

Agenda
Shady Cove Regular City Council Meeting
Thursday, January 18, 2024
6 PM

<https://us02web.zoom.us/j/87052332717?pwd=L3NlaU9rbGNLbTMrQXNvNVF3b0NCUT09>

Meeting ID: 870 5233 2717

Passcode: 153122

One tap mobile

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+16699006833,,87052332717#,,,,*153122# US (San Jose)

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 City Council will be held on February 1, 2024 at 6 PM, both in Council Chambers and via Zoom.
3. The next regularly scheduled meeting and Public Hearing of the Planning Commission is January 25 at 6 PM, both in Council Chambers and via Zoom.
4. The next regular meeting of the Recreation and Tourism Commission has not been set at this time.
5. The next meeting of the Emergency Management Commission has not been set at this time.
6. These meeting dates and times are subject to change
7. Anyone wishing to address the City Council concerning items of interest may do so. The person addressing the Council must complete a Public Comment Card and submit it to the City Administrator prior to the meeting. All remarks will be addressed to the whole City Council and limited to 3 minutes per person. Public Comments may also be submitted by email to the City Administrator, at TCorrigan@shadycove.org, no later than 4:00 PM the day of the meeting. The Council reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

II. Public Comment on Agenda Items

III. Consent Agenda (pgs.3-15)

- A. Minutes of 11/30/23
- B. Minutes of 01/04/24

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).

C. Bills Paid – 12/28/23 – 01/11/24 - \$33,680.81

IV. Items Removed from Consent Agenda

V. Staff Reports

- A. Jackson County Deputy
- B. Fire Chief Travis Crume, FD4
- C. Commission/Committee Reports
- D. City Administrator

VI. Old Business

- A. City Logo Update
- B. 2nd Reading Ordinance #307, Amending Sections of Ordinances 225, 259, and 286 Relative to Fences (pgs.16-22)
- C. City Administrator Update

VII. New Business

- A. OLCC - Change of Ownership - Chevron (pgs.23-26)

VIII. Written Communication

IX. Public Comment on Non-Agenda Items

X. Council Comments on Non-Agenda Items

- A. Mayor Ball
- B. Councilor Nuckles
- C. Councilor Winfrey
- D. Councilor Hubbard
- E. Councilor Mitchell

Adjournment

City of Shady Cove
City Council Regular Meeting
Thursday, November 30, 2023, 6:00 PM
Meeting was held at City Hall and on Zoom

I. CALL TO ORDER

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

The Pledge of Allegiance was recited.

I.C. ANNOUNCEMENTS

Roll Call

Council Present: Mayor Ball, Councilor Nuckles, Councilor Winfrey, Councilor Hubbard, Councilor Mitchell

Staff Present: Thomas J. Corrigan, City Administrator

Mayor Ball made the announcements on the agenda.

II. PUBLIC COMMENT ON AGENDA ITEMS

III. CONSENT AGENDA

A. Minutes of 11/16/23

B. Bills Paid Report 11/09/23-11/20/23- \$139,636.36

Motion to Accept Consent Agenda

Motion: Councilor Nuckles Second: Councilor Winfrey

Motion Carried: 5-0

IV. ITEMS REMOVED FROM CONSENT AGENDA

None

V. STAFF REPORTS

A. Commission/Committee Reports:

Emergency Management- Jay Taylor- Things are progressing on the emergency siren and have received three different proposals. They will discuss it more at their next work session on December 12/4/2023 at City Hall.

City Administrator-Tom Corrigan- Regarding the Emergency Management Commission and a conversation at URCC, that the National Red Cross came by

looking at all of their sites and they were talking about notifications for emergencies. URCC said that while a grant could not be given directly to a governmental agency, it might be arranged for URCC to collaborate with the City on the siren. ODOT has been doing some clearing along the right of ways on Hwy 234 and the City would like ODOT to do the same on hwy 62. Reviewed with ODOT fuel reduction for the City grant. Spoke with Fire Chief Crume about the chipper and working together. Spire is due January 2, 2024 and they are looking for groups to partner. Attended a meeting for Risk Map Certification and FEMA, then a different meeting with Jackson County Community Long Term Recovery Group and FEMA. We are doing a recycling update for DEQ. On the next Agenda will be Hiland Water and their request to move the right of way agreement over to Northwest Natural. We received a lot of very positive comments on the roadwork that was done on Bond. We still have Calendars to give out.

Mayor Ball- On the Hiland Water Northwest Naturals coming up on the next Agenda, they are trying to close escrow by the end of December so he asked Tom Corrigan to talk to the City Attorney and have him look at this and have it to Council early in the week so they can look at it before meeting.

VI. OLD BUSINESS

- A. City Administrator Search Update:
Mayor Ball- He has been in contact with Mr. Larson almost daily and he is very excited about his first round of interviews. Please remember the date of the executive meeting on the 13th.
- B. City Logo:
Councilor Nuckles- She left a message for SOU and is waiting for a call back.
- C. Extension of Food Truck Hours of Operation Abeyance:
Mayor Ball- We are not going to get feedback from Planning at this time but would like to go ahead and extend the hours at least through the first quarter of 2024.

