

Agenda

Shady Cove City Council Study Session

Shady Cove City Council Chamber
22451 Highway 62, Shady Cove, Oregon
Thursday, March 19, 2015
5:30 p.m.

I. Call to Order

A. Roll Call

II. Subject of Study Session

A. Kristin Wick – Hart Insurance – Elected Officials Training Video

III. Adjournment

Agenda

Shady Cove Regular City Council Meeting

Shady Cove City Council Chamber
22451 Highway 62, Shady Cove, Oregon
Thursday, March 19, 2015
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 Planning Commission meeting is scheduled for March 26 at 6:30 in the City Council Chamber.
- 3. The next regular meeting of the City Council will be on April 2 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

None

IV. Consent Calendar

- A. Accounts Payable, 1,588.96 (pg. 3)
- B. Regular Meeting Minutes of March 5, 2015 (pg. 4-5)

V. Written Communications

None

VI. Staff Reports

Monthly Budget Summary

VII. Unfinished Business

None

VIII. Public Hearing

None

IX. New Business

- A. Approve Budget Calendar (pg. 6)
- B. Resolution 15-10 – Council Directives (pg. 7-10)
- C. Resolution 15-11 – Authorizing the City Administrator to Negotiate a Contract for Attorney Services (pg. 11)
- D. Ordinance 270 – Medical Marijuana Business License – First Reading (pg. 12-19)
- E. Resolution 15-12 – Council Goals (pg. 19-21)

X. 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.

XI. Council Comments

XII. Adjournment

**City of Shady Cove
Unpaid Bills Report
March 6, 2015 to March 16, 2015**

| <u>Payee</u> | <u>Amount</u> | <u>Description</u> |
|-------------------------------|----------------------|---------------------------|
| AmericanWest Bank | \$565.35 | Training |
| Canon Financial Services | \$270.97 | Copier Lease |
| Canon Solutions America, Inc. | \$129.91 | Copies |
| CIS Trust | 48.73 | Life Insurance |
| David Christian | \$214.00 | Radio Station |
| SPEER Hoyt, LLC | \$360.00 | Professional Services |
| Total: | <u>\$1,588.96</u> | |

City of Shady Cove
City Council Regular Meeting Minutes
Thursday, March 5, 2015

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 Ulrich, Councilor Sanderson and Councilor Burgess. Councilor Mitchell absent.

Staff Present: Aaron Prunty, City Administrator; Debby Jermain, Planning Secretary; and Bonnie Pickett, Administrative Assistant

ANNOUNCEMENTS

The mayor led the audience in the Pledge of Allegiance, read the announcements listed on the agenda. County Commissioner Colleen Roberts was in attendance.

PUBLIC COMMENT

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

PRESENTATION

Oregon Department of Transportation Hwy 62 Project Update

Art Anderson, Area Manager, gave a brief introduction of the road project. Gary Leaming, Public Affairs, gave a brief overview of how the road project is progressing. Brian Sheadel, Roadway Design from Oregon Department of Transportation, discussed the specific features of the road project.

CONSENT CALENDAR

Revised Accounts Payable, \$11,069.88
Regular Meeting Minutes of February 19, 2015

Motion to Approve the Consent Calendar.

Motion: Councilor Ulrich Second: Councilor Sanderson
All ayes. Motion carried 4-0

NEW BUSINESS

A. Budget Calendar

The Mayor and Council will finalize the dates for the review and adoption of the Budget Calendar at the next City Council meeting on March 19, 2015. The date for review and adoption of the Budget Calendar was proposed to be May 4, 2015, for the first meeting and May 11, 2015, if additional review was needed. .

B. Planning Commission and Budget Committee Appointments

Mayor Anderson noted that there were no applications for the Budget Committee. The request for applicants will remain open at this time.

Motion to appoint Arthur Stirling to the Planning Commission

Motion: Councilor Sanderson Second: Councilor Burgess
All ayes. Motion carried 4-0

C. Review Draft Zoning Ordinance Amendment – Commercial Zone – Medical Marijuana Facilities

Mayor Anderson and the City Council had no comments regarding the Draft Zoning Ordinance Amendment.

