

Agenda

Shady Cove Regular City Council Meeting

Thursday, November 20, 2025, 6:00 p.m.

22451 Highway 62, Shady Cove, Oregon

Join Zoom Meeting

<https://zoom.us/j/93369453853?pwd=aJ0ZUYHNoFqfXZJ6galWdptSqvUaHZ.1>

Meeting ID: 933 6945 3853

Passcode: 926966

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meetings. This notice does not limit the ability of the City Council to consider or discuss additional subjects. These meetings are subject to cancellation without notice. These meetings are open to the public and interested citizens are invited to attend. The meeting location is accessible to people with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Stacey Bandfield at (541) 878-2225. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact the Planning Department at jcurry@shadycove.org. 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) 10/23/2025

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

IV. Announcements

- a. This Meeting is Being Digitally Recorded
- b. Next Regular Council Meeting-December 4th, 2025, @ 6:00 p.m.
- c. Next Planning Commission Meeting-December 11th, 2025 @ 6:00 p.m.
- d. These meeting dates and times are subject to change.
- e. Thanksgiving Day the 27th, and Friday, 28th, 2025.
- f. Local Street Network Plan (LSNP) Open House, Open Forum for Public Interest. December 10, 2025, @ 11:00 a.m. to 1:00 p.m.

V. Consent Agenda

Resignation- Emergency Management Commission (Natalie Swendener)

VI. Public Comments on Non-Agenda Items.

To speak on a non-agenda item, a citizen must submit his/her name and address on the comment card 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. Testimony is limited to three minutes.

VII. Action Items

Public comments on agenda items are permitted when agenda items are being considered and prior to council vote, as invited by Mayor or presiding officer. Testimony is limited to three minutes. Citizens are also encouraged to submit a written communication prior to the scheduled meeting and are encouraged to complete comment card.

- a. Housing Planning Assistance Grant (DLCD) Proposal from Rogue Valley Council of Governments (RVCOG).
- b. Public Safety Fee Ad Hoc Committee Report

VIII. Staff Reports

- a. Jackson County Sheriff's Department Report
- b. Fire District Report
- c. City Administrator Report

VIII. Council Comments

IX. Adjournment

11/3/2025


To: Members of the Shady Cove City Council

From: Natalie Swendener, former Secretary of Emergency Management Commission

To the Council,

I am resigning from the Emergency Management Commission, effective November 3rd. Jay Taylor and I were the last two active members, at this point the Commission is now empty. I felt it was best to wait until fire season was over to do this.

The reasons for my resignation were detailed back in May, when I presented a statement to the Council. The letter is attached. Since the re-appointment of Councilor Nuckles to the Council again, I assume nothing has changed.



Natalie Swendener

Attachment: Swendener 5-15-2025 City Council Statement

5/15/2025 Public Comment on EMC Guidance from EMC Secretary Natalie Swendener.

I have been on the Emergency Management Commission (EMC) for barely 7 months. The driver for the City to re-implement the EMC was the recent Hiland water outage, which occurred almost 4 years to the day of the 2020 S. Obenchain fire. I was here for the fire, and very much remember the difficulty in getting any communications on status. Shady Cove dodged a bullet, and here we are again starting fire season.

As I outline my feedback, I am going to compare the EMC to the planning commission. We started with, quite literally, nothing. You would not expect the planning commission to operate without accurate governance documents, nor would you expect the planning commission to operate without a strong city planning process to support it. You wouldn't go out and tell planning to "go out and do random training", and in most cases you wouldn't ignore the planning commission members' expertise and recommendations.

I disagree with much, but not all of the City Council EMC guidance presented in the meeting packet. I'm going to address Mayor Ball and Council President Kathy Nuckles directly, because you are clearly the ones driving direction and therefore, I hold you accountable for the statement. My understanding is that the other two City council members were not involved in the guidance, as that would have required a quorum for the discussion. It seems rushed to insist on a decision until they have had time to consider all of the information.

My first recommendation is that the full City Council defer any decisions on EMC responsibilities to a future Council meeting, as opposed to making a hasty decision in this meeting. I recommend everyone getting a chance to step back and consider the big picture, and get a chance to review the minutes and audio that were just made available for the two recent EMC public meetings.

There are three key areas needed to make an emergency management effort successful:

- An acceptance by the City of their responsibility to manage during emergencies, actively operate government and support citizens.
- Written Governance documents
- Tactical planning documents and a process-based focus.

Discrete efforts, including training, tabletop exercises, etcetera are also important. However, those discrete efforts must fit into the broader plan.