Motion to Extend the Food Truck Hours of Operation Abeyance Through March 31, 2024

Motion: Councilor Nuckles

Second: Councilor Hubbard

Motion Carried: 5-0

VII. NEW BUSINESS

- A. After-the-Fact Fees and Fee Schedule:
Mayor Ball- Wants to open for discussion.
-City Administrator- Tom Corrigan- Thinks there should be fines or penalties for customers not getting the correct permits before starting and completing a project and then coming in and asking if need a permit. He thinks Council should discuss charging a percent in 2024.

- Councilor Mitchell- Thinks the fees are a bit light.
- Mayor Ball- Feels there needs to be some kind of penalty for not getting a permit before starting a project that requires a permit and if can get a motion, Council can look at it again in future.

Motion for After-the-Fact Applications be 300% of the Original Fee

Motion: Councilor Mitchell Second: Councilor Nuckles
Motion Carried: 5-0

Friendly Amendment- Fee Effective 1/1/2024

Motion: Councilor Mitchell Second: Councilor Nuckles
Motion Carried: 5-0

- B. Mayor's Monarch Society- He enjoyed his time spent on the river with the outdoor school from Ashland. He received a letter from Logos Charter School from Andrea Thompson and she was asking Council to consider the Mayor's Monarch Project with a letter from the teacher. He sent everyone a link with an overview of the project but cannot do anything until after the first of the year in 2024. He said even though it says Mayor's Monarch, he feels it is City-wide. He was given a book from Hank Hohenstein and he has read a few of the parts in it. In the project, he would like to do 3 of 30 different steps and he asked Council if they would be willing to get behind him on it with him doing all the work. Council agreed to support him on the project so he will go ahead and make the pledges as a Mayor. He will write a letter of appreciation to the student at Logos Charter School and ask for more information.
- C. City Hall Schedule:
 - Mayor Ball- Wants to discuss the hours at City Hall. He would like City Hall to shut down an hour for lunch. With the small staff it would be more helpful for them.
 - Councilor Nuckles- She feels it should be shut down for two hours for more time for staff to work on what needs to get done without interruptions and also will be able to have a little down time.
 - Councilor Mitchell- Feels it is a good idea and supports City Hall closing down at lunch for an hour.
 - City Administrator-Tom Corrigan- Says it was well received by staff.
 - Councilor Winfrey- Thinks it is a good idea for the hour shut down at lunch and then wait for the new City Administrator and then discuss anything further.
 - Councilor Hubbard- Feels we need to also think about customers that needs to come to the City Hall at their lunch because it is the only time they have, and it would be closed.
 - Mayor Ball- Thinks we need to try, for the month of December, to shut down for an hour at lunch and then go from there.

Motion to Start 12/1/2023 Regulating the Hours of Operation from 8-12, Lunch 12-1, Reopen from 1-5 Monday through Friday Excluding Holidays

Friendly Amendment- 12/4/2023 Change Hours of Operation

Motion: Councilor Mitchell
Motion Carried: 5-0

Second: Councilor Hubbard

VIII. WRITTEN COMMUNICATION

Mayor Ball- From Kendal Burquits- Inquired about representing to the City Council to ask about funding for our non-profit. She is the Executive Director for a local non-profit called Rebuilding Together Rogue Valley.

IX. PUBLIC COMMENT ON NON-AGENDA ITEMS

Hank Hohenstein- Wanted to report to the Council that the book has arrived and been delivered to the Mayor. He is requesting that after the Mayor reads the book, if he could assist him in Zoom contact with Dr. Talmey. He would also like this topic to be set as an agenda item for the Council to join in.

X. COUNCIL COMMENTS ON NON-AGENDA ITEMS

- A. Councilor Winfrey- Thanked everyone for coming. Fire District did their smoke detector installation with help from Red Cross. Their children's Christmas party is coming up on December 9, 2023, with a lot of fun things to give away for the kids and a lot of things for them to do.
- B. Councilor Mitchell- Thanked everyone for coming and also on Zoom. Says he had a lady ask him about a job description for the Mayor and Council and caught him off guard, but made him think about a lot of things and being on the Council as a volunteer.
- C. Councilor Hubbard - Thanked everyone for coming and also on Zoom. Says he has been looking through some of the Emergency Management stuff he has and came across some 2023 goals and the progress that has been made. He feels we have come along way but would like to see Council have a work shop first of next year to revisit the goals.
- D. Councilor Nuckles- Wants to remind everyone that the tree lighting is 12/8/23 from 6-7:30 PM. The Library and URCC will be participating with kid's crafts, cookies and hot chocolate and we will be lighting up the big tree out front. If any Council members could come to lend a hand, it would be appreciated.
- E. Mayor Ball- He will be available to help with the tree lighting event at any time of the day. Thanked everyone for coming. After the first of the year, he would like to start planting a seed of volunteer appreciation dinner for our volunteers and staff. We do need to have a meeting early in the next year and look at our goals and make goals for the next year. Hope everybody had a nice Thanksgiving.

