

Revised

Agenda

Shady Cove Regular City Council Meeting

Shady Cove City Council Chamber
22451 Highway 62, Shady Cove, Oregon
Thursday, May 18, 2017
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 meeting of the Planning Commission will be May 25 at 6:30 p.m. in the Council Chamber.
- 3. The next meeting of the City Council will be June 1 at 6:00 p.m. in the Council Chamber.

II. Presentation

None

III. Consent Calendar

- A. Regular Meeting Minutes of May 4, 2017 (pg. 3-4)

IV. Written Communications

None

V. Staff Reports

- A. Bills Paid Report, May 5, 2017 – May 15, 2017; \$39,454.19 (pg. 5)
- B. City Administrator
- C. Deputy McGrath
- D. Fire Chief Rod Edwards

VI. New Business

- A. Discussion – Accessory Dwelling Units – Dick Converse, City Planner
- B. First Reading – Ordinance Amending Section 2 of Ordinance 251 Related to Noise (pg. 6-8)
- C. Resolution 17-05 – Authorizing a One-Year Contract with KDP for Auditing Services (pg. 9)
- D. Resolution 17-06 – Authorizing a Change Order for the Cleveland Storm Water Project (pg. 10)
- E. Resolution 17-07 – Ratifying the 2017-2020 Collective Bargaining Agreement and Authorizing the Mayor to Sign the Agreement (pg. 11)

VII. Public Comment on Non-Agenda Items

VIII. Council Comments on Non-Agenda Items

IX. Adjournment

City of Shady Cove
City Council Regular Meeting Minutes
Thursday, May 4, 2017

CALL TO ORDER

Council President Burgess chaired the meeting. He called the Regular City Council Meeting to order at 6:00 p.m. in the City Council Chamber.

Council Present: Council President Burgess, Councilor Mitchell, Councilor Kristich, Councilor McGregor, and Mayor Sanderson was absent

Staff Present: Aaron Prunty, City Administrator; Bonnie Pickett, Administrative Assistant

ANNOUNCEMENTS

Council President Burgess led the audience in the Pledge of Allegiance and made the announcements on the agenda.

CONSENT CALENDAR

Regular Meeting Minutes of April 20, 2017

Motion to Approve the Consent Calendar

Motion: Councilor Mitchell Second: Councilor Kristich

All ayes. Motion carried 4-0

STAFF REPORTS

The city administrator answered questions regarding the bills paid report.

Deputy McGrath gave an update on issues in the city. He advised that he will begin providing crime statistics reports at the second council meetings monthly.

NEW BUSINESS

A. Discussion – Noise Ordinance

The council discussed and agreed to have the city administrator bring an amendment to the noise ordinance at the next meeting.

B. Discussion – Accessory Dwelling Units

The council discussed the pros and cons of accessory dwelling units in the residential areas of Shady Cove.

PUBLIC COMMENTS

Claus Miller expressed his support for the additional funding to support the District # 4 Fire Department.

Judy Burgess asked if the monthly newsletter would be reinstated.

Jerry Jamison asked if the council would propose a fee/tax to cover the fire department if the initiative does not pass.

COUNCIL COMMENTS

Councilor McGregor mentioned all of the volunteers that helped clean up Aunt Caroline's Park on Earth Day. He also mentioned the river will have high water levels over next few days.

Councilor Kristich and Council President Burgess thanked the citizens for their attendance and participation in their government.

Councilor Mitchell mentioned information that he read from the League of Oregon Cities regarding rent control. He sees this becoming an issue for people looking for affordable housing.

ADJOURNMENT

There being no further business before the council, the Council President adjourned the regular meeting at 7:24 p.m.

