

Agenda
Shady Cove Regular City Council Meeting
Thursday, November 5, 2020
6 PM

This meeting will be held telephonically
in light of reoccurring health conditions.

Attendees will call

1-844-855-4444

Access Code 789926#

I. Call to Order

- A. Roll Call
- B. Announcements by Presiding Officer
 - 1. This meeting is being digitally recorded.
 - 2. The next regularly scheduled meeting of the City Council will be November 19 at 6 PM, possibly held telephonically.
 - 3. The next regularly scheduled meeting of the Planning Commission is November 12 at 6 PM, possibly held telephonically.
 - 4. The next meeting of the Parks and Rec Commission is on November 10 at 6 PM, possibly held telephonically.
 - 5. The next meeting of the Emergency Management Commission has not yet been determined.
 - 6. 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.
 - 7. These meeting dates are subject to change by the circumstances related to COVID-19.

II. Public Hearing

None

III. Public Comment on Agenda Items

IV. Consent Agenda

- A. Continuation of Declaration of Emergency
- B. Bills Paid Report 9/26/20-10/28/20, \$ 32,719.85
- C. Minutes of October 15, 2020

V. Items Removed from Consent Agenda

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. Staff Reports

- A. City Administrator
- B. Jackson County Deputy (CSO)
- C. Fire Chief Winfrey, FD4

VII. New Business

VIII. Old Business

- A. Ordinance #297 - AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF THE EXISTING TURN AROUND AT THE TERMINUS OF BROPHY WAY AND ACCEPTING NEW PUBLIC RIGHT OF WAY IN THE FORM OF A HAMMERHEAD TURNAROUND NEAR THE TERMINUS OF BROPHY WAY

IX. Written Communication

X. Public Comment on Non-Agenda Items

XI. Council Comments on Non-Agenda Items

- A. Mayor Richardson – RVCOG
- B. Councilor Mitchell - RVACT & Parks Commission
- C. Councilor McGregor - SOREDI
- D. Councilor Hohenstein - Planning Commission
- E. Councilor Tarvin

XII. Adjournment

ADMINISTRATIVE ORDER
November 5, 2020
By the Mayor of the City of Shady Cove

Declaring a State of Emergency

The Mayor of the City of Shady Cove finds that:

- a. On March 8, 2020 Governor Kate Brown declared a State of Emergency due to the COVID-19 (Executive Order No. 20-03). Governor Brown also issued guidelines regarding group gatherings and social distancing to alleviate possible impacts of COVID-19 (Executive Order No. 20-5). On March 13, 2020 President Donald Trump declared a National Emergency concerning COVID-19. Governor Brown also extended the Executive Order until January 21, 2021 on October 27, 2020.
- b. COVID-19 requires a significant amount of resources at the local level to keep the public and community informed and as safe as possible.
- c. The unknown duration of the COVID-19 may have a significant financial impact on the community.
- d. The primary focus at the City is to keep the community safe while maintaining the health of our workforce so the City can continue to provide crucial City services, and to alleviate impacts to residents and business owners within the City of Shady Cove.
- e. Pursuant to ORS 401.309(1), the governing body of a City may declare, by ordinance or resolution, that a state of emergency exists within the City.
- f. Pursuant to the City of Shady Cove Emergency Operations Plan adopted by the City Council of Shady Cove in May of 2012, section 3.2.1.1, confirms that power of the Mayor.
- g. Pursuant to the first Declaration of Emergency, and as the Governor has not changed the State's Declaration of Emergency as of yet.

Now, therefore, based on the above findings, the Mayor of the City of Shady Cove declares an emergency and an extension of the current Declaration.

1. This Declaration of Emergency is effective immediately and shall remain in effect until November 19, 2020 but may be extended in two-week increments.
2. To protect the health and safety of City employees, I have and will direct the City Administrator to develop emergency policies and guidance on the use of sick leave, vacation leave, telecommuting, meeting protocol, identification of essential and non-essential staff for ongoing presence at City facilities, and other policies that will be in effect for the duration of the emergency.

3. To protect the health and safety of City employees, I have and will direct the City Administrator, at his discretion, to determine whether closing certain City facilities and cancelling public meetings may be necessary.
4. The City will take all necessary steps authorized by law to coordinate the response and recover of this emergency, including but not limited to, requesting assistance from the State of Oregon and Jackson County.
5. To protect the health and safety of City employees, elected officials and the public, and reduce the number public meetings, the City Council shall consider the ratification of the Declaration of a State of Emergency at its next Council meeting on November 5, 2020 rather than via a separate emergency meeting.