I agree with the City's feedback that our initial planning efforts may have been too detailed and overly focused on the ICS process. (However, to be fair that was the direction provided, and no one in the City was familiar with what it entailed.) It would be straightforward to simplify what was presented, and make it more generic and tactical. As an example of tactical, you may remember that during the water crisis, we were in peak fire season, and I was the one who told the Mayor to contact Pacific Power to ensure they were aware of the lack of water so they could prioritize outages.

The problem that I can't get past is that our Mayor and Council President just don't seem to be committed to having the City do anything in advance to prepare. Jackson County has clearly told you that the City

remains responsible for handling an emergency -- you don't get to just step out of it and hand it off. We've pointed out lots of gaps, and your responses have been "it's unlikely to happen", "we don't have the resources" and "other agencies will handle the details". Also, the Mayor appeared to call the effort a waste of his time in the last meeting. My take-away right now is that if true emergency like a fire happens, I'm on my own. I'm not worried for myself – I'll be fine, but I wonder about Shady Cove's elderly population and mobile home communities, who don't have the kind of resources that I do.

My specific recommendations to the City Council are:

- 1) The Mayor & Council President should **consider delegating oversight** to Councilors Winfrey and Mitchell **and EMPOWER** them to define direction and set priorities. Assuming of course that they agree to this.
- 2) Councilors Winfrey and Mitchell should be authorized to partner with the City Administrator, Jackson County, and the EMC without micromanagement from the Mayor and Council President.

** We recognize there is a lot going on. This approach would free both of you up to focus on the water system and other priorities.
- 3) The City needs to overhaul it's emergency management ordinance and resolve any conflicts with the City Charter. The focus should be on the Lines of Succession. Otherwise, there is no one in charge if a fire or emergency happens when the City Administrator is gone, and/or if a Council Quorum isn't available.
- 4) The City should clarify labor agreements for employees & the City Administrator so that providing appropriate emergency support isn't roadblocked by red tape.

**Remember that in many emergencies, labor can be reimbursed by state and federal emergency funding. And, no, I'm not suggesting any employee put themselves in danger.
- 5) The City needs to adopt an emergency volunteer policy with respect to insurance and liability; Jackson County was willing to provide a template on that.

I am also attaching my specific comments on the Mayor and President's proposed guidance below.

Comments from Natalie Swendener on the City Council Packet Statement of recommendations for Proposed EMC Guidance.

EMC Mission.

The mission of the City of Shady Cove Emergency Management Commission is to coordinate, maintain and administer emergency management through education in the areas of Mitigation, Preparedness, Response, Recovery, Detection, Prevention, and Protection. Our goal is to reduce the impact of hazards that may affect our community.

General duties and responsibilities.

The Emergency Management Commission is an appointed body with the primary responsibility of providing recommendations to the Mayor and City Council on direction, planning and policy on matters pertaining to the development of procedures, facilities, and chain of command for all emergencies facing the City including coordination with Jackson County Emergency Services, Fire District 4 and other responding agencies and to make such other recommendations to assist the Council in developing an emergency plan before such emergencies exist. It shall also perform such other related duties as may be assigned by the Council, which may include, but not be limited to:

- A. Perform periodic reviews of the City's Emergency Management Master Plan.
- B. Compile data to assist City policy making in the planning of all emergency situations in the City of Shady Cove.
- C. Make recommendations to the City Council on potential revisions and future delivery of services by the City of Shady Cove as they pertain to Emergency Management.
- D. Make recommendations to the City Council for modifications or additions to existing ordinances, policies and practices relative to emergency planning in the City of Shady Cove.
- E. Work in conjunction with other City commissions, boards, or committees to help ensure coordination of various elements of the Emergency Management master plan. Conduct public meetings and make recommendations to the City Council on Emergency Management and procedures during emergencies.
- F. Make recommendations for capital improvements and operations relating to the City of Shady Cove's Emergency Management and related equipment and facilities. G. Review and comment on fund-raising efforts and donations made on behalf of the City of Shady Cove's Emergency Management Plan.
- H. Foster public awareness and involvement in all aspects of the City of Shady Cove's Emergency Management and related facilities.

[NEW] Council Recommendations for Consideration:

Based on the EMC workshop on May 6, 2025, it is clearer as to what the City's role in emergencies can and should be. Specifically, being that the City has a single Emergency Manager (which is the City Administrator), no emergency staff, and a very limited budget, it can only address minor emergencies. All

other emergencies will be escalated and coordinated with the Sheriff, Fire Chief and County EM as appropriate. As such, it is evident that though the EMC mission statement is accurate, the EMC stated roles and responsibilities far exceed the capabilities of the City. It is therefore recommended (for consideration) that the EMC duties be aligned with the following:

NS: I disagree with the above statement, which implies the City can only handle minor emergencies. The County has made it clear that even in larger emergencies, the City has a role to play. This would be particularly important in the lead-up to an emergency, and in the aftermath of a major recovery effort.