Approved:

Attest:

Tom Sanderson
Mayor

Aaron Prunty
City Administrator

Council Vote:

Mayor Sanderson _____
Councilor Burgess _____
Councilor Mitchell _____
Councilor Kristich _____
Councilor McGregor _____

Date	Check	Payee	Description	Amount
05/15/2017	43107	Banner Bank	Training	427.63
05/15/2017	43108	David Christian	Radio Programming, 5 hrs.	150.00
05/15/2017	43109	ELAN	Office Supplies	269.89
05/15/2017	43110	GFOA	Dues	310.00
05/15/2017	43111	Hornecker Cowling, LLP	General	102.00
05/15/2017	43112	IPMA - International Public HR Assoc.	Dues	109.00
05/15/2017	43113	Jackson County Sheriff	Law Enforcement Services- Monthly	35,710.92
05/15/2017	43114	Mary Gunderlock	Website - Monthly Update	270.00
05/15/2017	43115	Oregon Pacific Bank	Utility Billing Refund	61.00
05/15/2017	43116	Pronto Print	Promotional Expenses	81.32
05/15/2017	43117	RVCOG	Planning	1,957.34
05/15/2017	43118	Shady Cove Napa	Maintenance Supplies	5.09
Grand Totals:				<u>39,454.19</u>

City of Shady Cove

Ordinance

**AN ORDINANCE OF THE CITY OF SHADY COVE, OREGON AMENDING
ORDINANCE 251, SECTION 2: UNNECESSARY NOISE**

WHEREAS, the City of Shady Cove desires to extend the hours of the Unnecessary Noise hours to 10:00 p.m.; and,

WHEREAS, the City of Shady Cove wishes to clarify language in Ordinance 251, Section 2: Unnecessary Noise, to be consistent with other cities noise ordinances.

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

Ordinance 251, Section 2 is amended to prohibit unnecessary noise between the hours of 10:00 p.m. and 7:00 a.m.

PASSED AND APPROVED by the City Council of the City of Shady Cove this 18th day of May, 2017.

Approved:

Attest:

Tom Sanderson
Mayor

Aaron Prunty
City Administrator

Council Vote:

Mayor Sanderson _____
Councilor Burgess _____
Councilor Mitchell _____
Councilor Kristich _____
Councilor McGregor _____

Re: Nuisances and Offenses

Unenumerated nuisances and offenses. Nuisances and offenses not specifically enumerated in this Ordinance including a substance or act that is determined to be injurious to public health, safety, or welfare.

Unnecessary Noise. Any unreasonably frequent and prolonged noise which interferes with the health and /or public welfare, including, but not limited to:

1. The keeping of any bird or animal which, by causing frequent or prolonged continuous noise, shall disturb the comfort and repose of any person in the vicinity.
2. The use of a vehicle engine, either stationary or moving, so out of repair, loaded or operated as to create any loud or unnecessary grating, grinding, rattling or other noise.
3. The sounding of a horn or signaling device on a vehicle on a street, or public or private place, except as necessary warning of danger.
4. The use of mechanical devices operated by compressed air, steam or otherwise, unless the noise thereby created is effectively muffled.
5. The use of a gong or siren upon a vehicle, other than police, fire or other emergency vehicle.
6. Noise from construction activities including erection, excavation, demolition, alteration, repair between 6:00 p.m. and 7:00 a.m., except in case of urgent necessity in the interest of the public welfare and safety as determined by the City.
7. The owner of a property may conduct such activities on property occupied by the owner between the hours of 7:00 a.m. and 9:00 p.m. providing such activity does not unnecessarily affect the public health, safety and/or welfare.

