Agenda

Shady Cove Regular City Council Meeting

Shady Cove City Council Chamber
22451 Highway 62, Shady Cove, Oregon
Thursday, April 3, 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 meeting of the City Council will be on April 17 at 6:00 p.m. in the City Council Chamber.
3. The Planning Commission meeting scheduled for April 10 has been cancelled. The next Planning Commission meeting will be held on April 24 at 6:30 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, $7,366.26 (pg. 3)
B. Regular Meeting Minutes of March 20, 2014 (pg. 4-5)

V. Written Communications

None

VI. Staff Reports

City Administrator

VII. Unfinished Business

None

VIII. New Business

A. Ordinance 267 – An Ordinance of the City of Shady Cove Declaring a Moratorium on Medical Marijuana Facilities, and Declaring an Emergency (pg. 6-7)

B. Resolution 14-08 – A Resolution Authorizing the City Administrator Pro Tem to Enter Into a 3-Year Professional Services Contract with Michael L. Piels Certified Public Accounts for Municipal Audit Services (pg. 8)

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

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).

City of Shady Cove
Unpaid Bills Report
March 21, 2014 to April 3, 2014

Payee	Amount	Description
Avista	$75.57	Natural Gas
Brewster, Richard	$695.00	4th Qtr Payroll, 2013 - 1099's, Accounting Services
Canon Solutions	$87.96	Copies
Celtic Circle	$700.00	Shop Rental
CenturyLink Svc.	$696.96	Phone Services & Equipment
Christian, David	$180.00	Radio Programming
CIS Trust	$33.22	Life Insurance
KAS & Associates, Inc.	$343.00	Private Project Review/Resolution Review
Medford Fuel	$141.41	Public Works Gasoline/Diesel
Pacific Power	$975.70	Utilities
Perfection Cleaning	$350.00	Cleaning Services
Pitney Bowes Global Financial Services	$154.47	Postage Machine
RVCOG	$2,759.47	Planning / Floodplain
Southern Oregon Sanitation	$98.50	Utilities
Steward's	$75.00	Monthly Fee
Total:	$7,366.26	

City of Shady Cove

City Council Regular Meeting Minutes

Thursday, March 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.

PRESENTATION

Michael Cavallaro, Executive Director – Rogue Valley Council of Governments

Michael Cavallaro, Executive Director of the Rogue Valley Council of Governments (RVCOG) made his annual presentation to the Council. He spoke of changes at the COG over the past year including: moving their Natural Resources program under planning; their Senior & Disabilities Service has two new programs Aging & Disability Resource Connection and Developmental Disabilities Crisis Intervention; a moderate increase in member dues; and possibly taking over the septic program from the Department of Environmental Quality.

Lieutenant Dan Penland

Lieutenant Penland, Jail Commander for Jackson County Sheriff's Department, presented an overview of jail operations. Statistical highlights included a force totaling 63, with 45 being deputies; beds total 230, and are being increased by 62 with 7 additional deputies.

Lieutenant Penland also spoke of general operations including housing and release procedures, physical and mental health challenges, meals and relative cost, as well as challenges with an increasing demand for jail facilities when facing a diminishing budget.

CONSENT CALENDAR

Accounts Payable: $4,547.25
Regular Meeting Minutes of March 6, 2014

Motion to Approve the Consent Calendar.
Motion: Councilor Ulrich Second: Councilor Sanderson
All ayes. Motion carried 5-0

STAFF REPORTS

City Administrator

City Administrator noted that he and Chamber President, Richard Gyuro, began a plan to walk the town to meet local business owners to discuss and solicit feedback in an attempt to foster a relationship with the Chamber, business owners and the City.

NEW BUSINESS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Fire Chief Roy Palmer noted through grant money, District #4 and the Department of Forestry would be identifying areas for fuel reduction and clearing brush in the south end of the city.

