

## Agenda

### Shady Cove Regular City Council Meeting

Shady Cove City Council Chambers  
22451 Highway 62, Shady Cove, Oregon  
Thursday, February 20, 2020  
6 PM

#### 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 February 27, 2020, at 6PM in the Council Chambers.
3. The next regularly scheduled meeting of the Parks Commission will be March 3, 2020 at 6PM in the Council Chambers.
4. The next meeting of the City Council will be March 5, 2020, at 6PM in the Council Chambers.
5. 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. Depending on number of comments and time constraints, Council may limit the amount of time to 3 minutes per speaker.

#### II. Consent Calendar

- A. Regular Meeting Minutes of February 6, 2020

#### III. Written Communication

Letter to Medford PD

#### IV. Presentations

RVCOG Annual Presentation – Michael Cavallaro

#### V. Staff Reports

- A. Bills Paid Report, 1/28/20 – 2/10/20 - \$171,502.11
- B. City Administrator
- C. Jackson County Deputy
- D. Fire Chief Winfrey

#### VI. Old Business

- A. Ordinance #294 – Second Reading – Amending Chapters 95 and 153, Clarifying Street Standards
- B. Street Parking – Work Session notes

#### VII. New Business

- A. Rules of Government

#### VIII. Public Comment on Non-Agenda Items

#### IX. Council Comments on Non-Agenda Items

- A. Mayor Richardson – RVCOG
- B. Councilor Mitchell – RFACT & Parks Commission

- C. Councilor McGregor – SOREDI
- D. Councilor Hohenstein – Planning Commission
- E. Councilor Tarvin

**X. Adjournment**

City of Shady Cove  
**City Council Regular Meeting and Public Hearing Minutes**  
Thursday, February 6, 2020

**CALL TO ORDER**

Mayor Richardson called the Regular City Council Meeting to order at 6 PM in the Council Chambers.

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

Staff Present: Thomas J. Corrigan, City Administrator

**ANNOUNCEMENTS**

The Mayor led the audience in the Pledge of Allegiance. The next regularly scheduled Planning Commission meeting will be February 13, 2020 in Council Chambers. The next regularly scheduled City Council meeting will be February 20, 2020 at 6pm.

**PUBLIC COMMENT**

None.

**PUBLIC HEARING**

**Public Hearing to accept public testimony and to consider proposed Comprehensive Plan Amendment for Commercial to Low Density Residential and Change Of Zone from AC (Airpark Commercial) to R-1-20 (Low Density Residential) for property located at 6673 Rogue River Drive. Assessor's Map 34-1W-21BA, Tax Lot 100, property owner/applicant is Matthew Prince. Planning File Number: ZC19-01**

The Mayor opened the Public Hearing at 6:02pm. Type IV hearing.

Council President Mitchell read the opening statement.

Councilor Mitchell, Councilor Tarvin, and Councilor Hohenstein have viewed the property in passing and to get a firsthand look. No additional information to provide.

Ryan Nolan explained the amendment proposal process.

Councilor Hohenstein requested clarification of the purpose of the zone change.

Councilor Tarvin asked if property owner was aware that even with zone change, there will need to be a request for change of occupancy and change of use.

Councilor McGregor questioned, if the change is approved, could the owner still reside on the property. Ryan stated not necessarily and explained why. He also asked about airport zoning.

Councilor Mitchell deferred comment to Planning Commissioner Art Stirling's comment that the building currently on the property is non-compliant and cannot be used for anything but commercial storage at this time. Unknown why this particular parcel is zoned commercial in an R-1 area to begin with.

Councilor Mitchell commented on the minimum requirements for the structure.

Mayor noted applicant was not in attendance and no public comments.

Public Hearing Closed at 6:22pm

Motion to Approve Planning File ZC 19-01



private drives, and allow the Planning Commission of the City of Shady Cove to allow improvement of existing City streets using alternate street standards

#### **PUBLIC COMMENT**

Art Stirling, 101 Jane Dr. comment from Planning Commission meeting, ADUs. Feels there is some confusion regarding the ordinances concerning placement of mobile homes on residential lots and what codes and standards are for the City. The Commission will be revisiting those standards to update the ordinances.

Bob Bellah, 165 Jane Dr. commented on complaints about communication between Council and the public that brought about the public forums. Questioned Councilor Tarvin about showing an interest in the public's input, and not attending the Public Forums. Councilor Tarvin said she had prior commitments and explained that was why she dropped out of the Parks Commission.

#### **COUNCIL COMMENTS**

Council Comments:

Mayor Richardson –

RVCOG - Limited on action due to no quorum. Connie Wilkerson talked about care management, HUD mandated program for housing and homelessness in Jackson County. Looking to expand partnerships and other means of assistance

Shake Alert update – Governor is trying to get the program funded during this legislative session.

Coastal areas are not in supportive of the funding.