ADJOURNMENT

There being no further business before the Council, Mayor Ball adjourned the meeting at 7:13 PM.

Approved:

Mayor Ball

Attest:

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Ball _____
Councilor Nuckles _____
Councilor Winfrey _____
Councilor Mitchell _____
Councilor Hubbard _____

City of Shady Cove
City Council Regular Meeting
Thursday, January 4, 2024, 6:00 PM
Meeting was held at City Hall and on Zoom

I. CALL TO ORDER

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

The Pledge of Allegiance was recited.

I.C. ANNOUNCEMENTS

Roll Call

Council Present: Mayor Ball, Councilor Nuckles, Councilor Hubbard, Councilor Mitchell

Staff Present: Thomas J. Corrigan, City Administrator

Mayor Ball made the announcements on the agenda.

II. PUBLIC COMMENT ON AGENDA ITEMS

III. CONSENT AGENDA

- A. Minutes of 12/7/23
- B. Bills Paid Report 11/21/23-12/27/23- \$26,853.52

Motion to Accept Consent Agenda

Motion: Councilor Mitchell Second: Councilor Hubbard

Motion Carried: 4-0

IV. ITEMS REMOVED FROM CONSENT AGENDA

V. STAFF REPORTS

- A. Jackson County Deputy Amaya- For the month of December they had 191 incidents. Domestic violence were down. Two suicidal people, 2 death investigations, 2 burglaries and 1 was solved and one at Miguel's still under investigation. Their shift rollover starts January 15th with Deputy Ponder starting here.
- B. Commission/Committee Reports:
Planning- Commissioner Stirling- Had a meeting on December 14th and the topic was transient vendors. The next Planning meeting is a Public Hearing on a Short-Term Rental application.

Emergency Management- No meeting

Recreation and Tourism- Liaison Kathy Nuckles- No meeting since before the Tree Lighting event. The Tree Lighting event was a huge success. They have not seen that many people at this event She wanted to thank everyone that did volunteer and help.

- C. City Administrator- Tom Corrigan- Has been working on the Spire Grant and worked in conjunction with Fire District 4 and the school with both of them writing letters for support. Had another meeting with Rowan on the Transportation Growth Management Grant. Red Cross is looking for volunteers and would like us to post the information on our website if Council is ok with it. He contacted more people for fuel reduction along Hwy 62 for ingress and egress. Still contacting customers with a large past due balance on their utility bill. Flags on the bridge have been changed. With direction from Council, we worked with the City Attorney on the right of way agreement transfer from Hiland to Northwest Natural and attorney said it looked fine. We will be referring over to Planning for a clarification in regard to beehives. The dinner is coming up and need head count so can turn into Mac's Diner. We will have our reader board up next week.

Mayor Ball- He would like to present a business of the year and a citizen of the year at the dinner coming up and would like to do a presentation or an announcement. He would like some ideas given to him so he can make some choices before night of the dinner.

VI. OLD BUSINESS

- A. City Logo Update- Councilor Nuckles- Met with Professor Sam Hayes-Hicks on 12/29 in Ashland and he is very excited about the opportunity to have them design a logo for Shady Cove. They discussed the process to pick a logo and he interviewed her about Shady Cove to get an idea of the town and now has a portfolio to share with his students. Giving a prize was discussed and she told him it would have to be approved by Council and if approved, the Professor would like to know so he has something to tease his students with and get them more excited about the project. If there is not a logo that Council likes, the City does not lose any money.

Motion to Approve in the Budget of \$2500.00 for a Logo Going Towards SOU with \$500.00 Scholarship Being Awarded When We Select the Logo and \$2000.00 Awarded After the Logo is Complete and that No Money Will Be Awarded Unless We Select the Logo

Motion: Councilor Hubbard
Motion Carried: 4-0

Second: Councilor Mitchell

- B. 2nd Reading Ordinance #306, Amending Sections of Ordinances 225 and 275, Relative to Short-Term Rentals:

Motion for the City of Shady Cove Ordinance #306, an Ordinance of the City Council of the City of Shady Cove Amending the Shady Cove Code of Ordinances Including Ordinances 225 and 275 to Amend Vacation Rental Dwellings (Short-Term Rentals) as a Conditional Use in Residential and General Commercial Districts

Motion: Councilor Nuckles
Motion Carried: 4-0

Second: Councilor Mitchell

VII. NEW BUSINESS

- A. 1st Reading, Ordinance #307, Amending Sections of Ordinances 225, 259, and 286 Relative to Fences:
Mayor Ball- Regarding email about HB 427. It was a very good email but will have to make a little adjustment to it. He had a conversation with Chris Heaton, Vice President of a national alarm company

