

Agenda

Shady Cove Regular City Council Meeting

Shady Cove City Council Chamber
22451 Highway 62, Shady Cove, Oregon
Thursday, March 6, 2014
6:00 p.m.

I. Call to Order

- A. Roll call
- B. Pledge of Allegiance
- C. Announcements by Presiding Officer
 - 1. This meeting is being digitally recorded.
 - 2. The next regularly scheduled Planning Commission meeting will be held on March 13 at 6:30 p.m. in the City Council Chamber.
 - 3. The next meeting of the City Council will be on March 20 at 6:00 p.m. in the City Council Chamber.

II. Public Comment

The public may comment on agenda items as they come up for discussion, but before deliberation by the Council.

III. Presentation

- A. Interim Fire Chief Roy Palmer – Fire District #4

IV. Consent Calendar

- A. Accounts Payable, \$6,374.21 (pg. 3)
- B. Regular Meeting Minutes of February 20, 2014 (pg. 4-7)

V. Written Communications

Letter from Shady Cove-Upper Rogue Chamber Visitors and Convention Bureau

VI. Staff Reports

City Administrator
Deputy Hohl

VII. Unfinished Business

None

VIII. New Business

- A. Resolution 14-03 – A Resolution Approving Council Directives for Budget Preparation for Fiscal Year 2014-2015 (pg. 8-12)
- B. Resolution 14-04 – A Resolution Repealing the Tourism Grant Process (pg. 13)
- C. Resolution 14-05 – Approving the Use of Independent Pages for System Development Charges Within Fund 08 of the Budget Document (pg. 14)
- D. Resolution 14-06 – Establishing a Moratorium on Issuing Business Licenses for Medical Marijuana Dispensaries (pg. 15-16)
- E. Resolution 14-07 – Authorizing the City to Provide Liability Insurance Coverage for Special Events (pg. 17)

IX. Public Comment on Non-Agenda Items

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

X. Council Comments

XI. Adjournment

**City of Shady Cove
Unpaid Bills Report
February 21, 2014 to March 6, 2014**

<u>Payee</u>	<u>Amount</u>	<u>Description</u>
American Legal Publishing Corp.	\$495.00	Internet Renewal
Avista	\$126.07	Utilities
CenturyLink LD	\$52.18	Long Distance
CenturyLink Svc.	\$692.68	Phone Services
Celtic Circle	\$700.00	Shop Rent
Christian, David	\$90.00	Radio Programming
Crystal Fresh	\$44.50	Bottled Water
KAS & Associates, Inc.	\$292.05	Capital Improvement - Transportation/Stormwater
Pacific Power	\$1,323.00	Utilities
Perfection Cleaning	\$280.00	Cleaning Service
RVCOG	\$2,105.23	Planning & Floodplain Mgmt.
Southern Oregon Sanitation	\$98.50	Sanitation
Stewards	\$75.00	Monthly Fee
Total:	\$6,374.21	

City of Shady Cove
City Council Regular Meeting Minutes
Thursday, February 20, 2014

CALL TO ORDER

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

Council Present: Mayor Anderson, Councilor Hughes, Councilor Hayes, Councilor Ulrich and Councilor Sanderson

Staff Present: Aaron Prunty, City Administrator Pro Tem and Debby Jermain, Planning Secretary

ANNOUNCEMENTS

The Mayor led the audience in the flag salute and made the announcements on the agenda.

PUBLIC COMMENT

The public may comment on agenda items as they come up for discussion, but before deliberation by the Council.

PRESENTATION

Sheriff Mike Winters – Jackson County Sheriff's Office

Sheriff Winters provided an update of active projects the Department is working on including the Emergency Management and Incident Program. He also gave an open invitation to all to tour the facility.

David Christian – Shady Cove Radio Station Manager

David Christian provided Council with an update of the local Shady Cove radio station: the call letters will be changing within the next two weeks to 94.3; increasing our power output to extend the signal range; and his effort to enlist more underwriters.

CONSENT CALENDAR

Accounts Payable: \$12,832.64 (Revised)
Regular Meeting Minutes of February 6, 2014

Motion to Approve the Consent Calendar.

Motion: Councilor Hughes Second: Councilor Ulrich
All ayes. Motion carried 5-0

WRITTEN COMMUNICATIONS

Letter from Gary Endicott

City Administrator read a letter from Gary Endicott, Upper Rogue Moose Lodge Administrator Pro Tem, requesting the Council consider Alder Street as a street repair project and included in the current Capital Improvement Plan.