The City Council discussed the Business License requirements for Medical Marijuana Facilities. The main points are that the Council will set limit of two dispensaries, one on the north side of the bridge and one on the south, at least ½ from the school and ½ from each other, a Business License fee of \$25,000 rather than taxing the dispensary, language of an “Adult” with no age distinction and no loitering.

Jared Jones and Dan Gilbert both requested state law be followed for any age restrictions. Also requested clarification on whether there will be a tax on the sale of marijuana or the Business license fee alone. Aaron Mitchell questioned if the Business license fee will cover both medical and recreational. Judy Burgess requested clarification of the distance from the schools the dispensaries are required to be. Dan Gilbert will the Business license fee be able to be broken up into quarterly payments?

COUNCIL COMMENTS

Town Hall meeting March 11th, the City Councilors are looking for community involvement. Councilor Ulrich and Mayor Anderson attended a meeting regarding the Jordan Pipeline which will be going through Shady Cove. The City Council agreed to hold their topics of discussion until the public has had a chance to address any goals they may have for the City.

ADJOURNMENT

The mayor adjourned the regular meeting at 7:43 p.m.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator

Council Vote:

Mayor Anderson _____
Councilor Sanderson _____
Councilor Mitchell _____

Councilor Ulrich _____
Councilor Burgess _____



Budget Calendar Fiscal Year 2015-2016

Mayor
Tom Anderson

Councilors
Jim Ulrich
Tom Sanderson
John Burgess
Steve Mitchell

- March 19 Approve the Budget Calendar.
- April 20 Preparation of proposed budget complete.
- April 27 Proposed Budget will be distributed to Budget Committee. Copies of budget will be made available to public and media.
- May 4 Public Hearing on the use of State Revenue Sharing Funds and first Budget Committee Meeting (9:00 a.m.). The Budget Committee recommends to the City Council a budget for FY 2015-2016 and approval of an amount or rate of total property taxes to be certified.
- May 11 Budget Committee to meet again if necessary.
- June 18 City Council resolution adopting a Budget for FY 2015-2016 and a separate resolution approving property taxes to be levied.

City of Shady Cove

Resolution No. 15-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE,
OREGON APPROVING COUNCIL DIRECTIVES FOR BUDGET PREPARATION FOR
FISCAL YEAR 2015-2016**

Whereas, the City of Shady Cove, Oregon, wishes to provide direction in budget preparation for Fiscal Year 2015-2016.

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 19th day of March, 2015.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator

Council Vote:

Mayor Anderson _____
Councilor Ulrich _____
Councilor Sanderson _____
Councilor Burgess _____
Councilor Mitchell _____

Exhibit A

CITY COUNCIL DIRECTIVES FISCAL YEAR 2015 - 2016 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 will be rounded to \$100. Rounded down for revenue and up for expense.
3. All budget lines will have clarifying documentation.

RECOMMENDED GUIDELINES AND ASSUMPTIONS

1. Taxes necessary to balance the General Fund are based on the fixed rate of \$0.5474 per \$1,000 of assessed value of the City (\$241,433,700). That number reflects a 3% increase over the current assessed value.
2. Calculations for tax levies are based on 94% collection.
3. Salaries and Wages reflect a 1% on July 1 and bonus of 1.75% on November 1. Debby Jermain will be promoted to Planning Tech Step B July 1 and Step C January 1, 2016.
4. SDC Resources are calculated using 2015 numbers at the Council approved percent of max allowable. General Fund assed a line for SDC administration (4.33%) of SDC to be collected.