Motion for the City of Shady Cove Ordinance #307, an Ordinance of the City Council of the City of Shady Cove, Amending the Shady Cove Code of Ordinances Including Ordinances 225, 259 and 286 Fencing Regulations in Residential and General Commercial Districts with the Following Changes.
-In Section 5 Paragraph F Change it to Electric Fences, Electronically Charged Fences are Prohibited Accept as Allowed by Oregon Law Noting that Any Required Accompanying Non-Electric Wall or Fence is Still Subject to the Provisions of this Section
-Same Section Subsection A Change Waifs to Walls
-Section 6 Item #7 Change it to Electric Fences, Electronically Charged Fences are Prohibited Accept as Allowed by Oregon Law Noting that Any Required Accompanying Non-Electric Wall or Fence is Still Subject to the Provisions of this Section
-Section 7 Paragraph H Change it to Electric Fences, Electronically Charged Fences are Prohibited Accept as Allowed by Oregon Law Noting that Any Required Accompanying Non-Electric Wall or Fence is Still Subject to the Provisions of this Section

Motion: Councilor Nuckles
Motion Carried: 4-0

Second: Councilor Mitchell

- B. Workshop Schedule- Mayor Ball- Need review Council goals. Schedule it for 1/22/2024 at URCC. He would like to have a City Town Hall meeting and can discuss it at the next workshop.

C. Recognition Awards- Mayor Ball- Please send your suggestions to Tom

VIII. WRITTEN COMMUNICATION

Russel Underwood from the Trail Museum. Shady Cove School held an essay contest after a field trip to the Trail Creek Museum. Our theme at the museum is A Walk Through Time. The teacher set the parameters for the students and then picked three winners and three runner ups. At a school assembly on February 2, 2024 at 2:45, the winning students will receive trophies and monetary awards donated by the Trail Creek Museum. We would greatly appreciate the Mayor and any City Council members to attend and support our students and teachers from Russ Underwood Chairman of the Trail Creek Museum.

IX. PUBLIC COMMENT ON NON-AGENDA ITEMS

X. COUNCIL COMMENTS ON NON-AGENDA ITEMS

- A. Councilor Nuckles- Thanked everyone for coming and thanked Commissioner Roberts for joining. She thinks the Council had a fabulous year and got so much done and worked very well together. Says it is a true honor working with everyone on the Council and Happy New Year to everybody out there.
- B. Councilor Hubbard- Feels it was a great year and got a lot done. The Insider and the accomplishments stated in the newsletter helps. Looks forward to getting a lot more done this year. Thanked everyone for coming and also on zoom.
- C. Councilor Mitchell - Thanked everyone for coming. It was a great holiday. Would like to see the goals they set and accomplished written down in a format with a break down for one of the Town Hall meetings. He looks forward to accomplishing more of the goals the they have set for this next year.
- D. Mayor Ball- Thanked everyone for coming. Thanked Commissioner Roberts for coming. For his first year, he feels everyone made it easier for him and could not ask for a better Council to work with and he appreciates it very much. Next week is going to be very busy. January 11, 2024, we have the finalists for the City Administrator position coming into town. We will host a meet and greet for the community that will be held at Edgewater Inn, in the conference room. Friday January 12, 2024, we will be doing interviews with two different panels. Happy New Year to everyone.

ADJOURNMENT

There being no further business before the Council, Mayor Ball adjourned the meeting at 7:27 PM.

Approved:

Attest:

Mayor Ball

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Ball

Councilor Nuckles

Councilor Winfrey

Councilor Mitchell

Councilor Hubbard

Report Criteria:
Detail report type printed

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
13	Avista Corporation	4941620000	Natural Gas 12/2023	1	12/22/2023	190.84	.00	190.84	51085	01/09/2024
Total 13:						190.84	.00	190.84		
24	Canon Financial Services, I	31707640	Contract charge 12/01/202	1	12/12/2023	203.82	.00	203.82	51072	12/28/2023
Total 24:						203.82	.00	203.82		
25	Canon Solutions America, I	6006570274	Copier	1	12/25/2023	52.40	.00	52.40	51086	01/09/2024
Total 25:						52.40	.00	52.40		
39	Crystal Fresh	703507	City Hall bottled water	1	11/30/2023	66.00	.00	66.00	51088	01/09/2024
Total 39:						66.00	.00	66.00		
43	Christian, David	12142023	Radio 12/11/2023-12/15/20	1	12/14/2023	90.00	.00	90.00	51073	12/28/2023
		12212023	Radio 12/18/2023-12/22/20	1	12/21/2023	90.00	.00	90.00	51073	12/28/2023
Total 43:						180.00	.00	180.00		
114	Pacific Power	32847641-01	Reader Board	1	12/28/2023	21.73	.00	21.73	51089	01/09/2024
		32847641-01	City Hall	2	12/28/2023	252.36	.00	252.36	51089	01/09/2024
		32847641-01	Street lights	3	12/28/2023	572.11	.00	572.11	51089	01/09/2024
		32847641-01	Aunt Carolines Park	4	12/28/2023	108.49	.00	108.49	51089	01/09/2024
Total 114:						954.69	.00	954.69		
119	Perfection Cleaning	292142	City Hall office cleaning 12/	1	12/27/2023	450.00	.00	450.00	51090	01/09/2024
Total 119:						450.00	.00	450.00		
121	Pitney Bowes Global Finan	3318382509	Contract 0041353961 billin	1	11/29/2023	171.30	.00	171.30	51078	12/28/2023
Total 121:						171.30	.00	171.30		
122	Pitney Bowes Purchase Po	8000909000	Postage/supplies	1	12/15/2023	46.43	.00	46.43	51091	01/09/2024
Total 122:						46.43	.00	46.43		
135	RVCOG	24-4106	RVCOG Membership Dues	1	12/20/2023	477.00	.00	477.00	51080	12/28/2023
Total 135:						477.00	.00	477.00		
138	SESAC, Inc.	66951 2024	Radio License Fee #66951	1	12/15/2023	193.00	.00	193.00	51081	12/28/2023
Total 138:						193.00	.00	193.00		
139	Shady Cove Hardware, LL	427425	oil, clamp, fix a flat, rope po	1	12/14/2023	74.16	.00	74.16	51092	01/09/2024
Total 139:						74.16	.00	74.16		
147	Sign Dude	169445	EMC Pylon Sign and install	1	01/09/2024	24,288.43	.00	24,288.43	51097	01/09/2024