STAFF REPORTS

City Administrator- Audit, Financial Tracking, Medical Marijuana Dispensaries

City Administrator noted the audit should be forth coming; auditors received an extension beyond the February 15th deadline; he is working on a database to provide Council financial reports; and Shelly to attend a week-long training in March on the Caselle financial software.

He also reported on the State requirement that all public jurisdictions accommodate medical marijuana dispensaries. A moratorium was suggested to see how other cities are handling it before addressing the City's Code. Councilor Hughes and Ulrich to meet with City Administrator to discuss options and come back with recommendation to Council at the March 6th council meeting.

UNFINISHED BUSINESS

A. Appointment to Budget Committee

An application to appointment was received from Gary Endicott to fill remaining vacancy for the Budget Committee.

Motion to approve Budget Committee application for Gary Endicott.

Motion: Councilor Ulrich Second: Councilor Sanderson

All ayes. Motion carried 5-0

B. Resolution 14-01 – Approve Capital Improvement Plan

City Administrator read Resolution 14-01, A Resolution Adopting the Capital Improvement Plans for Transportation, Storm Water, Wastewater and Parks System Development Charges in its entirety. Councilor Hayes received a request from a citizen to include Bond Road.

Motion to approve Resolution 14-01.

Motion: Councilor Hayes Second: Councilor Hughes

All ayes. Motion carried 5-0

NEW BUSINESS

A. Budget Calender

Budget Calendar for Fiscal Year 2014-2015 was provided in the agenda.

Motion to approve Budget Calendar for Fiscal Year 2014-2015.

Motion: Councilor Hughes Second: Councilor Ulrich

All ayes. Motion carried 5-0

B. Transportation Enhancement Grant Agreement

An amendment to the Transportation Enhancement Program Project included extending the project completion date to 12/31/2016, changing the State's Project Manager, and changing the contact name for the City to Aaron Prunty. The Mayor asked for Council to authorize him to sign the Agreement.

Motion to approve Amendment Number 01 and authorize the Mayor's signature on the extension.

Motion: Councilor Ulrich Second: Councilor Sanderson
All ayes. Motion carried 5-0

C. Resolution 14-02 – Amending Resolution 13-02 to Revise and Clarify Priority of Revenue Distribution and Set Forth Semi-Annual Reporting of Said Revenue

City Administrator read Resolution 14-02 in its entirety amending the Rogue Valley Sewer Services Hauled Waste Disposal Plan. Reason for amendment is clarification of resources and expenditures.

Motion to approve Resolution 14-02.

Motion: Councilor Hughes Second: Councilor Hayes
All ayes. Motion carried 5-0

D. SDC Methodology RFP

City Administrator was authorized to issue a Request for Proposal (RFP) for the recalculation of the City's System Development Charges (SDCs) based on the approval of the Capital Improvement Plan by Resolution 14-01.

Motion to authorize City Administrator to put Capital Improvement Project out for bids.

Motion: Councilor Sanderson Second: Councilor Hayes
All ayes. Motion carried 5-0

E. Appointment of a Union Contract Negotiation Team

City of Shady Cove union contract will expire June 30, 2014. Discussion of negotiation team to represent the City for a new contract.

Motion to appoint Mayor Anderson and Councilor Ulrich to the negotiating committee with caveat that Council meet in Executive Session before an agreement is made with the Union.

Motion: Councilor Hayes Second: Councilor Ulrich
All ayes. Motion carried 5-0

F. Discussion Related to the Sale of One of the City Owned Vehicles

Council discussed the usefulness of having two Ford Explorers that are parked in front of City Hall.

Motion to authorize City Administrator to vend one of the Ford Explorers.

Motion: Councilor Sanderson Second: Councilor Hughes
All ayes. Motion carried 5-0

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mary Stirling invited all to the Chili Cook Off held at the Upper Rogue Community Center on Saturday February 22nd.

COUNCIL COMMENTS

Councilor Hughes received answers to questions regarding the City Administrator recruitment process, annual FEMA reporting due date, and 2014 Jackson County Roads schedule for the City.