COUNCIL COMMENTS

Councilor Ulrich attended a meeting at RVACT and gave a brief report; as Council liaison to the Parks and Recreation Committee he reported on their last meeting with the committee's desire to provide entertainment during the summer which may include evening movies and musical entertainment; as Council's liaison to the Shady Cove Water Works (SCWW) committee, brought all present up to date on the expansion of the water system.

Mayor Anderson identified that a problem exists in the Street Fund Budget for the current year. Budgeted expenditures exceed budgeted resources by $50,000. He explained how that came about, expenditures to date exceeding available resources and the steps being taken to overcome a forecast deficit.

ADJOURNMENT

The Mayor adjourned the regular meeting at 7:36 pm.

Approved:

_____
Tom Anderson
Mayor

Attest:

_____
Aaron Prunty
City Administrator Pro Tem

Council Vote:

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

City of Shady Cove

ORDINANCE NO. 267

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON, DECLARING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES, AND DECLARING AN EMERGENCY

WHEREAS, the Oregon Legislature enacted House Bill 3460 (2013) which requires the Oregon Health Authority to develop and implement a process to register medical marijuana facilities;

WHEREAS, House Bill 3460 (2013) directed that persons who operate or are employed by a registered medical marijuana facility would enjoy immunity from state prosecution;

WHEREAS, the issue of whether a local government believes a certain type of business should operate within its jurisdictional limits is a local government decision, the enforcement of which is subject to the general and police powers of that jurisdiction;

WHEREAS, the Oregon Legislature enacted Senate Bill 1531 (2014) which removes immunity from state prosecution for a person who is responsible for or employed by a registered medical marijuana facility located in an area subject to the jurisdiction of a city or county that enacts a moratorium prohibiting the operation of a medical marijuana facility; and

WHEREAS, the City Council believes it is in the best interests of the health, safety and welfare of the citizens of Shady Cove to enact such a moratorium prohibiting the operation of medical marijuana facilities within the jurisdictional boundaries of Shady Cove;

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

MORATORIUM DECLARED. The City of Shady Cove hereby prohibits the operation of any medical marijuana facility in any area subject to the jurisdiction of City of Shady Cove. As used in this section, "medical marijuana facility" includes any facility that dispenses marijuana pursuant to ORS 475.314 or any other provision of Oregon law.

DURATION OF MORATORIUM. The moratorium imposed by this ordinance shall be effective until May 1, 2015, unless rescinded sooner.

ENFORCEMENT. The City Administrator is charged with enforcement of the moratorium.

REMEDIES NOT EXCLUSIVE. The remedies available under Senate Bill 1531 (2014)

for a violation of the moratorium imposed by this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law. It is within the discretion of the City of Shady Cove to seek cumulative remedies for a violation of the moratorium imposed by this ordinance.

SEVERABILITY. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Adopted by the City Council of the City of Shady Cove this 3rd day of April, 2014.

Approved:

_____
Tom Anderson
Mayor

Attest:

_____
Aaron Prunty
City Administrator Pro Tem

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

City of Shady Cove

Resolution 14-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON AUTHORIZING THE CITY ADMINISTRATOR PRO TEM TO ENTER INTO A THREE-YEAR PROFESSIONAL SERVICES CONTRACT WITH MICHAEL L. PIELS CERTIFIED PUBLIC ACCOUNTS, LLP FOR MUNICIPAL AUDITING SERVICES

Whereas, Michael L. Piels Certified Public Accountants, LLP provides professional municipal auditing services; and

Whereas, Michael L. Piels Certified Public Accountants, LLP has provided auditing services to the City of Shady Cove in the past and has a working knowledge of the City's finances; and

Whereas, The City of Shady Cove recognizes it is financially advantageous to enter into a multi-year agreement;

Now, therefore, be it resolved, the City Administrator Pro Tem is hereby authorized to enter into a three-year professional services contract with Michael L. Piels Certified Public Accounts, LLP for municipal audit services.

Adopted by the City Council of the City of Shady Cove this 3rd day of April, 2014.

Approved:

_____
Tom Anderson
Mayor

Attest:

_____
Aaron Prunty
City Administrator Pro Tem

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