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
Total 147:						24,288.43	.00	24,288.43		
151	Southern Oregon Sanitatio	0100880541	22451 Hwy 62	1	12/26/2023	45.93	.00	45.93	51093	01/09/2024
		0100880541	1008 Celtic Circle	2	12/26/2023	45.93	.00	45.93	51093	01/09/2024
		0100880541	2501 Indian Cr Rd	3	12/26/2023	66.80	.00	66.80	51093	01/09/2024
Total 151:						158.66	.00	158.66		
160	Teamster Local 223	012024	Monthly dues	1	01/02/2024	248.00	.00	248.00	51094	01/09/2024
Total 160:						248.00	.00	248.00		
168	URCC	0007 122023	Rental of Comm. Center Ki	1	12/13/2023	15.00	.00	15.00	51082	12/28/2023
Total 168:						15.00	.00	15.00		
176	Winters Electric, LLC	20580	Bridge, installed 4 GFCI re	1	12/20/2023	860.00	.00	860.00	51084	12/28/2023
Total 176:						860.00	.00	860.00		
221	Hunter Communications	493462	phone/internet	1	12/07/2023	697.58	.00	697.58	51075	12/28/2023
Total 221:						697.58	.00	697.58		
252	City of Shady Cove - Petty	12062023	Petty Cash	1	12/06/2023	31.09	.00	31.09	51074	12/28/2023
Total 252:						31.09	.00	31.09		
255	TouchPoint Networks, LLC	INV-7589	WatchGuard T40 Firebox	1	01/01/2024	116.06	.00	116.06	51095	01/09/2024
Total 255:						116.06	.00	116.06		
257	AT&T Mobility	2872860888	Cell phones	1	12/05/2023	270.41	.00	270.41	51071	12/28/2023
Total 257:						270.41	.00	270.41		
258	WECO - Carson	CP-0025432	Gas/Diesel 12/2023	1	12/15/2023	105.59	.00	105.59	51083	12/28/2023
Total 258:						105.59	.00	105.59		
264	Upper Rogue Independent	2543	Government Public Notice-	1	12/28/2023	90.00	.00	90.00	51096	01/09/2024
Total 264:						90.00	.00	90.00		
268	Project A, Inc.	12-1477	Services:Web Custom Dev	1	12/15/2023	231.25	.00	231.25	51079	12/28/2023
Total 268:						231.25	.00	231.25		
286	City of Shady Cove - Utilitie	12312023	1008 Celtic Cir	1	12/31/2023	47.25	.00	47.25	51087	01/09/2024
		12312023	2501 Indian Creek Rd	2	12/31/2023	46.25	.00	46.25	51087	01/09/2024
		12312023	22451 Hwy 62	3	12/31/2023	47.25	.00	47.25	51087	01/09/2024
Total 286:						140.75	.00	140.75		
430032	JP Morgan Chase	01022024	interstate battery, van batte	1	12/12/2023	237.39	.00	237.39	51076	12/28/2023
		01022024	Chevron, propane	2	12/12/2023	12.26	.00	12.26	51076	12/28/2023