RVCOS delay in presenting annual update to Council, but was sent electronically.

Public Forum is Tuesday, February 11 at 6pm at the Upper Rogue Community Center, being led by Parks and Recreation.

Councilor Mitchell –

RVACT report – No meeting. ODOT was timely in re-sweeping Hwy 62.

Parks & Recreation Commission – Good comments, need to draw in more activity,

Music in the Park – dates restated. There is a fantastic line up of bands. Discussed having car club get involved and maybe have kayak event for another day.

City Branding – needs to emphasize the river and fishing.

Transients under the bridge, got Administrator involved and got Sheriff's Office to assist clearing out the dangerous element.

Councilor McGregor –

SORED I – last Thursday met with approx. 85 other people including Colleen & Rod, handout attached.

17<sup>th</sup> annual event led by Brad Hicks, president/CEO of Chamber of Commerce, three speakers. Tim Dewey spoke on Rogue Valley Economic Forecast; two accountants – represented Moss Adams, spoke about the CAT Program (Corporate Activity Tax); Jeff Marcell, spoke on TIP (Theory Into Practice).

Rogue Valley Economic Forecast – job growth slowing down, no reason for recession based on indicators, solid economic growth predicted all around and low unemployment, more air travel expected with more available spending dollars, statewide housing permits low due to cost of construction.

Economy is propped up with consumer spending.

CAT Program – new program from legislature directed to corps in excess of \$750,000 and expected to generate \$1B in revenue per year, applied to fund for student success.

TIP Strategies – reiterated RV Comprehensive Plan previously presented by Colleen

Spoke to Susan Walsh, president of Academic Affairs in Ashland. Discussed having a student come out and interact with us. Felt with all the participation with SOREDI that perhaps City should increase contribution to the program.

Councilor Hohenstein –

Questioned construction time schedule at Miguel's. Doing remodeling after water damage. Changed the lighting as noted to face away from the Highway. Possible March 1 to reopen.

Shy's sale fell through.

SOREDI doesn't mention timber industry and would like them to revisit that based on the recent loosened regulations.

Localized Emergency Planning & Preparedness Meeting – focused on HAZMAT. State is divided into 18-19 different regions. Their team plans for 14 agencies, only have 9 complete, Jackson County is not complete, but forming a committee. Meeting planned for later in February and will be notified closer to date. Response to HAZMAT types of situations. There are 6-7 designated sites in Shady Cove.

Councilor Tarvin –

HGTV – Crescent City has submitted for the town makeover. Haver, MT is also being submitted for the makeover by a local resident.

Budget – LOC deadlines recited. Need to think about the budget sooner this year. Councilor Hohenstein inquired about how often Budget Committee meets. Once or twice a year.

### ADJOURNMENT

There being no further business before the Council, the Mayor adjourned the regular Meeting at 7:56pm.

Approved:

Attest:

\_\_\_\_\_  
Lena Richardson  
Mayor

\_\_\_\_\_  
Thomas J. Corrigan  
City Administrator

**Council Vote:**

Mayor Richardson

Councilor Mitchell

Councilor McGregor

Councilor Tarvin

Councilor Hohenstein

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**SOUTHERN OREGON BUSINESS CONFERENCE**  
**01-30-(Thursday)-2020**

Met w/ Colleen Padilla Executive Director SOREDI, and Rod Merriman Community Development Mgr. of SOREDI: My request to them was to have me be included whenever any communication is sent from them to our city.

This was the 17th Annual event. Moderated by Brad Hicks, President and CEO of the Chamber of Commerce Medford, AND Colleen Padilla.

3 SPEAKERS on the Agenda:

- **TIM DUY** (PhD), U of O Adjunct Professor, Director, Oregon Economic Forum, Dept. of Economics at the University of Oregon)

His subject: **ROGUE VALLEY ECONOMIC FORECAST**

- **DANIEL LAPOUR** - Senior Manager
- **COLIN QUILL** - Manager

Representing MOSS ADAMS LLP since 2005 focusing on state and local income franchise tax consulting and compliance projects, Also oversees large corporate tax return compliance. THESE GENTLEMEN ARE 'high-level' accountants.

Their subject was: The CAT program, Oregon's New **CORPORATE ACTIVITY TAX**.

LAST ON THE PROGRAM;

- **JEFF MARCELL**, Senior partner w/ TIP Strategies (**THEORY INTO PRACTICE**) consultant in developing Economic Strategies

**TIM DUY'S** forecast for the Rogue Valley was specific:

1. Job growth slowing down along w/ the assoc. labor growth, very similar to the National expected growth.
2. No reason for a recession based on the economic indicators
3. Solid Growth in the economy predicted for 2020, locally, nationally and within the state
4. Low unemployment .
5. Airport travel is exponentially strong, with more individuals able to travel. (more spending \$'s).
6. Statewide housing permits low (cost of construction)
7. Regarding Industrial Manufacturing, It is expected to be down and it use to be used as an economic indicator, but not so much today.
8. The Economy is proped-up by consumer spending due to more \$'s and more jobs.
9. Bottom line, the Economy is not a Problem

The Accountants from Moss Adams LLC, spoke of the CAT pgm.