ANNUAL SALARIES, WAGES AND BENEFITS

| Position | Salary | Benefits* | Total | \$ Sewer | \$ Street |
|----------------------|-----------|-----------|-----------|----------|-----------|
| City Administrator | \$62,894. | \$21,529. | \$84,423. | \$ 4,200 | \$ 8,500 |
| Admin Asst. (Debby) | \$41,958. | \$18,621. | \$60,579. | 3,030 | 3,030 |
| Admin Asst. (Shelly) | \$32,520. | \$17,310. | \$49,830. | 29,900 | 2,500 |

| | | | | | |
|----------------------|------------|-----------|------------|--------|--------|
| Admin Asst. (Bonnie) | \$31,221. | \$17,130. | \$48,350. | 19,350 | 4,900 |
| Maintenance 1 | \$28,620. | \$19,791. | \$48,411. | 1,000 | 38,800 |
| TOTAL | \$197,213. | \$94,380. | \$291,593. | | |

| | | | | | |
|-------------------|-------------------------|----------------|------------------------|--|--|
| * SOCIAL SECURITY | | 7.65% | | | |
| PERS | | 5.00% | | | |
| WORKERS COMP | | Clerical: .44% | Mtce. 1: 11% | | |
| LIFE INSURANCE | | \$93.00. | (coverage is \$10,000) | | |
| DISABILITY | \$0.08/\$1,000 of wages | | | | |
| HEALTH INSURANCE | | \$12,700 | | | |

PROPERTY TAXES

Current assessed value: \$234,401,700 + 3% increase = \$241,433,700

General Fund

$\$241,433,700 \times 0.5474 = \$132,160 \times .94\%$ (amount collected) = \$124,200

Wastewater

$\$241,433,700 \times .94\% = \$226,947,700$

$\$74,000$ (annual loan payment) / $\$226,947,700 = .3260$ (tax rate)

WASTEWATER LOAN PAYMENTS

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

Principal: \$18,042

Interest: \$12,491

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

Principal: \$32,598

Interest: \$94,907

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

Principal: \$52,895

Interest: \$17,275

Loan Fee: \$2,893

Washington Federal (formerly WEDBUSH) – DEBT 03 (refinance of original General Obligation Bond) 7 years remaining @ 2.62%

Principal: \$64,000

Interest: \$9,956

CONTRACTED SERVICES - FIXED ANNUAL AMOUNT

| | |
|----------------------|-------------|
| SHERIFF | \$430,000 |
| RVSS | |
| Operations: | \$304,000** |
| Capital Replacement: | \$122,500 |

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

ADMINISTRATIVE ALLOCATION: FY 2015 - 2016

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

City of Shady Cove

Resolution No. 15-11

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE A CONTRACT FOR ATTORNEY SERVICES

Whereas, the City has found it prudent to periodically request proposals for certain services; and

Whereas, the City of Shady Cove requires, at times, certain legal services; and

Whereas, the City of Shady Cove put out a request for proposal for attorney services and three attorney firms responded: James, Holmbeck, Kirchoff, LLC; Hornecker Cowling LLP; and Local Government Law Group.

Now, therefore be it resolved, by the City Council of the City of Shady Cove, Oregon:

1. The City Administrator is authorized to execute a City of Shady Cove Personal/ Professional Services Contract for attorney services.

Adopted by the City Council of the City of Shady Cove, Oregon this 19th day of March, 2015.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator

Council Vote:

| | |
|---------------------|-------|
| Mayor Anderson | _____ |
| Councilor Ulrich | _____ |
| Councilor Sanderson | _____ |
| Councilor Burgess | _____ |
| Councilor Mitchell | _____ |

City of Shady Cove

Ordinance No. 270

**AN ORDINANCE OF THE CITY OF SHADY COVE, OREGON
ESTABLISHING MEDICAL MARIJUANA FACILITY
BUSINESS LICENSES**

WHEREAS, the Oregon Health Authority (OHA) established a registration system for medical marijuana facilities for transferring usable marijuana and immature plants from registry cardholders, caregivers, or growers to medical marijuana facilities and from medical marijuana facilities to registry identification cardholders or designated primary caregivers of registry identification cardholders, and

WHEREAS, the OHA adopted rules to prohibit the establishment of medical marijuana facilities within 1,000 feet of the real property comprising a public or private elementary, secondary or career school attended primarily by minors, outlines background check requirements, describes the security requirements, recordkeeping requirements, identifies a mechanism for enforcement of violations, describes the process for quality assurance testing, the requirements for packaging and labeling, explains the process for licensing suspension, revocation and penalties for violations; and