Lena Richardson, Mayor
City of Shady Cove, Oregon

Ratified by City Council action on November 5, 2020

Thomas J. Corrigan, City Administrator
City of Shady Cove, Oregon

| Check Issue Date | Check | Payee | Description | Amount |
|------------------|-------|------------------------------------|--------------------------------|-----------|
| 10/26/2020 | 44993 | Holly Mason | Business OR Grant payment | 2,500.00 |
| 10/26/2020 | 44994 | Michelle Jermain | CRF Grant payment 10.26.2020 | 1,000.00 |
| 10/27/2020 | | AT&T Mobility | Mobile Phone 10/06-11/05 | 161.58 |
| 10/26/2020 | 44995 | River Tan, LLC | Business OR Grant payment | 2,500.00 |
| 10/27/2020 | | Avista Corporation | Natural Gas 9/21-10/20 | 65.53 |
| 10/26/2020 | 44996 | The Fishin Hole Fly Shop & Rafting | Business OR Grant payment | 5,000.00 |
| 10/27/2020 | | Canon Solutions America, Inc. | Maintenance 10/20 | 140.91 |
| 10/27/2020 | 44997 | Celtic Circle, LLC | Shop Rental 11/20 | 1,730.00 |
| 10/27/2020 | 44998 | Crystal Fresh | Office water 08.31.20 | 34.50 |
| 10/27/2020 | 44999 | David Christian | Radio Programming 10/12-10/16 | 210.00 |
| 10/27/2020 | 45000 | Hunter Communications | Phone/Internet 09/20 | 595.31 |
| 10/27/2020 | 45001 | KAS & Associates, Inc. | Aunt Carolyn's pedestrian | 5,896.96 |
| 10/27/2020 | 45002 | Medford Builders Exchange | Signs-Aunt Carolyns Park | 66.00 |
| 10/27/2020 | 45003 | OTET | Pay period 09/01 - 09/30 | 6,110.16 |
| 10/27/2020 | 45004 | Pacific Power | Electricity 9/22-10/21 | 1,133.75 |
| 10/27/2020 | 45005 | Perfection Cleaning | Office cleaning 09/20 | 225.00 |
| 10/27/2020 | 45006 | Philadelphia Insurance Companies | Liability Ins 11/1/20-11/01/21 | 1,403.00 |
| 10/27/2020 | 45007 | Southern Oregon Sanitation | 490 Nork Ln 09/20 | 80.44 |
| 10/27/2020 | 45008 | Speer Hoyt, LLC | Matter 12-1588-007 | 504.00 |
| 10/27/2020 | 45009 | Superior Stamp & Sign Co | Metal name plate | 124.00 |
| 10/27/2020 | 45010 | TouchPoint Networks, LLC | Watchguard 10/20 | 31.00 |
| 10/27/2020 | 45011 | URCC | Rental increase 09/20-01/21 | 75.00 |
| 10/27/2020 | 45012 | WECO - Carson | Gas/Diesel 10/6 | 281.00 |
| 10/27/2020 | 45013 | Banner Bank | Spencer's MC | 194.91 |
| 10/27/2020 | 45014 | Banner Bank | Tom's MC | 2,656.80 |
| Grand Totals: | | | | 32,719.85 |

An Ordinance of the City of Shady Cove, Oregon
An Oregon Municipal Corporation

ORDINANCE # 297

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF THE EXISTING TURN AROUND AT THE TERMINUS OF BROPHY WAY AND ACCEPTING NEW PUBLIC RIGHT OF WAY IN THE FORM OF A HAMMERHEAD TURNAROUND NEAR THE TERMINUS OF BROPHY WAY

WHEREAS, Mike Malepsy, has petitioned the City of Shady Cove for the vacation of a portion of the existing turn around at the terminus of Brophy Way and adoption of a new section of public right of way in the form of a hammerhead turnaround in conformance with the State of Oregon Fire Apparatus Access standards as described in Exhibit A; and

WHEREAS, notice of the hearing on the vacation petition has been published as prescribed by ORS 271.110(1); and

WHEREAS, the City Council on October 15, 2020, pursuant to ORS 271.100, determined that there appeared to be no reason why the petition for vacation should not be allowed; and

WHEREAS, the Shady Cove Planning Commission conducted a public hearing on September 24, 2020, and voted to recommend Council adoption of the ordinance, and

WHEREAS, the Shady Cove City Council considered the Planning Commission recommendation in a public hearing on October 15, 2020, and voted to approve the ordinance.

NOW, THEREFORE, THE CITY OF SHADY COVE ORDAINS AS FOLLOWS:

Section 1. A portion of Brophy Way, further described in Exhibit "A" shall be vacated. A second area of new public right of way shall be accepted as part of the Brophy Way, this new hammerhead turnaround is described in Exhibit "A".

Section 2. The title to the property being vacated by this ordinance shall attach to the lands bordering on such equal portions in accordance with ORS 271.140.