A New program from our State Legislature defining a tax program directed to Corporations having commercial activity in excess of \$750,000 to register, and file a tax return for excesses of 1 Million \$'s. This program is expected to generate \$1 Billion of revenue per year and apply to the 'Fund for Student Success' and must be use for education and school purposes. AND, as you know and can expect, those taxes will be added to the associated products and passed down to the user/citizens. They mentioned that it can be associated to sales tax, that we're not suppose to have in Oregon. There are still some questions and answers that are pending relative to implementation with changes expected.

**JEFF MARCELL** from TIP Strategies , the last speaker.

His primary focus was that which was printed in the SOREDI pamphlet which is included in this meeting agenda. He basically highlighted the concepts and information in his presentation. I can say that it's a very informative source that is presented for our Rogue Valley Region. One of the things that stuck with me was that SOREDI's efforts are directed at our region, not our specific city. So, as the valley is developing, hopefully, there will be interest directed to Shady Cove. Perhaps, as a council, we will revisit our involvement in contributing to the program.

**LASTLY**, I took the time to meet Susan Walsh, PhD who has a discipline as the President of Academic Affairs SOU, in Ashland.

Discussed the possibility of having a student of economic/ business knowledge directed to our City and its desire to develop economic programs and enhance growth and direction. I will be getting back to her in the near future, after meeting with our Administrator and Mayor, with a more definitive direction request.



Mayor Lena Richardson and City Council Members

02-10-2020

22451 Hwy 62

Shady Cove, OR. 97539

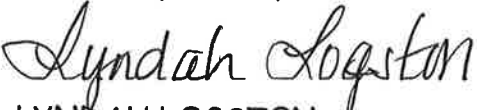
Dear Mayor Richardson,

I am writing to request your help.

Please find enclosed my letter to Medford Chief of Police Scott Clauson. You can contact me for any kind of clarifications you may have.

Thank you sincerely for your prompt attention to this matter.

Yours respectfully,

  
LYNDAH LOGSTON

101 Onyx Street #1

Eagle Point, OR. 97524

949-566-7050

Medford Chief of Police Clauson

219 S. Ivy

Medford, Or. 97501

02-10-2020

101 Onyx Street #1

Eagle Point, OR 97524

Dear Police Chief Clauson,

I am the victim of theft and grand larceny of my personal belongings (\$19,792. Stolen to date). The two culprits of these crimes are CYNTHIA SCHELL, 55, of Shady Cove (also my younger sister), and SAMANTHA STEVENS, 26, OF Medford. This was a conspiracy with criminal intent. I believe I have evidence showing these women have committed Identity Fraud with stolen information my boyfriend and I also. And there is a strong possibility that they are distributing an old VHS sex tape I made years ago, because this tape was also stolen by them. The culprits have no legal entitlement to any of my belongings. The taking occurred in Jackson County.

I'd like you to note that both criminals openly admitted to three of my four witnesses that they knowingly, willfully, took my personal property from me. The elements of probable cause are satisfied. I want to press criminal charges.

I reported this crime to Deputy Cicero when I discovered it (9-10-2018). I was forced to temporarily move out of Oregon as a result of their larceny, and because of this I corresponded with the deputy mostly through detailed letters. Chief Clauson, the deputy did not ever give me a case #, he stopped returning my calls, and never called my four witnesses to interview them. I tried to be patient with this and I waited, not really understanding how these things work. I was expecting help but receiving nothing. Still, I kept positive and in touch.

I recently called the police department --- only to find out that Deputy Cicero had retired. He never told me he was retiring. And worse, no one can tell me where my case is.

I am writing to express my deep concerns about the way my case has been handled. I am asking for your help in resolving these problems as quickly as possible.

Chief Clauson, please call me at your first opportunity. I would appreciate talking to you right after you receive this letter. My cell phone # is 949-566-7050. There are many details involved and I have taken detailed notes of everything.

I am also requesting that you immediately assign another detective to my case and that this new detective quickly carries out a complete investigation and returns my calls within 24 hours.

I am very upset that much time has passed without anything being done about my case. I am resolved to obtaining justice in this case, no matter how long it takes. I am positive that as Chief of Police you want to assure that I this matter is corrected without delay to help keep me and the community safe from these thieves. I am counting on you, Chief Clauson, to make these things right.

Thank you for your help.