WHEREAS, Oregon SB1531 section 2, which became effective March 1, 2014, allows governing bodies of a city to adopt ordinances that impose reasonable regulations on the operation of medical marijuana facilities registered, or applying for registration, under ORS 475.314 that are located in the area subject to the jurisdiction of the city; **NOW THEREFORE**,

THE COUNCIL OF THE CITY OF SHADY COVE ORDAINS AS FOLLOWS:

Section 1. A new chapter 116 is hereby added to the Shady Cove Municipal Code as an ordinance for issuing business licenses to medical marijuana facilities, which shall read as follows:

CHAPTER 116 MEDICAL MARIJUANA FACILITY BUSINESS LICENSE

| | |
|---------------|--------------------------------------|
| 116.01 | Findings and Purpose |
| 116.02 | Definitions |
| 116.03 | Business License Required |
| 116.04 | Approval of Application |
| 116.05 | Medical Marijuana Use Allowed |
| 116.06 | Signs and Advertising |
| 116.07 | Parking |
| 116.08 | Hours and Rules of Operation |

| | |
|---------------|--|
| 116.09 | Security Requirements |
| 116.10 | Report of Disturbances and Unlawful Activity |
| 116.11 | Visibility of Activities; Control of Emissions and Odor |
| 116.12 | No City Liability – Indemnification |
| 116.13 | City Administrator Rules and Regulations |
| 116.14 | Reporting Requirements |
| 116.15 | Appeal Process |
| 116.16 | Violations and Penalties |
| 116.17 | Repeal |

116.01 Findings and Purpose

A. The Council adopts all of the “whereas” sections of this Ordinance as findings to support this Ordinance.

B. The purpose of this Ordinance is to license medical marijuana facilities and to describe the restrictions upon such uses. In addition to compliance with this Ordinance, every medical marijuana facility shall be compliant and follow all existing rules and regulations as outlined in the City business license under Chapter 116 of the Shady Cove Municipal Code.

C. No part of this Ordinance is intended to or shall be deemed to conflict with federal law, including but not limited to, the Controlled Substances Act, 21 U.S.C. Section 800 *et seq.*, the Uniform Controlled Substances Act (chapter 69.50 RCW) nor to otherwise permit any activity that is prohibited under either Act, or any other local, state or federal law, statute, rule or regulation. Nothing in this Ordinance shall be construed to supersede Oregon state law prohibiting the acquisition, possession, manufacture, sale or use of medical marijuana in any manner not authorized by city code. Nothing in this Ordinance shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or that creates a nuisance, as defined herein. It is the intention of the City Council that this Ordinance be interpreted to be compatible with state enactments and in furtherance of the public purposes that those enactments encompass.

116.02 Definitions. The City adopts the definitions in ORS 475.300 to 475.346 and OAR 333-008-1000 through 333-008-1290

A. “Employee” means any supervised volunteers, paid associates, agents, business owners, managers, and coordinators that work any hours per week in the medical marijuana facility.

116.03 Medical Marijuana Facility Business License

A. A valid, current license is required from the Oregon Health Authority for operation of a medical marijuana facility. A copy of this license shall be submitted to the City as part of the complete application for a business license.

B. A medical marijuana facility business license is required from the City for operation of any Medical Marijuana Facility.

C. Licenses are non-transferable and shall only apply to the person listed on the license at the address listed on the application.

D. Licenses shall be valid for a period of one year, from July 1 to June 30

E. A license shall be issued or renewed upon payment of the required fee, as set by resolution, and submission of a completed application in compliance with the provisions of this ordinance, and compliance with all provisions and requirements of this ordinance. Application to renew a license to operate a medical marijuana facility shall be filed at least 30 days prior to the date of expiration. Such renewal shall be annual and shall be accompanied by the annual fee(s).

F. Every applicant shall pay fees, as set by resolution, at the time of the application for an initial or renewal license, which shall be set by council resolution. Said fee is non-refundable if the application is approved.