Re: Nuisances and Offenses

8. The creation of excessive noise on a street adjacent to a school, institution of learning, church or court of justice while same are in use, or adjacent to a hospital or institution for the care of the sick or infirm, which unreasonably interferes with the operation of such institution, or which unduly disturbs or annoys patients, and clients.
9. The discharge of the exhaust of a steam engine, internal combustion engine, motorboat or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises and the emission of annoying smoke.
10. The use or operation of an automatic or electric piano, phonograph, radio, television, loudspeaker or any instrument for sound producing or any sound amplifying device as to disturb person in the vicinity thereof or in such a manner as renders the use thereof a nuisance. Upon application to the City, permits may be granted to responsible persons or organizations for the broadcast or amplification of programs of music, news, speeches or general entertainment as part of a public event, festival or outstanding event of a noncommercial nature. The amplification shall not be audible at a distance of more than 1,000 feet from the source of amplification, and in no event shall a permit be granted where any obstruction to the free and uninterrupted traffic, both vehicular and pedestrian, will result.
11. The conducting, operating or maintaining of a garage within 100 feet of a residential unit in such a manner as to cause loud or disturbing noises between the hours of 9:00 p.m. and 7:00 a.m.
12. The making of a noise by crying, calling or shouting or by means of a whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument or other device for the purpose of advertising goods, wares or merchandise or of attracting attention or inviting patronage of a person to a business.

City of Shady Cove

Resolution 17-05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON
AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A ONE YEAR
PROFESSIONAL SERVICES CONTRACT WITH KDP CERTIFIED PUBLIC
ACCOUNTS, LLP FOR MUNICIPAL AUDITING SERVICES**

Whereas, KDP Certified Public Accountants, LLP provides professional municipal auditing services; and

Whereas, KDP 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 an agreement;

Now, therefore, be it resolved, the City Administrator is hereby authorized to enter into a one-year professional services contract for \$24,000.00 with KDP Certified Public Accountants, LLP for municipal audit services.

Adopted by the City Council of the City of Shady Cove this 18th day of May, 2017.

Approved:

Attest:

Tom Sanderson
Mayor

Aaron Prunty
City Administrator

Council Vote:

Mayor Sanderson _____
Councilor Burgess _____
Councilor Mitchell _____
Councilor Kristich _____
Councilor McGregor _____

City of Shady Cove

Resolution 17-06

A RESOLUTION AUTHORIZING A CITY OF SHADY COVE CONTRACT WITH UPPER ROGUE EXCAVATION FOR STORM DRAINAGE IMPROVEMENTS: KINWORTHY, CLEVELAND, DETENTION POND

Whereas, THE City Council performs an annual review of the Capital Improvement Plans (CIP) for Transportation, Storm Water, Wastewater and Parks; and

Whereas, the City Council passed Resolution 16-08 – Adopting the Capital Improvement Plans for Transportation, Storm Water, Wastewater and Parks on April 7, 2016; and

Whereas, the City Council recognized in the Storm Water CIP, Project #7 – Kinworthy, Cleveland, Detention Pond, as significant storm water issues and necessary improvements; and

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 Contract for public works construction with Upper Rogue Excavation for storm drainage improvements – Kinworthy, Cleveland, and Detention Pond in the amount not to exceed \$132,293.00.

Adopted by the City Council of the City of Shady Cove this 18th day of May, 2017.

Approved:

Attest:

 Tom Sanderson
 Mayor

 Aaron Prunty
 City Administrator

Council Vote:

Mayor Sanderson _____
 Councilor Burgess _____
 Councilor Mitchell _____
 Councilor Kristich _____
 Councilor McGregor _____

Resolution No. 17-07

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHADY COVE, OREGON
RATIFYING THE 2017-2020 COLLECTIVE BARGAINING AGREEMENT AND
AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT**

Whereas, the City recognizes the right of public employees to organize; and

Whereas, ORS 243 “Collective Bargaining” defines and outlines the policies involved in collective bargaining between public entities and public employees; and

Whereas, the current collective bargaining agreement expires on June 30, 2017.

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

The 2017-2020 Collective Bargaining Agreement between the City of Shady Cove and Teamsters 223, as attached, is hereby ratified and adopted, and the Mayor is authorized to sign the agreement.

Adopted by the Shady Cove City Council this 18th day of May, 2017.

Approved:

Attest:

Tom Sanderson
Mayor

Aaron Prunty
City Administrator

Council Vote:

Mayor Sanderson _____
Councilor Burgess _____
Councilor Mitchell _____
Councilor Kristich _____
Councilor McGregor _____