Section 3. Pursuant to ORS 271.10, the City Clerk is hereby directed to file a certified copy of this ordinance and the map attached hereto as Exhibit "A" with the Jackson County Clerk, Jackson County Assessor, and Jackson County Surveyor.

Adopted by the Shady Cove City Council on this 5th day of November, 2020.

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson
Councilor Mitchell
Councilor McGregor
Councilor Tarvin
Councilor Hohenstein

DRAFT

City of Shady Cove
City Council Regular Meeting Minutes
Thursday, October 15, 2020
Meeting was held telephonically

I. CALL TO ORDER

Mayor Richardson called the Regular City Council Meeting to order at 6:00 PM

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

Staff Present: Thomas J. Corrigan, City Administrator

I.A. ANNOUNCEMENTS

The Mayor made the announcements on the agenda.

II. PUBLIC HEARING

Consideration of minor land partition located at 511 Park Drive. Tax Lot 34-1W-16DD, 2503. Zone R-1-10. Owner/Applicant: Dennis B. Hammons. File Number MIP 20-01.

Ex Parte' Contact - Councilor McGregor, made site visit today, spoke to neighbor adjacent to 511 Park Drive who during conversation reiterated what was on councilor notes. Councilor Hohenstein, made 2 site visits today, to compare photos and information from packet, spoke to no one.

Ryan Nolan, RVCG contract planner – Shady Cove Planning Commission reviewed application for partition and approved by on August 13, 2002, with the following conditions (1) final plat should delivered to City within one year; (2) final plat shall comply with section 153.06 F and G, including ingress and egress; (3) All future improvements subject to Shady Cove ordinances;(4) applicant to sign Deferred Development Agreement with payment in full or payment plan; (5) application provide recorded easement documents showing access to parcel 2; (6) paving width of private street may be reduced by the width of the curbs. Fence and gate permit is a separate application has not been included in the Planning Commission approval.

Applicant present: Dennis Hammons

Opponents present: Susan Hoppes and Randy Lepper

Discussion ensued.

Motion to close hearing

Motion: Councilor Hohenstein
All Ayes

Second: Councilor Tarvin
Motion Carried 5-0

Motion for City Council to affirm the Planning Commission approval of file number MIP 20-01 to allow a request to partition a .5-acre parcel located at 511 Park Drive into two parcels. Parcel 1 is 14,007 square feet .32 acre and parcel 2 is 11,415 square feet .26 acres. Motion incorporates adoption of all findings previously approved by the Planning Commission regarding file number MIP 20-01:

Motion: Councilor Mitchell
All Ayes

Second: Councilor McGregor
Motion Carried 5-0

Motion to extend meeting time to 8:30 p.m.

Motion: Councilor Hohenstein
All Ayes

Second: Councilor Tarvin
Motion Carried 5-0

III. PUBLIC HEARING

Vacation of a portion the turnaround at the terminus of Brophy Way and accept a new hammerhead turnaround as a new section of the public right of way. File Number VAC20-01.

Applicant present: Mike Malepsy.

Opponent present: None

Ryan Nolan, RVCG contract planner - Shady Cove Planning Commission reviewed application and recommends Council arrange and approve for public hearings to review/approve change.

Applicant present: Mike Malepsy

Opponents present: None

Discussion ensued.

Motion close hearing

Motion: Councilor Hohenstein

Second: Councilor Tarvin

All Ayes.

Motion Carried 5-0

Motion to move matter of vacation of a portion the turnaround at the terminus of Brophy Way and accept a new hammerhead turnaround as a new section of the public right of way to a second public hearing to be scheduled at November Council meeting. File Number VAC20-01.

Motion: Councilor Hohenstein

Second: Councilor Tarvin

All Ayes

Motion Carried 5-0

IV. PUBLIC COMMENT ON AGENDA ITEMS

None

V. CONSENT AGENDA

Motion to Accept Item A, B, and C, the Continuation of Declaration of Emergency, Bills Paid Report for \$248,315.91, Minutes of October 1, 2020.

Motion: Councilor McGregor
Councilor Tarvin voted Nay

Second: Councilor Hohenstein
Motion Carried 4-1

VI. ITEMS REMOVED FROM CONSENT AGENDA

None

VII. STAFF REPORTS

Chief Greg Winfrey from Fire District 4 commented that evacuations lowered the amount of contacts and no water rescues. All should be aware of the start of the heating season; make sure chimneys are inspected/cleaned, chimney brushes are available at the station to borrow free of charge. Reminder to check smoke detectors with the upcoming time change. Fire Danger Level is now Moderate; chainsaw use can be until 1:00 p.m. or after 8:00 p.m., no

burning is allowed. Thank you to community for the Hero Celebration, it was very much appreciated. Councilor Tarvin asked Chief Winfrey to remind everyone of burn requirements for upcoming season. Per Chief Winfrey; pile size should be reasonable, must have the ability to control the fire, should be 25 feet away from building, cannot burn after dark, and must have water or fire extinguisher system available.