ADJOURNMENT

The Mayor adjourned the regular meeting at 7:51 pm.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator Pro Tem

Council Vote:

Mayor Anderson _____
Councilor Ulrich _____
Councilor Hayes _____
Councilor Hughes _____
Councilor Sanderson _____

City of Shady Cove

Resolution No. 14-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE,
OREGON APPROVING COUNCIL DIRECTIVES FOR BUDGET PREPARATION FOR
FISCAL YEAR 2014-2015**

Whereas, the City of Shady Cove, Oregon, wishes to provide direction in budget preparation for Fiscal Year 2014-2015.

THE CITY COUNCIL RESOLVES AS FOLLOWS:

The Shady Cove City Council Directives, as attached and labeled "Exhibit A", are hereby adopted.

Adopted by the City Council of the City of Shady Cove this 6th day of March, 2014.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator Pro Tem

Council Vote:
Mayor Anderson _____
Councilor Hughes _____
Councilor Hayes _____
Councilor Ulrich _____
Councilor Sanderson _____

EXHIBIT A

CITY COUNCIL DIRECTIVES FISCAL YEAR 2014 - 2015 BUDGET

INCLUDED:

1. Budget Format
2. Recommended Guidelines and Assumptions
3. Salaries and Wages
4. Taxes Levied
5. Sewer loans repayment
6. Fixed contracts with the Sheriff and RVSS
7. Administrative Allocation from the Sewer and Street Funds to the General Fund

BUDGET FORMAT

1. All personnel are paid out of the General Fund with Administrative Allocations from the Sewer and Street Funds as appropriate
2. All budget lines are rounded to \$100. Rounded down for revenue and up for expense
3. Police funding page is dropped as 3 years have elapsed since contracting with the sheriff
4. The System Development Charge accounts are reflected on individual pages for each
5. All Budget lines have clarifying documentation. Pound sign (#) reflects council directives
6. A page is included reflecting potential street maintenance and improvement with broad gauge costs reflected by the County. This is included for consideration and recommendation by the Budget Committee

RECOMMENDED GUIDELINES AND ASSUMPTIONS

1. Taxes necessary to balance the General Fund are based upon the fixed rate of \$0.5474 per \$1,000 of assessed value of the City (\$234,401,700). That number reflects a 3% increase over the current assessed value
2. Calculations for tax levies are based upon 96% collection
3. Health Insurance reflects a mid-year increase of 5%
4. Salaries and Wages reflect a 2% increase on July 1st
5. The position of City Administrator is budgeted at the rate currently paid plus 2%. This may need adjustment based on the formal job evaluation already approved by the City Council
6. The position of Assistant to the City Administrator is eliminated

7. A third full time Administrative Assistant is budgeted
8. SDC Resources are calculated using 1997 figures. If the SDC study is complete and new rates adopted before budget adoption, the new numbers will be used

ANNUAL SALARIES, WAGES AND BENEFITS

Position	Salary/wage	Benefits*	Total	\$ Sewer	\$ Street
City Administrator	\$61,200.	\$23,912.	\$85,112.	\$ 4,200	\$ 8,500
Admin Asst. (Debby)**	\$38,500.	\$19,788.	\$58,288.	2,900	2,900
Admin Asst. (Shelly)***	\$31,644.	\$18,541.	\$50,185.	30,100	2,500
Admin Asst. (open)****	\$30,380.	\$18,315.	\$48,695.	19,500	4,900
Maintenance 1*****	\$27,849.	\$20,793.	\$48,642.	1,000	38,900
TOTAL	\$189,573.	\$101,349.	\$290,922.		

* SOCIAL SECURITY @ 7.65%
 PERS @ 10.00%*****
 WORKERS COMP @ Clerical: .44% Mtce. 1: 11%
 LIFE INSURANCE \$93. (coverage is \$10,000)
 DISABILITY \$0.08/\$1,000 of wages
 HEALTH INSURANCE \$12,700*****

Budgeted at 105% of total calculation

- ** 4 months step D, 8 months step E + 2% + 6% PERS co-pay
- *** 2 months step A, 10 months step B +2%
- **** 12 months step A +2%
- ***** 3 months step A, 9 months step B + 2%
- ***** could be excessive, but budgeting 10%
- ***** 90% of actual cost + 5% increase 1/1/15

PROPERTY TAXES

Current assessed value: \$227,574,700 + 6,827,200 (3% increase) = \$234,401,700

General Fund

\$234,401,700 X 0.5474 = \$128,311 X .96% (amount collected) = \$123,000

Wastewater

$\$234,401,700 \times .96\% = \$225,000,000$

$\$74,000$ (annual loan payment) / $\$225,000,000 = .03288$ (tax rate)