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		01022024	apple	3	12/12/2023	19.95	.00	19.95	51076	12/28/2023
		01022024	Walmart, tree lights	4	12/12/2023	26.64	.00	26.64	51076	12/28/2023
		01022024	Amazon	5	12/12/2023	775.10	.00	775.10	51076	12/28/2023
		01022024	Amazon, outdoor lights, 4 s	6	12/12/2023	159.96	.00	159.96	51076	12/28/2023
		01022024	hughesnet	7	12/12/2023	49.99	.00	49.99	51076	12/28/2023
		01022024	Staples, office supplies	8	12/12/2023	74.93	.00	74.93	51076	12/28/2023
		01022024	adobe	9	12/12/2023	19.99	.00	19.99	51076	12/28/2023
		01022024	Amazon, candy canes	10	12/12/2023	52.95	.00	52.95	51076	12/28/2023
		01022024	walmart, candy	11	12/12/2023	51.08	.00	51.08	51076	12/28/2023
		01022024	blink camera monthly bill	12	12/12/2023	10.00	.00	10.00	51076	12/28/2023
		01022024	Costco, supplies for tree lig	13	12/12/2023	174.73	.00	174.73	51076	12/28/2023
		01022024	Walmart, supplies for tree li	14	12/12/2023	7.24	.00	7.24	51076	12/28/2023
		01022024	Rackspace email and apps	15	12/12/2023	292.92	.00	292.92	51076	12/28/2023
		01022024	Costco, coffee	16	12/12/2023	35.99	.00	35.99	51076	12/28/2023
		01022024	pizza at the cove	17	12/12/2023	65.55	.00	65.55	51076	12/28/2023
		01022024	bMatrix	18	12/12/2023	59.99	.00	59.99	51076	12/28/2023
		01022024	purchase interest charges,	19	12/12/2023	76.56	.00	76.56	51076	12/28/2023
		01022024	Amazon	20	12/12/2023	206.86	.00	206.86	51076	12/28/2023
Total 430032:						2,410.08	.00	2,410.08		
430109	Malepsy, Mike	12152023	Refund major partition file	1	12/15/2023	958.27	.00	958.27	51077	12/28/2023
Total 430109:						958.27	.00	958.27		
Grand Totals:						33,680.81	.00	33,680.81		

Report Criteria:
 Detail report type printed

City of Shady Cove

Ordinance No. 307

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHADY COVE AMENDING THE SHADY COVE CODE OF ORDINANCES, INCLUDING ORDINANCES 225, 259, and 286, FENCING REGULATIONS IN RESIDENTIAL AND GENERAL COMMERCIAL DISTRICTS.

Whereas, The City Council of the City of Shady Cove desires to update the conditions set forth for fencing; and

Whereas, The City Council of the City of Shady Cove desires to remove obsolete, redundant, and generally update the Planning Code;

THE COUNCIL OF THE CITY OF SHADY COVE ORDAINS THE FOLLOWING AMENDMENTS:

Exhibit A details the changes to Ordinances 259, 286 and 225 to incorporate standardized fencing heights plus barbed wire and electric fencing regulations within the City of Shady Cove Flood Hazard Reduction and Zoning municipal code.

EXHIBIT A

The following modifications are to be made to Ordinances 259 and 286:

- I. PROVISIONS FOR FLOOD HAZARD REDUCTION; FENCES AND WALLS; . . .
evaluation criteria list: [Ref. 151.054,
Add as (A)-(4)]

ADD:

- (4) Electronically-charged fences are prohibited.

The following modifications are to be made to Ordinance 225:

- II. Ord 225, Exhibit A, Section 7.4-D (LOW DENSITY RESIDENTIAL DISTRICT, R-1; PROPERTY DEVELOPMENT REQUIREMENTS; *Fences, Walls, and Hedges*):

[Ref. 154.038, (D)]

CHANGE:

- D. Fences, Walls, and Hedges: Any fence, wall, hedge, or other screen planting shall not exceed a height of neither three feet above grade within any front yard setback area, nor six feet above grade within any side or rear yard areas. Open mesh deer fencing may exceed the height restrictions noted above.

TO:

D. Fences, Walls, and Hedges:

1. Fences and walls are a type of development and require a permit.
2. Any fence, wall, hedge, or other screen planting shall not exceed a height of neither three feet above grade within any front yard setback area, nor six feet above grade within any other yard area. Open mesh deer fencing may not exceed 8 feet above grade.
3. *Barbed wire*. It is unlawful for any person to erect or maintain within the city any fence constructed in whole or in part of barbed wire, razor wire, concertina wire or other similar wire (hereafter referred to as barbed wire) except as indicated below.
 - a. Barbed wire is not allowed, except for security fence around construction building materials, and then only by approval of a conditional use permit by the Planning Commission.
4. *Electric fences*. Electronically-charged fences are prohibited.

III. Ord 225, Exhibit A, Section 8.4-C (MEDIUM DENSITY RESIDENTIAL DISTRICT, R-2; PROPERTY DEVELOPMENT REQUIREMENTS; *Fences, Walls, Hedges*):

NO CHANGES: This section references Zone R-1.

IV. Ord 225, Exhibit A, the second Section 9.3 (HIGH DENSITY RESIDENTIAL DISTRICT, R-3; PROPERTY DEVELOPMENT REQUIREMENTS):

[Ref. 154.068, Add as (E)]

ADD:

D. Fences, Walls, and Hedges:

1. Fences and walls are a type of development and require a permit.
2. Any fence, wall, hedge, or other screen planting shall not exceed a height of neither three feet above grade within any front yard setback area, nor six feet above grade within any other yard area. The Planning Commission may approve a variance to the height requirement for reasons of security or visual screening, to a maximum height of ten feet.
3. *Barbed wire*. It is unlawful for any person to erect or maintain within the city any fence constructed in whole or in part of barbed

wire, razor wire, concertina wire or other similar wire (hereafter referred to as barbed wire) except as indicated below.

- b. Barbed wire is not allowed, except for security fence around construction building materials, and then only by approval of a conditional use permit by the Planning Commission.