Deputy Heise from Jackson County Sheriff's Office unavailable, currently called out to an incident.

City Administrator

- City was awarded a safety award for last year from CIS (City Insurance Services).
- Website has been updated with Hero Celebration pictures, current Fire District 4 report including the updated moderate fire danger rating with the related restrictions, and FEMA information.
- Met with FEMA representative, Brian Jeremiah, to review current information and he will continue to provide updates for website.
- Flags were kept up because of multiple events in a row: Hero Celebration, Election Day and Veterans day.
- Paint event was successful even with the rain; 30% increase in participation from last year.
- LOC training attended virtually by City Administrator, very informative.
- Leaf Drop Off program starts November 2nd through December 11th.
- Worked with SOREDI to inform businesses of the Covid Relief Funds available. The Fishing Hole was approved for \$5,000 and has applied for an additional \$5,000. The process is that a business completes an application at the City and then we assist to provide to SOREDI. Multiple businesses have applied and received/will receive funds.

VIII. NEW BUSINESS

CCD/SOREDI Covid Grant applications for round 4 are currently in process.

IX. OLD BUSINESS

- A. Motion to schedule a special session for review Ordinance 296 proposed amendments by citizen group.

Discussion ensued to review each proposed amendment.

Motion: Councilor Hohenstein

Second: Councilor Mitchell

All Ayes

Motion Carried 5-0

- B. Award of remaining grants from Covid Relief Funds. Recommendation from City Administrator is for Council to table until SOREDI grants are complete before moving forward to avoid any conflict with SOREDI funds.

- C. Motion to extend meeting time to 9:00 pm

Motion: Councilor Tarvin

Second: Councilor Hohenstein

All Ayes

Motion Carried 5-0

X. WRITTEN COMMUNICATION

None

XI. PUBLIC COMMENT ON NON-AGENDA ITEMS

None

XII. COUNCIL COMMENTS

Mayor Richardson – Hero Celebration arranged by Kathy Nuckles and Sherri Stritenberg was put together quickly and was successful. Attended the virtual LOC meeting and the Mayor’s workshop covered diversity and how to improve it. Saturday is hazardous waste day at Rogue Valley Disposal on Table Rock Road. Thank you to all who listened and participated in this extended Council meeting today.

Councilor Mitchell – No recent activity at the RVACT. Apologies for not attending the Parks and Recreation meeting, was out of state. Thank you to Bob Bellah for heading the group to work on changes with Ordinance 296. Recommendation to Emergency Management Commission; consider that all citizens be at a Level 1 given the area.

Councilor McGregor - SOREDI will be in attendance at the next Parks and Recreation Committee meeting to assist with branding the City. Thank you to Bob Bellah and citizen’s group for working on the changes for Ordinance 296.

Councilor Hohenstein – Chase Bank will open but may not be able to open until mid-November due to staff/training needs. Thank you to Kathy on the success of the Hero Celebration. Thank you to Bob and citizens group for working on changes for Ordinance 296.

Councilor Tarvin – Attended the virtual LOC meeting, the Councilor’s workshop was very informative. Pre-recorded was beneficial to being able to see more than one topic. Thank you to all who are listening/participating in this lengthy meeting.

XIII. ADJOURNMENT

There being no further business before the Council, the Mayor adjourned the regular Meeting at 8:43 p.m.

Approved:

Attest:

Lena Richardson
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Richardson

Councilor Mitchell

Councilor McGregor

Councilor Tarvin

Councilor Hohenstein

Exhibit "A"

T.L. 402
 PARCEL No. 3 OF
 PARTITION PLAT P-45-2009

NO°01'29"W

240.0'
 T.L. 100

100.5'

5.36'

BROPHY WAY

S89°54'05"W

107.04'

T.L. 400

PARCEL No. 4 OF
 PARTITION PLAT P-04-2016

NEW ROADWAY

N89°54'05"E

PROPERTY LINE

NO°01'29"W 300.00'

EXISTING R/W
 AREA TO BE VACATED
 AND RETURN TO PRIVATE
 OWNERSHIP

R=50'
 L=142.59'

R=20'
 L=25.62'

5/8" REAR WITH
 PLASTIC CAP

R=20'
 L=28.28'

R=20'
 L=28.28'

FLY CASTERS PLACE
 (25' WIDE PRIVATE EASEMENT)

AREA TO BE DEDICATED TO THE
 CITY OF SHADY CREEK FOR ADDITIONAL
 BROPHY WAY RIGHT-OF-WAY
 HAMMERHEAD TURNAROUND

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Bary D. Kaiser

OREGON
 JULY 15, 2003
 BARY D. KAISER
 No. 52923
 EXP. 6-30-21

SCALE: 1" = 100'