WASTEWATER LOAN PAYMENTS

OECD: \$400,000, 25 years @ 5.52% Commenced 2000

Principal: \$17,883

Interest: \$13,475

USDA: \$2,346,000, 40 years @ 4.5% Commenced 2006

Principal: \$31,195

Interest: \$96,311

SRF/DEQ: \$997,503, 20 years @ 2.92% Commenced 2006

Principal: \$51,383

Interest: \$18,787

WEDBUSH (refinance of original General Obligation Bond) 8 years remaining @ 2.62%

Principal: \$63,000

Interest: \$11,700

CONTRACTED SERVICES - FIXED ANNUAL AMOUNT

SHERIFF \$425,000*

RVSS

Operations: \$295,100**

Capital Replacement: \$156,200***

* This is the agreement for 2013. Amount may change subsequent to Council approval of this document.

** This reflects the contracted 3% increase over the current fiscal year.

*** This increase reflects an increase of \$33,700 to be used by RVSS for the replacement of three 30hp centrifugal blowers with two 50hp turbo blowers. It represents the delta between estimated cost (\$230,000) and a grant from the Energy

Trust, the standard annual allocation of \$122,500 and a carryover credit in our account of \$30,000.

ADMINISTRATIVE ALLOCATION: FY 2014 - 2015

DESCRIPTION	SEWER %	STREETS %
City Administrator*	5	10
Administrative Asst. (Debby)*	5	5
Administrative Asst. (Shelly)*	60	5
Administrative Asst. (new position)*	40	10
Maintenance 1*	2	80
Auditor**	50	10
CPA Bookkeeping Service**	50	10
Legal Services**	5	20
Insurance**	42	22
Leased storage building**	0	80
Software Support**	60	10
City Hall Ops & Mtce.***	10	5
Telephone		
Gas		
Electricity		
Refuse Disposal		
Building Repairs & Maintenance		
Equipment Maintenance		
Postage (excludes sewer billing)		
Office Supplies		
Copier Usage		
Copier Lease		
Security		

* Percent of time spent on the two accounts. Paid out of the General Fund

** Percent of billing charged to the two accounts. Paid out of the General Fund

*** A small percentage for City Hall service to the account. Direct costs are reflected on the accounts requirement page

New Position: Transfer the allocation only after the first full month of employment

City of Shady Cove

Resolution No. 14-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE,
OREGON REPEALING RESOLUTION 11-05**

Whereas, the City of Shady Cove, Oregon recognizes the importance of public events and their role in promoting tourism, commerce, and community spirit; and,

Whereas, the City of Shady Cove, Oregon, finds the current tourism grant process burdensome for community event organizers and City staff;

Whereas, the City of Shady Cove, Oregon, no longer finds the current tourism grant process to benefit the community.

Now, therefore, be it resolved, the City Council of the City of Shady Cove, Oregon, repeals Resolution 11-05 in its entirety.

Adopted by the Shady Cove City Council this 6th day of March, 2014.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator Pro Tem

Council Vote:

Mayor Anderson _____
Councilor Hughes _____
Councilor Hayes _____
Councilor Ulrich _____
Councilor Sanderson _____

City of Shady Cove

Resolution No. 14-05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON
APPROVING THE USE OF INDEPENDENT PAGES FOR EACH OF THE FOUR
SYSTEM DEVELOPMENT CHARGES WITHIN FUND 08 OF THE BUDGET
DOCUMENT**

Whereas, the City of Shady Cove currently collects System Development Charges (SDC) for Wastewater, Transportation, Storm Water and Parks; and,

Whereas, the Shady Cove budget document tracks revenue and expenditures for all SDC on a single page; and,

Whereas, the City of Shady Cove wishes to track revenue and expenditures for the four individual SDC separately in the budget document.

Now, therefore, be it resolved by the City Council of the City of Shady Cove, Oregon, the budget document will include a separate page for each of the four SDC collected.