I also disagree with the statement that the City has no emergency staff, as it does have employees and a Community Service Officer. As mentioned above, we would need advice in order to understand the legal ways in which employees can assist. As I expect the City is sensitive to budget issues, I would recommend reaching out to the City of Medford, Ashland, or Jackson County for their advice on the best course of action, as these organizations likely also have unionized employees. The Teamsters would also be a good resource.

I understand why the EMC cannot be treated as an emergency management agency. However, the City's goal should be to strive to follow Oregon standards to the extent feasible. This should include establishing the core framework documents that ORS 401.305 requires, including an updated/simplified EOP, having a formally designated EOC (whether local or remote) and providing meaningful guidance for the EMC that goes beyond conducting random training sessions. Our members believe that working towards a simplified set of plans, meeting with support agencies, and where feasible – actually and actively managing an emergency are appropriate steps. Lastly, this approach will also provide a framework that facilitates grants from FEMA and other agencies to support the City's preparedness.

- Public outreach to educate the public: Campaigns to promote Jackson Alerts signups; Campaigns for neighborhood watch/welfare; Public forums on resident preparedness; Public forums for other information Sheriff/Fire/County feels our residents should have; etc.

NS: Neighborhood watch programs are typically administered by the local police department, this does not appear to be related in any way to emergency preparedness. This would not align with my expertise, and would almost certainly require some sort of legal guidance.

- Maintain a volunteer registry of people willing to assist in an emergency and any certifications they may possess.

NS: As mentioned above, if volunteers are expected to help the City in an emergency, there needs to be a policy for insurance and liability. I'd like better guidance on what certifications the City thinks are needed, as the Fire District serves an EMS role and we wouldn't want to duplicate. Would we need a specific liability if volunteers were to operate City-owned equipment, for example?

- Research and advertise free certification courses that volunteers can take.
- Recommendations for mutual aid agreements for evacuation/staging areas (ie Trail Christian Fellowship Church), Cooling centers, etc.

NS: It would be difficult to advise the City on mutual aid agreements without tying into some sort of overall planning framework, ie, simplified tactical response plan, etcetera. Which to me drives the need to ensure there is a planning framework first.

- Council discussion and decision



City of **SHADY COVE**

small town, BIG ADVENTURES

Sean Edging, Senior Housing Planner
Housing Accountability and Production Office
Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem, OR 97301

Dear Mr. Edging,

The Department of Land Conservation and Development (DLCD) approved a Housing Planning Assistance Grant to assist Shady Cove in updating its development code, enhancing its GIS capabilities, and integrating Artificial Intelligence (AI) into its application review process. The planning consultant who prepared the grant application no longer is working with the City and is not available to conduct the work outlined in the application.

The City is aware that the Rogue Valley Council of Governments received approval of a grant application to assist Jackson County and seven member jurisdictions in preparing code audits and recommending comprehensive plan and development code amendments. The goal is to incorporate recently adopted state statutes and administrative rules to support housing production. Shady Cove's development code update project closely aligns with RVCOG's project. We understand that RVCOG does not plan to provide assistance for GIS and AI updates, concentrating only on code updates.

RVCOG has employed Dick Converse to administer its Housing Planning Assistance grant. He served as Shady Cove's land use planner for 22 years before retiring in 2019, and we are confident his experience will be valuable as we update our land development ordinance. Please consider this letter as Shady Cove's request to be added to the RVCOG Housing Planning Assistance grant.

Sincerely,

Lena Richardson, Mayor

Cc: Josh LeBombard

**CITY OF SHADY COVE
RESOLUTION NO. 25-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON, SUPPORTING THE CITY'S
2025-2027 HOUSING PLANNING ASSISTANCE APPLICATION TO THE DEPARTMENT OF LAND
CONSERVATION AND DEVELOPMENT TO FUND A PROJECT TO AMEND (REPLACE) THE CITY'S
DEVELOPMENT CODE, DEVELOP A GIS SYSTEM, AND INTEGRATE ARTIFICIAL INTELLIGENCE (AI) INTO
THE PLANNING REVIEW PROCESS**

Whereas, the City of Shady Cove has a statutory obligation to amend its Development Code to comply with Middle housing requirements under ORS 197A.420, clear and objective requirements under ORS 197A.400, accessory dwellings under ORS 197A.425, manufactured/prefabricated housing under ORS 197.475, and other housing-related statutory requirements;

Whereas, the Department of Land Conservation and Development (DLCD) has 2025-2027 Housing Planning funds available to assist with updating development codes to comply with housing-related statutory obligations; and

