
Land Partition Major	\$1,200.00		Extension or creation of a road	
Other Inspection Services	Actual Costs	Admin Fee		\$45.00 per hour, per person after first 15 minutes
Planned Unit Development	\$2,000.00		Plus \$50.00 per lot	
Pre-Application Conference	\$400.00		\$100 Credit on land use approval application	
Revision to Prior Approval	Half Original Fee			
Sign Permit	\$25.00	\$50.00	Per property	
Land Use Approval	\$175.00			Plus any required engineering cost
Site Development Review	\$175.00		Resident, Non Floodplain	Plus any required engineering cost
Site Design Review	\$450.00		Resident, Floodplain & Commercial	Plus any required engineering cost
Subdivision or Mobile Home Park Variance	\$2,000.00		Plus \$50.00 per lot	Plus any required engineering cost
	\$500.00			

Zone Change Application	\$1,500.00		Zone Change & Comp Plan Amendment	Plus any required engineering cost
Zone Change & Comp Plan Amendment	\$2,500.00			Plus any required engineering cost
Zone Change & Annexation	\$3,000.00			Plus any required engineering cost
SYSTEM DEVELOPMENT CHARGE FEES				
Ordinance No. 271 & Resolution No. 15 - 18 (Single Family Residential/ EDU)				
Parks: Single Family Residential	\$1,800.00	\$1,500.00	Methodology established by Ord. No. 271	Established by Resolution 19-04
Storm Water: Single Family Residential	\$698.00	\$1,500.00	Methodology established by Ord. No. 271	Established by Resolution 19-04
Transportation: Single Family Residential	\$3,335.00	\$7,500.00	Methodology established by Ord. No. 271	Established by Resolution 19-04
Wastewater: Single Family Residential	\$2,011.00	delete	Methodology established by Ord. No. 271	Delete/ Handled by RVSS
POLICE				
PUBLIC SAFETY				
Driver License Reinstatement	\$20.00			
Public Safety Surcharge	\$15.00	\$18.00	Per month per unit. Residential & Non Residential. Excludes unimproved properties	
Public Safety Fee - Code Enforcement		\$3.00	Per month per unit. Residential & Non Residential. Excludes unimproved properties	
SEWER BILLING FEES				
RESIDENTIAL				
EQUIVALENT DWELLING UNIT (EDU) FEES				
Single Family	\$46.00	\$44.00		
Multiple Family	\$46.00	\$44.00	Per Unit	
Mobile Home Park	\$46.00	\$44.00	Per Space	
Service Outside the City	\$69.00	\$66.00		
COMMERCIAL				
LODGING FEES				
Motel	\$46.00		Plus \$10.00 per unit (21.7% of EDU)*	
R.V. Park	\$46.00		Plus \$10.00 per unit (21.7% of EDU)* If rented for more than 30 days the full EDU rate (\$46.00) applies.	
RESTAURANTS AND BAR FEES				
Restaurants & Bars	\$46.00		Plus \$1.75 per seat (3.8% of EDU)*	
OTHER COMMERCIAL FEES				
Car Wash	\$46.00		Per Stall	
Laundromat	\$46.00		Plus \$23.00 per washing machine (50% of EDU)*	
Business/Building with 1-5 employees	\$46.00			
Business/Building with 6 + employees	\$92.00			
OTHER				
Churches, Other Non-Profit	\$46.00			
Recreation Vehicle Dumping Station	\$92.00			
School	\$46.00		Plus \$0.35 per student and employee (307)**	
Sewer Late Fee	1.5% or \$10.00		assessed monthly at 1.5% or \$10.00, whichever is more	Utility Billing Late Fee
Sewer Account Collection Fee	25%		25% administrative fee added to all accounts turned over to collections	Utility Billing Collection Fee
Sewer Connection Fee	\$175.00	delete	Per connection	Delete/ Handled by RVSS
Vacated Buildings Sewer Connection Maintenance Fee (Residential)	\$46.00	\$44.00	Full months only	
Vacated Buildings Sewer Connection Maintenance Fee (Commercial)		\$46.00		
Lien Search Fee		\$25.00		
PARKS AND RECREATION FEES				
TBD	TBD			
TBD	TBD			
TBD	TBD			
TBD	TBD			
*Percentage will be applied to any subsequent change in EDU				
** Number of students and employees will be validated each year				
***All Planning fees may be subject to actual cost of such as engineer, arborist, County, attorney, surveyor, etc.				