4. *Electric fences.* Electronically-charged fences are prohibited.

- V. Ord 225, Exhibit A, Section 12.6 (GENERAL COMMERCIAL DISTRICT, G-C; Fences, Walls, Hedges): [Ref. 154.085, Change (A), Add (D), (E)) & (F)]

CHANGE:

- A. All fences, walls, or hedges placed within ten feet of any property *line* shall be limited in height to six feet, with the exception of trees. The Planning Commission may approve a variance to the height requirement for reasons of security or visual screening, to a maximum height of ten feet.

TO:

- A. All fences, waifs, or hedges shall be limited in height to six feet, with the exception of trees. The Planning Commission may approve a variance to the height requirement for reasons of security or visual screening, to a maximum height of ten feet.

ADD:

- D. Fences and walls are a type of development and require a permit.
- E. *Barbed wire.* It is unlawful for any person to erect or maintain within the city any fence constructed in whole or in part of barbed wire, razor wire, concertina wire or other similar wire (hereafter referred to as barbed wire) except as indicated below.
 - 1. Barbed wire is not allowed, except for security purposes, and then only by approval of a conditional use permit by the Planning Commission. Conditional use permits will not be issued for barbed wire in areas accessible to the public during normal business hours.
- F. *Electric fences.* Electronically-charged fences are prohibited, except as allowed by Oregon law noting that any required accompanying non-electric wall or fence is still subject to the provisions of this chapter.

VI. Ord 225, Exhibit A, Section 13.6 (PUBLIC USES DISTRICT, P; Fences, Walls, Hedges, Buffering): [Ref. 154.105, Change (A), Add (E), (F) & (G)]

CHANGE:

1. All fences, walls, or hedges placed within ten feet of any property *line* shall be limited in height to six feet, with the exception of trees. The Planning Commission may approve a variance to the height requirement for reasons of security or visual screening.

TO:

1. All fences, walls, or hedges shall be limited in height to six feet, with the exception of trees. The Planning Commission may approve a variance to the height requirement for reasons of security or visual screening, to a maximum height of ten feet.

ADD:

5. Fences and walls are a type of development and require a permit.
6. *Barbed wire*. It is unlawful for any person to erect or maintain within the city any fence constructed in whole or in part of barbed wire, razor wire, concertina wire or other similar wire (hereafter referred to as barbed wire) except as indicated below.
 - o Barbed wire is allowed for the following facilities for perimeter fencing, materials, and facility security or protection. (Perimeter fencing is allowed with barbed wire only if the barbed wire is a minimum of six feet above the ground. If barb arms are used on the fence top, the fence must be completely on property, including the area below the barbed arms if they extend outside the fence line).
 - i. Federal, state or local government facilities; and
 - ii. School facilities
7. *Electric fences*. Electronically-charged fences are prohibited except as allowed by Oregon law noting that any required accompanying non-electric wall or fence is still subject to the provisions of this chapter.

VII. Ord 225, Exhibit A, Section 16.8 (GENERAL LIMITED INDUSTRIAL DISTRICT, L-1; Fences, Walls, Hedges): [Ref. 154.142, Change (B), Add (F) & (G)]

CHANGE:

In the L-1 District, solid fences and walls shall not exceed 3 feet in height

above the sidewalk grade, within the front yard setback area or street side yard setback area, vision clearance shall be required on all corner lots. On an ulterior lot a wall, fence, or hedge not more than eight feet in height may be located anywhere on the lot to the rear of the required front yard or street side yard setback line. When an L-1 District adjoins a residential district, the Planning Commission may require that a fence, wall, or hedge be erected along and immediately adjacent to the abutting property line that is the zone boundary. The Planning Commission may make this requirement in the approval of the Site Plan as required by Section 24. All fences, walls, and hedges shall be properly constructed, maintained, trimmed and kept in good condition and repair

TO:

- A. Fences and walls are a type of development and require a permit.
- B. In the L-I District, a fence, wall, or hedge shall not exceed three feet in height above the sidewalk grade, within the front yard setback area or street side yard setback area. Vision clearance shall be required on all corner lots.
- C. A fence, wall, or hedge not more than six feet may be located anywhere on the lot to the rear of the required front yard setback or street side yard setback line. The Planning Commission may approve a variance to the height requirement for reasons of security or visual screening, to a maximum height of ten feet.
- D. When an L-I District adjoins a residential district, the Planning Commission may require that a fence, wall or hedge be erected along and immediately adjacent to the abutting property line that is the zone boundary.
- E. The Planning Commission may make this requirement in the approval of the site plan, as required by Section 24.
- F. All fences, walls and hedges shall be properly constructed, maintained, trimmed and kept in good condition and repair.
- G. *Barbed wire*. It is unlawful for any person to erect or maintain within the city any fence constructed in whole or in part of barbed wire, razor wire, concertina wire or other similar wire (hereafter referred to as barbed wire) except as indicated below.
 - 1. Barbed wire is allowed to the rear of the front yard and side street setback areas for perimeter fencing, materials, and facility security or protection. (Perimeter fencing is allowed with barbed wire only if the barbed wire is a minimum of six feet above the

ground. If barb arms are used on the fence top, the fence must be completely on private property, including the area below the barbed arms if they extend outside the fence line).