Whereas, the City has drafted an application for 2025-2027 Housing Planning funds, which must be submitted by August 4, 2025, to receive consideration; and

Whereas, the required changes to the Development Code are wide-ranging and would require an extensive re-write of the Code, including changes to procedures, processes, and standards, and the extent of the changes could result in ambiguity and difficulty in applying the Code; and

Whereas, the City has elected to instead adopt a model code - recently written to meet statutory requirements - and modify that code as needed to meet Shady Cove's needs; and

Whereas, the City's application also includes a request for funds to develop a City GIS and to integrate Artificial Intelligence (AI) into the planning review process to improve accessibility, and produce fair and equitable outcomes; and

Whereas, the DLCD 2025-2027 Housing Planning application requires a resolution or letter from the governing body of the city demonstrating support for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON:

1. **Policy.** It is hereby declared the City's policy to support the application for DLCD 2025-2027 Housing Planning funds and the project described both above and in greater detail in that application.

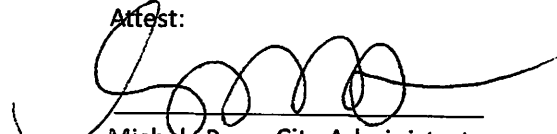
PASSED AND ADOPTED by the City Council of Shady Cove, Oregon, on this 7 day of August, 2025.

Approved:






Mayor Richardson

Attest:



Michele Parry, City Administrator

Mayor Richardson  _____
Councilor Mitchell  _____
Councilor Winfrey  _____

City of Shady Cove Agenda Staff Report

City Council Meeting Date: November 20, 2025

Report Provided By: Dale Shaddox, City Administrator pro tem

Subject: Application of Public Safety Fees

Discussion: At your November 6, 2025 regular meeting the City Council appointed an ad hoc committee of Kathy Knuckles, Jeff Vanier and John Edwards to meet with City staff about the current status of applying the monthly Public Safety Fee. The committee met with staff on Wednesday, November 12. After considerable discussion the consensus reached are as follows:

- There are a number of residential and non-residential fees being currently charged that require adjustment to bring our billing process in compliance with Ordinance 299 and Municipal Code.
- Mobile Home Parks have already been discussed and the decision by Council was to charge each mobile home (including manager residence) as one residential unit at the current \$29/month.
- For motels the committee agreed to recommend that the \$29/month residential fee should be charged for each unit, including the manager residence.
- For RV Parks the committee agreed to recommend that the \$29/month fee be charged to each space on which a Transient Lodging Tax for the previous month was reported. This is to be monitored by staff through review of the monthly reports, periodic contact and inspection, probably semi-annually.
- For **residential properties** it was concluded that the definitions of residential unit and dwelling unit in Ordinance 299 and our Municipal Code are sufficient for us to review and make changes accordingly at the staff level. This will result in consistent application of the fee confirmed by the Council's November 6 decision on an appeal. Our intent here is that the determination whether there is more than one Residential unit will be based on whether there is more than one street address to the property, what the previous billing was based on, and any additional/new information is presented. If we have increased the fee based entirely on the new RVSS approach without multiple street addresses our intent is to rollback the fee to what was charged before the RVSS change. We have no other reasonable way to verify whether to charge for additional residential/dwelling units.
- The actual approach to refunding fees paid is also an important decision. In discussions with staff we hope that we could go the easier way with credits to each account and credited back slowly over time. However, if the Council decides to

issue refund checks then it will be a huge effort to do so. We will of course act with haste if Council directs that approach. Issuing checks also provides another opportunity to include a letter further explaining the circumstances and inviting feedback (including appeals) on any residual concerns.

Conclusion/Recommendation

- The committee determined that good progress can be made by a comprehensive review of all accounts considering the standards of application described above.
- Doing this work to correct our billing practices does not require any revisions to Ordinance 299 or Municipal Code. We can take action now that would result in revised fees, refunds and collection of outstanding payments by the January billing cycle. The January billing cycle should be preceded by a letter announcement and website postings as FYI and avoid confusion. The letters and postings should include background information on how important law enforcement is, and the budgetary/financial need to impose Public Safety Fees.
- Revisions to Ordinance 299 and relevant Municipal Code sections should be considered later to better align words, phrasing and definitions in these documents.

Requested City Council Action:

It is recommended that City Council consider the recommendations of the committee and by motion approve the recommendations authorizing and directing city staff to implement changes as a top priority for the January, 2026 billing cycle.

Suggested Motion:

I move to approve the recommendations from the Council ad hoc Committee on Public Safety Fees, and direct city staff to implement the recommendations in the January billing cycle, with advance information letters and website postings to advise the citizens of the pending changes.