Sincerely,

  
LYNDAH LOGSTON

The victim in this case

C: Mayor Gary Wheeler and Medford City Council Members;  
Mayor Lena Richardson and Shady Cove City Council Members;  
District Attorney Beth Heckert;  
Rod Underhill, District Attorney's Association;  
Sheriff Nathan Sickler, Jackson County Sheriff's Office;  
Kevin Campbell, Association Chiefs of Police;  
Attorney General Ellen F. Rosenblum;  
Fay Stetz-Waters, Director of Civil Rights;  
Tim Fox, State Police Chief Operating Officer;  
Michael Schmidt, Criminal Justice Commission

Governor Kate Brown;

Jason Wenig, Ombudsman Civil Rights Coordinator;

Robin Morris Collin, Chair Commission for Women;

Ron Wyden, Senior Senator;

Chief Justice Martha L. Waters;

Diana Hamilton, Jackson County Victim's Assistance;

Other community members

Check Issue Date	Check	Payee	Description	Amount
02/10/2020	44635	Banner Bank	Office Supplies - Computer Software Subscription	14.99
02/10/2020	44635	Banner Bank	Wildfire App - Emergenc Services City Website	.99
02/10/2020	44635	Banner Bank	Recording Fees	121.00
02/10/2020	44635	Banner Bank	Council - Training	150.00
02/10/2020	44635	Banner Bank	Computer Software Subscription	83.96
02/10/2020	44635	Banner Bank	SORED I Event	65.00
02/10/2020	44635	Banner Bank	Office Supplies	65.88
02/10/2020	44635	Banner Bank	City Hall - Facilities	30.58
02/10/2020	44635	Banner Bank	Office Supplies	57.35
02/10/2020	44636	Banner Bank	City Council - Study Session	2.50
02/10/2020	44636	Banner Bank	Streets - Equipment Maintenance	20.64
02/10/2020	44636	Banner Bank	Promotion & Tourism - Coloring Contest	20.00
02/10/2020	44637	Celtic Circle, LLC	Shop Rental	865.00
02/10/2020	44638	City of Shady Cove - Utilities	#1539.01 2501 Indian Creek Rd.	44.00
02/10/2020	44638	City of Shady Cove - Utilities	#2300.01 1008 Celtic Circle/City Shop	46.00
02/10/2020	44638	City of Shady Cove - Utilities	#1538.01 22451 Hwy. 62	46.00
02/10/2020	44639	Danny Byrd Trucking	3/4" Minus	200.15
02/10/2020	44640	David Christian	Radio Programming, 6 hrs.	90.00
02/10/2020	44640	David Christian	Radio Programming, 6 hrs.	90.00
02/10/2020	44641	DiJulio Displays, Inc.	Flags - Banners	1,306.62
02/10/2020	44642	Hornecker Cowling, LLP	General - Acct 32076-001	34.00
02/10/2020	44643	J & J Tree Service, LLC	Tree Removal	2,100.00
02/10/2020	44644	Jackson County Sheriff	Law Enforcement Services- Monthly	39,834.00
02/10/2020	44644	Jackson County Sheriff	Law Enforcement Services- Monthly	39,834.00
02/10/2020	44644	Jackson County Sheriff	Law Enforcement Services- Monthly	39,834.00
02/10/2020	44644	Jackson County Sheriff	Law Enforcement Services- Monthly	39,834.00
02/10/2020	44645	KAS & Associates, Inc.	Hwy 62. & Indian Creek Rd.	2,505.00
02/10/2020	44645	KAS & Associates, Inc.	Cleveland Street Storm Drain Impr	30.00
02/10/2020	44646	Mark Dukart	Utility Billing Refund	59.88
02/10/2020	44647	Medford Builders Exchange	Council Goals	26.00
02/10/2020	44648	Pacific Power	Aunt Caroline's Park 32847641-005	92.06
02/10/2020	44648	Pacific Power	street Lights 32847641-002	757.26
02/10/2020	44648	Pacific Power	Nork Lane 32847641-009	351.08
02/10/2020	44648	Pacific Power	City Hall 32847641-007	196.84
02/10/2020	44649	Perfection Cleaning	Cleaning Services	300.00
02/10/2020	44650	Personnel Source, Inc.	Temporary Laborer-Office Support	672.00
02/10/2020	44650	Personnel Source, Inc.	Temporary Laborer-Office Support	840.00
02/10/2020	44651	Rogue Shred, LLC	Document Destruction	44.60
02/10/2020	44652	Shady Cove Hardware, LLC	Streets - Maintenance Supplies	6.59
02/10/2020	44652	Shady Cove Hardware, LLC	Streets - Maintenance Supplies	18.99
02/10/2020	44652	Shady Cove Hardware, LLC	City Hall - Facilities	7.18
02/10/2020	44652	Shady Cove Hardware, LLC	Streets - Equipment Maintenance	3.99
02/10/2020	44652	Shady Cove Hardware, LLC	City Hall - Facilities	26.99
02/10/2020	44653	SOS Alarm	City Hall	152.85
02/10/2020	44653	SOS Alarm	Celtic Circle - (Shop)	118.35
02/10/2020	44654	Thomas J. Corrigan	Expense Reimbursement - Office Supplies	108.95
02/10/2020	44654	Thomas J. Corrigan	Expense Reimbursement - Parks	15.99
02/10/2020	44654	Thomas J. Corrigan	Expense Reimbursement - Streets Maintenance Supplies	24.99
02/10/2020	44655	TouchPoint Networks, LLC	Computer Services	31.00
02/10/2020	44656	Upper Rogue Independent	Government Public Notice - Planning Commission Public Hea	104.00
02/10/2020	44656	Upper Rogue Independent	Government Public Notice - City Council Public Hearing	104.00
02/10/2020	44657	WECO - Carson	Public works gasoline/diesel 1-01737	112.86