**City Council Agenda Item Summary
City of Shady Cove, Oregon**

Meeting Date: September 5, 2019

Prepared By: Bonnie Pickett, Administrative Assistant

Issue/Agenda Title: Resolution 19-12 – Adopting Oregon Drainage Law

Attachments: Resolution 19-12 – Adopting Oregon Drainage Law

Issue Before the Council: Shall the City Council pass a resolution that adopts the civil law doctrine of drainage

Staff Recommendation: Staff recommends the Council pass the resolution as presented.

Proposed Motion in Favor:

"I MOVE TO APPROVE RESOLUTION 19-12 – 'A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON ADOPTING OREGON DRAINAGE LAW.

City of Shady Cove

Resolution 19-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON,
ADOPTING OREGON DRAINAGE LAW**

Whereas, the City of Shady Cove has a local street network; and

Whereas, the City has numerous culverts and drains beneath these streets; and

Whereas, the property owners in the City also makes use of a large network of culverts, French drains, and open ditches; and

Whereas, the property owners request the City does work on their property relative to these ditches and culverts; and

Whereas, Jackson County is the contracting entity for the City doing much of the work in Shady Cove on ditches and culverts; and

Whereas, Rogue Valley Sewer does all cleanout work for the City in those ditches and culverts; and

Whereas, the Oregon Department of Transportation has the adopted rules for Oregon street work; and

Whereas, Rogue Valley Sewer Service and Jackson County have adopted the Oregon Drainage Law designed by the Oregon Department of Transportation.

Now, therefore, be it resolved, by the City Council of the City of Shady Cove, Oregon, that the following Oregon Drainage Law, as attached and labeled Exhibit "A", is hereby adopted

The effective date of this Resolution shall be September 5, 2019.

Adopted by the City Council of the City of Shady Cove this 5th day of September 2019.

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson _____
Councilor Mitchell _____
Councilor McGregor _____
Councilor Tarvin _____
Councilor Hohenstein _____

Exhibit "A"

Attachment 3: Oregon Drainage Law
Planning Commission Hearing
November 10, 2011

Oregon Drainage Law

Oregon has adopted the civil law doctrine of drainage. Under this doctrine, adjoining landowners are entitled to have the normal course of natural drainage maintained. The lower owner must accept water which naturally comes to his land from above, but he is entitled not to have the normal drainage changed or substantially increased. The lower landowner may not obstruct the run-off from the upper land, if the upper landowner is properly discharging the water.

For a landowner to drain water onto lands of another in the State of Oregon, two conditions must be satisfied initially: 1) the lands must contain a natural drainage course; and 2) the landowner must have acquired the right of drainage supported by consideration. In addition, because Oregon has adopted the civil law doctrine of drainage, three basic elements must be followed:

1. A landowner may not divert water onto adjoining land that would not otherwise have flowed there. It includes but is not necessarily limited to:
 - a. Water diverted from one drainage area to another; and
 - b. Water collected and discharged which normally would infiltrate into the ground, pond, and/or evaporate.
2. The upper landowner may not change the place where the water flows onto the lower owner's land (Most of the diversions not in compliance with this element result from grading and paving work and/or improvements to water collection systems).
3. The upper landowner may not accumulate large quantities of water and then release it, greatly accelerating the flow onto the lower owner's land. This does not mean that the upper landowner cannot accelerate the flow of water at all; experience has found drainage to be improper only when acceleration and concentration of the water were substantially increased.

Source: www.odot.state.or.us