G. The license requirements set forth in this chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state or local law.

116.04 Approval of Application

A. The City Administrator or designee may issue a license for a medical marijuana facility if inspections for safety, zoning compliance, criminal history background checks, and all other information available to the City verify that the applicant has submitted a full and complete application, paid the appropriate fee, and has made improvements to the business location consistent with the application and is prepared to operate the business in compliance with this ordinance and any other applicable law, rule or regulation. The City Administrator or designee will deny any application that does not meet the requirements of this chapter or any other applicable law, rule or regulation or that contains any false or incomplete information.

116.05 Medical Marijuana Use Allowed in Identified Zones.

A. Medical Marijuana Facilities as retail stores are allowed uses in the General Commercial Zone, G-C.

B. Location of all licensed facilities shall comply with the requirements of OAR 333-008-1110 (and all applicable rules and regulations promulgated thereunder), except as further limited by Section 116.05 (C) of this ordinance.

C. Licensed facilities shall not be closer than 2,500 feet of another medical marijuana facility; there shall be no more than two medical marijuana facilities within the city limits of the City of Shady Cove; and there shall be no more than one medical marijuana facility on either side of the Rogue River Bridge.

116.06 Signs and Advertising.

A. All signage and advertising for a Medical Marijuana Facility shall comply with the applicable provisions of this Code, the Sign Code, and Zoning Code.

B. Violations of this Section relating to the Sign Code or Zoning Code shall result in a fine

as determined by city code or municipal judge and/or revocation or suspension of business license.

C. All signage for a medical marijuana facility shall comply with all applicable provisions of the Code. In addition, no signage shall use the word "marijuana" or "cannabis" or any other word, phrase, or symbol commonly understood to refer to marijuana unless such word, phrase, or symbol is immediately preceded by the word "medical" in type and font that is at least as readily discernible as all other words, phrases or symbols. Such signage must clearly indicate that the products and services are offered only for medical marijuana uses permitted by law.

116.07 Parking

A. Parking requirements for a medical marijuana facility shall comply with all applicable provisions of the Code. In addition, a medical marijuana facility shall provide no less than two ADA accessible parking spaces.

116.08 Hours and Rules of Operation

A. The maximum operating hours for the medical marijuana facility shall be as follows: 7:01a.m. to 7:59 p.m. daily. The facility is prohibited from operating between the hours of 8:00 p.m. and 7:00 a.m. the next ensuing day, except that patients who have entered the premises prior to closing time may complete their transactions and must be escorted out of the premises immediately upon completion of transaction.

B. No minors under the age of 18 are allowed within the premises of the licensed business.

116.09 Security Requirements.

A. Security measures at all licensed facilities shall comply with the requirements of OAR 333-008-1140 (and all applicable rules and regulations promulgated thereunder).

B. The person responsible for the facility must conduct a criminal background check on all employees. The person responsible for the facility must include background check information to the City for every employee at the time of business license renewal each year.

116.10 Report of Disturbances and Unlawful Activity.

A. All licensees and any agent, manager or employee thereof shall immediately report to the Jackson County Sheriff's Department any disorderly act, conduct or disturbance and any unlawful activity committed in or on the licensed and permitted premises, including, but not limited to, any unlawful resale of marijuana, and shall also immediately report any such activity in the immediate vicinity of the business.

B. Each licensee shall post and keep at all times visible to the public in a conspicuous place on the premises a sign with a minimum height of fourteen (14) inches and a minimum width of eleven (11) inches with each letter to be a minimum of one-half (1/2) inch in height, which shall read as follows:

WARNING:

The Jackson County Sheriff's Department and City Administrator must be notified of all disorderly acts, conduct or disturbances and

all unlawful activities which occur on or within the premises
of this licensed establishment.

C. It shall not be a defense to a prosecution of a code enforcement action under this section that the licensee was not personally present on the premises at the time such unlawful activity, disorderly act, conduct or disturbance was committed; however, no agent or employee of the licensee shall be personally responsible for failing to report any disorderly act, conduct or disturbance and any unlawful activity hereunder if such agent, servant or employee was absent from the premises at the time such activity was committed.