H. Electric fences. Electronically-charged fences are prohibited except as allowed by Oregon law noting that any required accompanying non-electric wall or fence is still subject to the provisions of this chapter.

Appeal

A. The owner, or person in charge protesting any citation of any sections of this Ordinance, shall file with the City, a written statement which will specify the basis for the protest. The statement will be referred to the City Council or Municipal Court Judge, as appropriate, as part of the next scheduled meeting or court date. At the time set for consideration of the abatement, the owner or other person may appear and be heard and the Council or Municipal Court Judge, as appropriate will thereupon determine whether or not a nuisance or offense, in fact, exists. If it is determined that it does exist, the owner, or other person shall, within 10 days of that determination complete the abatement.

B. If the owner, or person in charge of the property, objects to the assessment for abatement, a written objection may be heard by the City Council in the manner described in "A" above.

Penalties and Damages

A. In addition to the cost and assessments provided in this Ordinance, a violation may be prosecuted in the Municipal Court of the City of Shady Cove, and be punished by a fine or not more than \$500.

B. Each day's violation constitutes a separate violation. The abatement shall not constitute a penalty for violating the Ordinance.

C. The remedies specified herein will not be deemed exclusive and the City may, at its option, seek to enforce the provisions of this Ordinance by exercising its legal or equitable remedies in any court of competent jurisdiction.

D. When an offense has been committed that results in ascertainable damages to any person, based upon conviction thereof, in addition to any other sentence, the Court may order that the defendant make restitution to the victim.

Infraction

A. Neither party shall have the right to a jury trial at the trial of any infraction.

Severability

A. Invalidity of a section or part of a section of this Ordinance will not affect the validity of remaining sections or parts of Sections.

Savings Clause

A. The amendment of any Ordinance noted in these sections will not preclude any action against any person violating this Ordinance prior to the effective date of this Ordinance.

Adopted by the City Council of the City of Shady Cove this 4th day of January, 2024.

Approved:

Attest:

Jon Ball
Mayor

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Ball

Councilor Nuckles

Councilor Winfrey

Councilor Hubbard

Councilor Mitchell

LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

- New Outlet | Change of Ownership | Greater Privilege | Additional Privilege

Select the license type you are applying for.

More information about all license types is available online.

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: 2nd 3rd 4th 5th 6th

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT:

After providing your recommendation, return this application to the applicant WITH the recommendation marked below

City/County name:

Shady Cove
(Please specify city or county)

City

Date application received: 8/8/2023

Optional: Date Stamp Received Below



- Recommend this license be granted
- Recommend this license be denied

Printed Name

Date

GO WITH STOP AND GO MARKET

Trade Name

LIQUOR LICENSE APPLICATION

Page 2 of 4

APPLICANT INFORMATION	
Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.	
Name of entity or individual applicant #1: SS HEER LLC	Name of entity or individual applicant #2:
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION		
Trade Name of the Business (name customers will see): GO WITH STOP AND GO MARKET		
Premises street address (The physical location of the business and where the liquor license will be posted): 21226 HIGHWAY 62		
City: SHADY COVE	Zip Code: 97539	County: JACKSON
Business phone number:		Business email: rra1market11@yahoo.com
Business mailing address (where we will send any items by mail as described in OAR 845-004-0065(1)): 21226 HIGHWAY 62		
City: SHADY COVE	State: OR	Zip Code: 97539
Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

AUTHORIZED REPRESENTATIVE – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application.		
I give permission for the below named representative to:		
<input checked="" type="checkbox"/> Make changes regarding this license/application on my behalf.		
<input checked="" type="checkbox"/> Sign application forms regarding this license/application on my behalf.		
<input checked="" type="checkbox"/> Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.		
Representative Name: GAGANDEEP SINGH		
Phone number: 714-813-5033	Email: GSINGH@XELCPA.COM	
Mailing address: 530 CENTER ST NE, SUITE 155		
City: SALEM	State: OR	Zip Code: 97301

Please note: liquor license applications are public records.

LIQUOR LICENSE APPLICATION

Page 3 of 4

APPLICATION CONTACT INFORMATION – Provide the point of contact for this application. If this individual is <u>not</u> an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.	
Application Contact Name: GAGANDEEP SINGH	
Phone number:	Email: GSINGH@XELCPA.COM

TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands [OAR 845-005-0311](#) and attests that:
 1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
 2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.
 3. The licensed premises at the premises street address proposed to be licensed either:
 - a. Does not include any common areas; or
 - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
 - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
 4. The licensed premises at the premises street address either:
 - a. Has no area on property controlled by a public entity (like a city, county, or state); or
 - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

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OLCC Liquor License Application (Rev. 8.1.23)

LIQUOR LICENSE APPLICATION

GO WITH STOP AND GO MARKET

Page 4 of 4

• Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

PARMINDER KAUR

Parminder Kaur

08/01/2023

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)