Grand Totals:

171,502.11

City of Shady Cove

Ordinance No. 294

**AN ORDINANCE OF THE CITY OF SHADY COVE, OREGON AMENDING CHAPTERS 95 AND 153 OF THE CITY OF SHADY COVE CODE OF ORDINANCES IN ORDER TO; CLARIFY THE CITY'S STREET STANDARDS, REFINE STANDARDS FOR SHARED PRIVATE DRIVES, AND ALLOW THE PLANNING COMMISSION OF THE CITY OF SHADY COVE TO ALLOW IMPROVEMENT OF EXISTING CITY STREETS USING ALTERNATE STREET STANDARDS**

**Whereas**, the City of Shady Cove is working to slowly improve the street system of Shady Cove; and,

**Whereas**, the City of Shady Cove intends to provide standards for shared private drives; and,

**Whereas**, it has been identified that currently all city street improvements shall be completed utilizing full City Street Standards according to the Shady Cove Code of Ordinances; and,

**Whereas**, the City has allowed and seeks to continue allowing some street improvements to occur on public streets with alternate street standards, the City is amending the Shady Cove Code of Ordinances to allow the Planning Commission to approve street improvements with alternate street design standards should they find the improvement an acceptable alternative; and,

**Whereas**, The Shady Cove Planning Commission, after providing proper public notice, met in Public Hearing on December 12, 2019, to consider amendments to the Shady Cove Code of Ordinances to include revisions to the street standards of the City of Shady Cove, after which a motion was made, duly seconded, and passed by a roll call vote of 4 - 0 to recommend that the City Council approve amendment of the City Street Standards in the Shady Cove Code of Ordinances; and,

**Whereas**, the Shady Cove City Council conducted a properly advertised public hearing on January 16, 2020, to consider the Planning Commission recommendation and accept public testimony.

**Now, therefore, COUNCIL OF THE CITY OF SHADY COVE ORDAINS AS FOLLOWS:**

The Shady Cove Code of Ordinances is amended as follows:

**Section 1: Title**                      This Ordinance shall be known as an amendment to the Street Standards of the City of Shady Cove Code of Ordinances.

**Section 2: Description**            The amendment more accurately provides standards for shared private drives and allows the Planning Commission to approve street improvements with alternate street standards should they find the improvement acceptable.

**Section 3: Amendment**

The Shady Cove Comprehensive Plan is amended;

Section 95.03, Streets and Pedestrian Ways is amended to include;

(A) All streets, ~~and alleys,~~ and shared private drives serving more than one tax lot shall be:

(1) Cut to the grade and cross-section design approved by the City Engineer, having due regard to drainage, the grade of adjoining streets and properties, making allowance for required base and paving material.

(2) Improved by the placing of an adequate rock base of sufficient depth on the portion designed for vehicular traffic.

(3) Paved with a minimum of three inches of asphaltic concrete.

(B) Where the Planning Commission determines that the public interest requires it, the Planning Commission may require asphalt surfacing of all or any part of any street or alley, whether or not the same is already required.

(C) All street improvements shall be constructed to city standards for permanent street and alley construction. Catch basins shall be installed and connected to drainage leading to storm sewers or drainage ways as approved by the City Engineer. Upon completion of the street improvement, monuments shall be reestablished.

(D) The Planning Commission may approve street improvements alternate to the standards found in Table 6.B.1 when deemed appropriate.

And, Section 95.61(F)(14) is amended to include;

(14) Table 6.B.1 (Right-of-way and Street Design Standards) *insert Table 6.B.1 in full here* of Ord. 223 is adopted by reference as if appearing in total and made a part hereof.