116.11 Visibility of Activities; Control of Emissions.

A. No marijuana or paraphernalia shall be displayed or kept in a business so as to be visible from outside the licensed premises.

B. Sufficient measures and means of preventing odors, debris, fluids and other substances from exiting the medical marijuana facility must be in effect at all times. In the event that any odors, dust, fluids or other substances exit a medical marijuana facility, the owner of the subject premises and the licensee shall be jointly and severally liable for such conditions and shall be responsible for the immediate, full clean-up and correction of such condition. The licensee shall properly dispose of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, state and local laws and regulations.

116.12 No City Liability – Indemnification.

A. By accepting a medical marijuana facility business license issued pursuant to this Chapter, the licensee waives and releases the City, its officers, elected officials, employees, volunteers and agents from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of business owners, operators, employees, clients or customers for a violation of federal, state or local laws and regulations.

B. By accepting a license issued pursuant to this Chapter, all licensees, jointly and severally, if more than one, agree to indemnify, defend and hold harmless the City, its officers, elected officials, employees, volunteers and agents, insurers and self-insurance pool against all liability, claims and demands on account of any injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of the medical marijuana facility that is the subject of the license.

116.13 City Administrator Rules and Regulations

A. The city administrator may adopt, with approval from the city council, rules and regulations that the city administrator determines are reasonably necessary to implement and administer the requirements of this business license.

B. The City Administrator may choose to not renew or revoke a license based on any of the following:

- (a) A failure to meet the conditions or maintain compliance with the standards established by this division in reference to applications for a new license or the renewal of an

- existing license; or
- (b) One or more violations of any city ordinance on the premises; or
 - (c) Maintenance of a nuisance on the premises; or
 - (d) A demonstrated history of excessive calls for public safety (police, fire, and EMS) originating from the premises, being three or more calls in any 30 day period, or
 - (e) Nonpayment of real and/or personal property taxes, other taxes, fines, fees or liens owed to the City.

116.14 Reporting Requirements

A. Every medical marijuana facility shall, on or before the fifteenth (15th) day of each month, make a report to the City Administrator, on forms provided by the City, specifying the total gross sales of marijuana, and marijuana-infused, products for the previous month. A report shall not be considered filed until it is actually received by the City Administrator.

116.15 Appeal Process

A. If an applicant or licensee chooses to appeal denial of a license or revocation of a license, the applicant or licensee can enter in a written appeal to the clerk’s office using a city generated form including the appellants signature, the requirement or decision from which the appeal is made, and shall state the specific grounds on which the appeal is based. The applicable fee shall be submitted with the notice of the appeal; such fee shall be nonrefundable. Appeals shall be filed within 30 days of the decision in question. City Council shall consider the appeal within 45 days of receipt of the appeal.

116.16 Violations and Penalties

A. Any person who is found to be in violation of this chapter and fined per Municipal Code Section 10.99 General Penalty.

B. Failure to comply with the requirements of this chapter shall be considered by the City in any action relating to the issuance or revocation of a business license.

116.17 Repeal

A. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

Section 1. Adoption by Reference. The City hereby adopts ORS 475.300 to 475.346 by reference, as well as OAR 333-008-1000 through 333-008-1290. A copy of these rules and the statute adopted by reference has been on file in the office of the city clerk for use and examination by the public. A copy of these rules and statutes has also been on file while this ordinance has been under consideration by the council and after adoption.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3. Effective Date. This ordinance shall be effective 30 days after adoption.

Adopted by the City Council of the City of Shady Cove this 7th day of May 2015.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator

Council Vote:

Mayor Anderson _____
Councilor Ulrich _____
Councilor Sanderson ____
Councilor Burgess _____
Councilor Mitchell _____

City of Shady Cove

Resolution No. 15-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE,
OREGON, ADOPTING COUNCIL GOALS**

WHEREAS, the City Council of the City of Shady Cove recognizes the importance of goal-setting; and

WHEREAS, the Council held a town hall meeting to solicit community input; and

WHEREAS, the Council wishes to identify specific short and long-term goals.