Adopted by the City Council of the City of Shady Cove this 6th day of March, 2014.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator Pro Tem

Council Vote:
Mayor Anderson _____
Councilor Hughes _____
Councilor Hayes _____
Councilor Ulrich _____
Councilor Sanderson _____

City of Shady Cove

Resolution No. 14-06

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON
PLACING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES (MMF) WITHIN
THE CITY LIMITS OF SHADY COVE OREGON FOR FOUR (4) MONTHS**

Whereas, the citizens of the State of Oregon passed a State proposition in 2013, which permits, within certain parameters, the operation of medical marijuana facilities (MMFs) within the State of Oregon; and,

Whereas, the State of Oregon has not yet finalized administrative rules governing the process by which a MMF business can operate within the State or approved only marijuana facilities for operation; and,

Whereas, under the general zoning laws of the City, MMFs likely constitute retail sales operations, which are permitted uses in a wide variety of zones, including those that are also intended for residential use; and,

Whereas, the City currently has no land use or business regulation concerning the operation of MMFs; and,

Whereas, the unregulated operation of MMFs in the City presents serious health and safety concerns to the citizens of the City; and,

Whereas, a significant period of time will be required in order for the City Administrator, other City staff, and City Attorney, to clarify the evolving state of the law with regard to MMFs and to formulate recommended amendments to the Municipal Code for the City to deal with this subject; and,

Whereas, with the influx of MMFs into the City, the City Council is concerned about its ability to protect the public welfare and preserve the character of the City's neighborhoods and commercial areas where MMFs might be located; and,

Whereas, the placement of a moratorium for a reasonable period will allow City Staff and the City Council to investigate the City's ability to regulate such businesses and to develop and implement appropriate regulations of MMFs.

THE SHADY COVE CITY COUNCIL RESOLVES AS FOLLOWS:

That the unregulated MMFs in the City warrants the placement of a moratorium because of the serious health and safety concerns presented by such unregulated MMFs.

That no MMFs, whether fixed or mobile, shall be established or operate within the City during this moratorium and that the City shall not issue a permit or license of any kind, including but not limited to a business license or building permit, to any person or entity seeking to establish an MMF.

That City Council and City Staff will take the following steps to find a solution to the MMFs issue:

- a. Review Ordinances Related to City Business Licenses
- b. Review Municipal Codes to see if they need to be modified to help ensure the health and safety of the citizens of Shady Cove
- c. Review current city zoning to insure long term viability of both potential business and community interests
- d. Ensure City regulations are compliant with state and federal law and that they protect the safety and welfare of the citizens

That during this moratorium the City Administrator, other City staff, City Attorney, and the Planning Commission, are hereby directed to analyze the issues pertaining to the operation of MMFs within the City and develop for City Council consideration of regulations, as they deem necessary and appropriate to address the aforementioned issues.

That on or before the City Council meeting of July 3, 2014, the City Administrator is directed to present for the City Council's formal consideration such laws and regulation relating to MMFs in the City as the City Manager considers necessary and appropriate for the reservation of the health safety, and welfare of the residents of the City.

Adopted by the City Council of the City of Shady Cove this 6th day of March, 2014.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator Pro Tem

Council Vote:

Mayor Anderson _____
Councilor Hughes _____
Councilor Hayes _____
Councilor Ulrich _____
Councilor Sanderson _____

City of Shady Cove

Resolution No. 14-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON AUTHORIZING THE CITY TO PROVIDE LIABILITY INSURANCE COVERAGE FOR SPECIAL EVENTS

Whereas, Section 92.2 of the City of Shady Cove, Oregon Municipal Code requires public event policies be established by resolution; and,

Whereas, the City of Shady Cove, Oregon, wishes to encourage city-wide promotional events and tourism;

THE SHADY COVE CITY COUNCIL RESOLVES AS FOLLOWS:

The City of Shady Cove may provide liability insurance coverage through the City's insurance carrier to certain non-profit organizations, for one day fund raising and promotional events, at no cost to the event organizer. If there is an additional cost, that cost may be paid from City funds budgeted for promotion and tourism, not to exceed \$350.00 per event.

Events provided liability insurance coverage through the City shall not include the service of alcohol (i.e., beer garden) or include exposure to excessive or strict liability (i.e., bounce house, trampoline) as determined by the City Administrator.

An event application shall be required by the City which shall identify the organization, describes the event, and the distribution of proceeds. The signee shall accept responsibility for meeting conditions of approval.

Providing liability insurance coverage under this resolution is at the sole discretion of the City Administrator.

Adopted by the City Council of the City of Shady Cove this 6th day of March, 2014.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator Pro Tem

Council Vote:

Mayor Anderson _____
Councilor Hughes _____
Councilor Hayes _____
Councilor Ulrich _____
Councilor Sanderson _____