TABLE 6.B.1 – Right-of-Way and Street Design Standards

Type of Street	Ave. Daily Tips (ADT)	Right of Way Width	Curb-to-Curb Pavement Width	Within Curb-to-Curb Area			Curb on both sides	Planting Strip on both sides	Sidewalks on both sides
				Motor Vehicle Travel Lanes	Bike Lane on both sides	On Street Parking			
Arterial Streets Boulevards: 2-Lane Boulevard	8,000 to 30,000 ADT	61'-87'	34'	11'	2 at 6' each	8' bays	6"	7'-8' <sup>1</sup>	6'-10' <sup>2</sup>
Avenue: 2-Lane Avenue	3,000 to 10,000 ADT	59'-86'	32'-33'	10'-10.5'	2 at 6' each	8' bays	6"	7'-8'	6'-10'
Collector Streets Residential	1,500 to 5,000 ADT				NA <sup>3</sup>				
No Parking		49'-51'	22'	11'		None	6"	8'	5'-6'
Parking One Side		50'-56'	25'-27'	9'-10'		7' lane	6"	7'-8'	5'-6'
Parking Both Sides		57'-63'	32'-34'	9'-10'		7' lanes	6"	7'-8'	5'-6'
Commercial:									
Parallel Parking One Side		55'-65'	28'	10'		8' lane	6"	7'-8'	6'-10'
Parallel Parking Both Sides		63'-73'	36'	10'		8' lanes	6"	7'-8'	6'-10'
Diagonal Parking One Side		65'-74'	37'	10'		Varies	6"	7'-8'	6'-10'
Diagonal Parking Both Sides		81'-91'	54'	10'		Varies	6"	7'-8'	6'-10'
Local Residential Streets <sup>4</sup>	Less than 1,500 ADT				NA				
Parking One Side		47'-51'	22'	15'		One 7'	6"	7'-8'	5'-6'
Parking Both Sides		50'-57'	25'-8'	11'-14' Queuing		Two 7' lanes	6"	7'-8'	5'-6'
Alleys	NA	16'-20'	12'-16' paved width, 1'-2' strips on both sides	NA	NA	none	none	none	none
Accessways & Multi-Use Paths	NA	10'-18'	6'-10' paved width, 2'-4' strips on both sides	NA	NA	none	none	none	none
Private Drives serving 2-6 lots	NA	NA	20'	NA	NA	NA	6"	None	None

<sup>1</sup> Hardscape planting strip with tree wells shall be used in commercial and mixed-use development areas (where on-street parking is provided);

<sup>2</sup> 5'-6- Sidewalk shall be installed in residential areas, 8'-10' sidewalk shall be installed in commercial areas;

<sup>3</sup> Bike lanes are generally not needed on low volume (less than 3,000 ADT) and/or low travel speed (less than 25 mph) streets;

<sup>4</sup> Option for residential street with 22-feet of pavement width, and 4-foot wide sidewalks or pathways, separated from roadway by drainage swale (no curb).

[Sidewalks may not be required on some existing local streets when existing and future traffic volumes are low; e.g. less than 500 ADT, or 10 dwellings].



And Section 153.14, Shared Private Drives, is amended to include;

When the size and shape of the lot makes separate drives impossible, the ~~Director~~ Planning Commission may approve shared drives when the following conditions are met:

- (A) The private drive does not serve more than six ~~dwelling units~~ tax lots.
- (B) A homeowner's association, or other mechanism found acceptable to the ~~Director~~ Planning Commission, is created to maintain the drive.
- (C) All utilities, except the private drive, shall have separate connections to the public system, or if shared utilities are allowed; an access agreement shall be secured to allow public access on the drive for operation and maintenance of the utilities.
- (D) Any utilities or facilities shared by two or more property owners shall meet established city standards.
- (E) Shared private drives shall have street signs that read, "Private Drive, Non-City Maintained". Signage shall be the responsibility of the private land owners and not the City.
- (F) Shared private drives shall be constructed to City Street Standards as outlined in Table 6.B.1. Pre-existing shared private drives shall not be required to meet City Standards regarding surfacing.
- (G) The City of Shady Cove shall not be responsible for maintenance of shared private drives or related private improvements such as catch basins, culverts, or ditches.
- (H) Notwithstanding the foregoing, partitions which propose access to newly created lots via pre-existing shared private drives shall only be approved if the pre-existing shared private drive is brought up to City street standards as outlined in Table 6.B.1.

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 \_\_\_\_\_, 2020.

Approved:

Attest:

\_\_\_\_\_  
Lena Richardson  
Mayor

\_\_\_\_\_  
Thomas J. Corrigan  
City Administrator

**Council Vote:**

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

City of Shady Cove

Resolution No. 19-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE,  
OREGON, REVISING CITY COUNCIL RULES OF GOVERNMENT**

**WHEREAS**, the City Council of the City of Shady Cove desires to conduct city council meetings in accordance with all appropriate rules of order in a professional and organized manner; and

**WHEREAS**, the existing Shady Cove Council Rules of Government were last updated by Resolution 17-15 on October 19, 2017; and

**WHEREAS**, the City Council now desires to further update the existing Council Rules of Government.

**THE CITY COUNCIL RESOLVES AS FOLLOWS:**

The Shady Cove City Council Rules of Government, as attached and labeled Exhibit "A", are hereby adopted; and

The effective date of this Resolution shall be February 7, 2019; and

Resolution 17-15 is hereby repealed.