THE CITY COUNCIL RESOLVES AS FOLLOWS:

The Shady Cove City Council Short-Term and Long-Term City Council Goals, as attached and labeled Exhibit A, are hereby adopted; and

The effective date of this Resolution shall be March 19, 2015.

Adopted by the City Council of the City of Shady Cove this 19th day of March, 2015.

Approved:

Attest:

Tom Anderson
Mayor

Aaron Prunty
City Administrator

Council Vote:

Mayor Anderson _____
Councilor Ulrich _____
Councilor Sanderson _____
Councilor Burgess _____
Councilor Mitchell _____

Exhibit A

SHORT TERM (END OF 2016) CITY COUNCIL GOALS CITY OF SHADY COVE

BUDGET AND SPEND PRUDENTLY TO MAINTAIN A FINANCIALLY SOUND GOVERNMENT

**PROPERTY EQUIP THE SINGLE PUBLIC WORKS EMPLOYEE ESTABLISH A FEE SCHEDULE WHICH IS FAIR AND EQUITABLE
IMPLEMENT RECALCULATED SDCs WHICH ARE FAIR AND COMPETITIVE**

ENSURE THAT ALL APPROPRIATE LANGUAGE RELATIVE TO PROCEDURES, FEES, TAXES AND PERSONNEL ARE IN PLACE FOR THE SALE OF MARIJUANA

**ADOPT AN UPDATED COMPREHENSIVE PLAN ADOPT A PROPERTY OWNER FRIENDLY TMDL PLAN
ESTABLISH A POLICY REFLECTING USE OF THE CITY'S BRAND (FISHERMAN STATUE)**

APPOINT A CITIZENS COMMITTEE TO DEVELOP RECOMMENDED BUILDING DESIGN STANDARDS FOR ALL STRUCTURES FRONTING CRATER LAKE HIGHWAY

WORK CLOSELY WITH THE CHAMBER TO PROVIDE BUSINESS AND EVENT SUPPORT. BUDGET TO PROVIDE FINANCIAL SUPPORT. RELOCATE APPARATUS FOR EVENT BANNERS OVER HWY 62

DEVELOP AN EASILY UNDERSTOOD "EMERGENCY MANAGEMENT" MAILER

ASSIST (AS APPROPRIATE) WITH THE EXPANSION OF SHADY COVE WATER WORKS

LONG TERM (END OF 2020) CITY COUNCIL GOALS
CITY OF SHADY COVE

MAINTAIN A FINANCIALLY SOUND CITY GOVERNMENT WITH LONG TERM QUALIFIED EMPLOYEES. CONTINUE TO PROVIDE FORMAL TRAINING TO THAT END

BUILD A CAPITAL IMPROVEMENT RESERVE (CASH AND/OR INVESTMENTS) IN THE SEWER FUND OF AT LEAST \$750,000

PROVIDE TRAINING TO ESTABLISH AN IN-HOUSE BUILDING PLANNER

ENCOURAGE AND WORK WITH APPROPRIATE ORGANIZATIONS TO ENSURE COMPLETION OF THE HIGHWAY #62 IMPROVEMENT WITH ADEQUATELY SIZED WATER LINE, WITH FIRE HYDRANTS

ALL CITY STREETS IMPROVED TO AT LEAST A LEVEL THAT INCLUDES TWO LAYERS OF CHIP SEAL AND ONE LAYER OF FOG SEAL

HELP FACILITATE A VIBRANT COMMERCIAL AREA WITH NO LONG TERM BUILDING VACANCIES

PROVIDE ADEQUATE COMMERCIAL PARKING TO ENCOURAGE CITY SHOPPING AND RESTAURANT USAGE

PROVIDE ASSISTANCE TO SHADY COVE WATERWORKS IN THE CONTINUING EXPANSION OF SERVICE

REESTABLISH A CITY PUBLIC WORKS DEPARTMENT