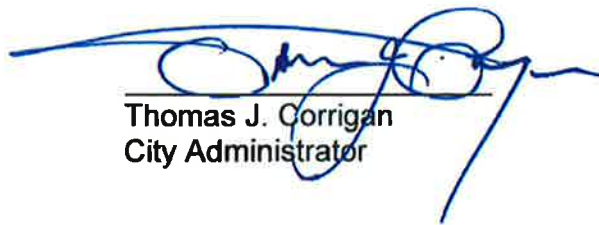
**Adopted** by the City Council of the City of Shady Cove this 7th day of February 2019.

Approved:



Lena Richardson  
Mayor

Attest:



Thomas J. Corrigan  
City Administrator

**Council Vote:**

Mayor Richardson	<u>Y</u>
Councilor Mitchell	<u>Y</u>
Councilor McGregor	<u>Y</u>
Councilor Tarvin	<u>Y</u>
Councilor Hohenstein	<u>Abstain</u>

## EXHIBIT "A"

### Attachment to City of Shady Cove Resolution 19-01 Adopted February 7, 2019

#### CITY COUNCIL RULES OF GOVERNMENT

##### Meeting Procedure

The Presiding Officer shall conduct all meetings in accordance with basic principles of parliamentary procedure in order to facilitate the transaction of business and to promote cooperation and harmony.

Compliance. All meetings of the City Council shall comply with the Oregon State Public Meetings Law ORS 192.610-192.690, which is hereby incorporated by reference into these rules.

##### Ordinance and Resolution Procedure

The City Charter, Chapter VIII, Section 33, identifies conditions under which an Ordinance may be read by title only.

##### Quorum

The Mayor or in his/her absence, the President of the Council, shall call the meeting to order at the hour designated for the meeting. If a quorum is not present, the Administrator shall immediately inform the absent members, except those known to be unavoidably detained, that their presence is required to enable the Council to proceed. If the absent member or members do not appear after the notice, the members present shall adjourn until a specific time or until the next regular meeting.

A majority of the Council constitutes a quorum to conduct business. The Mayor counts as a voting member for the quorum.

##### Temporary Chairman

In event of the absence of the Mayor and Council President, the City Administrator shall call the Council to order and call the roll of the members; if a quorum is present, those Councilors present shall elect, by majority vote, a Temporary Chairman for that meeting. Should the Mayor or Council President arrive, the Temporary Chairman shall relinquish the chair immediately upon the conclusion of the item of business then under consideration before the Council.

##### Liaison

The Mayor will appoint a Council Liaison to boards, committees, commissions whether within the City or another local agency.

The Liaison's role is not to direct the board in its activities or work.

The Liaison serves as a two-way communication channel between the Council and the board, committee, or commission.

Liaisons shall be appointed at the first meeting of each calendar year, or as soon thereafter as practicable, and shall serve until the first meeting of the next calendar year; provided, however, that Liaisons may be removed or reassigned at any time by the mayor upon approval of the council. In addition, a Council Liaison can only be a sitting Council member and upon expiration of any Council member's term, or upon resignation, removal, or death, the Liaison's seat shall be immediately declared vacant, and a sitting Council member appointed as a replacement.

Unless otherwise specified, a majority of the members of a commission or committee shall constitute a quorum. The Liaison shall not be considered a member of a commission or committee.

#### **Agenda**

The Mayor, or designated representative, will provide the City Administrator a list of items to be covered in Unfinished and New Business not later than 3:00 p.m. on Wednesday the week prior to a scheduled Council meeting. The City Administrator will prepare an agenda not later than 3:00 p.m. on Thursday the week prior to the scheduled Council meeting.

Complete Council packages will be made available by close of business on Friday the week prior to a scheduled meeting.

During announcements, the presiding officer may add items to, or delete items from, the agenda. Verbal explanations will be provided for additions and deletions.

#### **Use of Electronic Devices**

It is the policy of the Council, in keeping with the intent of the state's open meetings law, that the use of electronic communications devices during Council meetings be limited and shall otherwise comply with rules and laws applicable to proceedings before the Council.

Any electronic communication regarding a quasi-judicial matter to be considered by the Council is an ex parte contact and shall be disclosed, as required by law.

This rule does not prohibit the use of the City provided interactive computers on the dais for viewing the Council meeting agenda and agenda packet. This rule does not limit the use of electronic communications devices outside of public meetings.

However, all electronic communications sent and received by Councilors must comply with the rules and laws applicable to public records.

All phones shall be kept in the silent or vibrate mode during the course of a meeting.

#### **Definitions**

As used in this section. "Electronic communications devices" means laptop computers, smartphones, cell phones, or other similar devices capable of transmitting or receiving messages electronically.

As used in this section, "electronic communications" means e-mail, text messages, social media posts or other forms of communications transmitted or received by technological means.

State Law reads –

192.670 Meetings by means of telephonic or electronic communication. (1) Any meeting, including an executive session, of a governing body of a public body which is held through the use of telephone or other electronic communication, shall be conducted in accordance with ORS 192.610 to 192.690.

When telephone or other electronic means of communication is used and the meeting is not an executive session, the governing body of the public body shall make available to the public at least one place where the public can listen to the communication at the time it occurs by means of speakers or other devices. The place provided may be a place where no member of the governing body of the public body is present. (1973 c.172 §7; 1979 c.361 §1)

### **Record Retention**

All records of meetings will be retained pursuant to Oregon State Law (166-200-0235), including notes taken by Council relative to the meeting;

“(5) Meeting Records, Boards, Commissions, Committee, and Governing Bodies\* — Minimum retention:

(a) Minutes\* (except executive session minutes), agendas, resolutions, indexes, and exhibits (not retained permanently elsewhere in city records) permanently;

(b) Executive session minutes retain 10 years;

(c) Audio or visual recordings 1 year after minutes prepared and approved;

(d) Other records and exhibits not pertinent to minutes retain 5 years.”

### **Order of Business**

City Council meeting agendas will reflect the following items and order:

#### **Call to Order**

Roll Call

Pledge of Allegiance

Announcements

This meeting is being digitally recorded.

Next City Council meeting

Next Planning Commission meeting

Any other scheduled public meeting(s)

**Recess for Public Hearing if Scheduled\***

**Public Comment**

Citizens wishing to speak should submit a written communication, which can be an email, prior to the meeting. If a citizen wishes to speak on an agenda item, he/she must submit a name and address on the sign-in sheet prior to the beginning of the meeting. When recognized to speak, he/she must stand to address the Council.

To speak on a non-agenda item, a citizen must submit his/her name and address on the sign-in sheet prior to the beginning of the meeting. When recognized to speak, he/she must stand, then provide name and address and the issue must have a city-wide impact and not be a personal issue. Council discussion or debate is unlikely because the necessary ordinance, resolution or background information will not have been prepared.

**Consent Calendar**

Minutes from previous meeting(s)

**Written Communications**

**Staff Reports**

1. Paid Invoice Report
2. Quarterly Budget Report
3. Police Report
4. Fire District Report

**Unfinished Business** Defined as those items which have been discussed by Council at a previous meeting and have been left unfinished.

**New Business**

**Public Comment on Non-Agenda Items**

Public will rise to address the Council and must state name and address and standing to discuss the issue. Issues must have a city-wide impact and not be personal issues.

**Council Comments**

To include Liaison reports.

**Recess for Executive Session if Scheduled**

**Adjournment**

**Voting**

Only one question at a time will be considered at any given time. Every motion will be discussed fully and freely. Each Council member has the right to know at all times what the pending

question is and to have it restated before a vote is taken. The Presiding Officer will request a random roll call vote on all motions.

Tie Vote. In case of a tie in votes of any motion, the motion is not approved. A new motion would then be in order.

### **Decorum**

Council members shall be recognized by the Presiding Officer before speaking.

Council members shall address any remarks to the Council rather than to the audience unless given permission by the presiding officer

Upon recognition and with permission of the Presiding Officer, a person in the audience may address the Council, not the audience.

### **Contact with Media**

The City Administrator will provide talking points prior to media contact regarding controversial issues related to the city. The Mayor and Councilors may contact the City Administrator for talking points prior to speaking to media on issues related to City business.

### **Conflict of Interest**

Each Councilor will be requested to vote, when present, at a regular or special meeting of the Council except when that Councilor has a conflict of interest (actual or potential), as defined by ORS 244.020(1) and 244.020(12). If a conflict of interest exists, the Councilor will so declare and identify the cause of the conflict. A Councilor may participate in a discussion of the issue for which a potential conflict exists; or, if an actual conflict exists then discussion as well as a vote is prohibited, all in accordance with ORS 244.120.

### **Rules Revision**

Rules may be added, deleted, or revised at any meeting of the Shady Cove City Council.

### **Meetings of the City Council**

Regular City Council meetings will be held on the first and third Thursday of each month. Meetings will begin at 6:00 p.m. and end no later than 8:00 p.m. unless by a majority vote of the Council extends the meeting and time are indicated.

Public hearings may be scheduled for the regular Council meeting or at any time on any other day.

Special City Council meetings can be called for any date, at any time, consistent with the City Charter, Chapter IV, Section 13.

Study sessions will be combined with the Council meeting. Order of business will be:

Presentations  
Discussion Items  
Action Items