

# Agenda

## Shady Cove Regular City Council Meeting

Shady Cove City Council Chamber  
22451 Highway 62, Shady Cove, Oregon  
Thursday, September 1, 2016  
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. City Hall will be closed on September 5 in recognition of Labor Day.
- 3. The next meeting of the Planning Commission will be September 8 at 6:30 p.m. in the Council Chamber.
- 4. There will be a City Council Study Session on September 15 at 5:30 p.m. in the Council Chamber. The Oregon Department of Transportation will give a presentation on the Highway 62 Traffic Enhancement Project. The regular meeting of the City Council will start at 6:00 p.m. on that date.

### II. Public Hearing

None

### III. Public Comment

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

### IV. Presentation

None

### V. Consent Calendar

- A. Regular Meeting Minutes of August 18, 2016 (pg. 3-5)

### VI. Written Communications

None

**VII. Staff Reports**

A. Bills Paid Report, August 19, 2016 – August 25, 2016; \$50,242.62 (pg. 6)

**VIII. Unfinished Business**

A. Resolution 16-24 – Approving ODOT TE Project Amendment 2 (pg. 7)

**IX. New Business**

A. Resolution 16-25 – Awarding a Contract for Storm Water Improvements (pg. 8-13)

B. Discussion – Additional Public Works Employee (pg. 14-16)

**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 on Non-Agenda Items**

**XII. Adjournment**

City of Shady Cove  
**City Council Regular Meeting Minutes**  
Thursday, August 18, 2016

**CALL TO ORDER**

Council 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, Councilor Burgess and Councilor Mitchell

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

**ANNOUNCEMENTS**

Mayor Anderson led the audience in the Pledge of Allegiance and made the announcements on the agenda.

**CONSENT CALENDAR**

Regular Meeting Minutes of August 4, 2016

Motion to Approve the Consent Calendar

Motion: Councilor Sanderson Second: Councilor Mitchell

All ayes. Motion carried 4-0 (Councilor Ulrich abstained)

**WRITTEN COMMUNICATION**

The City Administrator read several letters from citizens regarding indoor and outdoor grows of marijuana in the City of Shady Cove.

**STAFF REPORTS**

The City Administrator answered questions on the bills paid report. He also explained the City's donation to Rapid Pleasure Rafting for a raft and trailer that was purchased and donated to Jackson County Fire District 4.

Jackson County Sheriff – Deputy McGrath advised the county will be getting body cameras soon. He also advised that the City will be seeing a new to Shady Cove Deputy for the next quarter. Deputy McGrath reported on a police press release regarding a recent audit of the Jackson County Sheriff's department.

Jackson County Fire District 4 – Chief Edwards introduced the firefighters in attendance. He advised that they have had a large number of calls for the year/season. The District 4 fire department is thankful for the raft that was donated to the fire department. He advised they are getting ready for the annual yard sale at the fire department on Saturday September 24<sup>th</sup>.

**UNFINISHED BUSINESS**

**A. Resolution 16-24 – Approving ODOT TE Project Amendment 2**

The council discussed the amendment and there was a motion for approval. After further discussion it was decided additional review was necessary.

Motion to Approve Resolution 16-24 – Approving ODOT TE Project Amendment 2

Motion: Councilor Ulrich Second: Councilor Mitchell

*Motion was withdrawn by Councilor Ulrich and Councilor Mitchell. Resolution will be brought back at a later date.*

**B. Second Reading – Ordinance to Address Indoor and Outdoor Growing of Marijuana for Personal Use**

The City Administrator read section 3 B of the ordinance.

The Council directed staff to add that burning of marijuana be prohibited. They also requested the ordinance to have an effective date of 11/15/16.

Motion to Approve Ordinance to Address Indoor and Outdoor Growing of Marijuana for Personal Use

Motion: Councilor Burgess Second: Councilor Mitchell

4 ayes – 1 nay (Councilor Ulrich) Motion carried

**PUBLIC COMMENTS**

Linda Kristich questioned the council about a planning commission member.

Mary Stirling mentioned Music in the Park will be on Saturday 8/20/16 from 6-8 p m.

**COUNCIL COMMENTS**

The Mayor suggested that we have a live band twice a month for the entire summer of 2017.

Councilor Mitchell reminded the audience that there are open council seats to be filled during the November election.

Councilor Burgess stated that there was a great deal of consideration that went into the current ordinance on outdoor growing of marijuana.

**ADJOURNMENT**

There being no further business before the council, the Mayor adjourned the regular meeting at 7:20 p.m.

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Approved:

Attest:

\_\_\_\_\_  
Tom Anderson  
Mayor

\_\_\_\_\_  
Aaron Prunty  
City Administrator

**Council Vote:**

Mayor Anderson \_\_\_\_\_  
Councilor Ulrich \_\_\_\_\_  
Councilor Sanderson \_\_\_\_\_  
Councilor Burgess \_\_\_\_\_  
Councilor Mitchell \_\_\_\_\_

Date	Check	Payee	Description	Amount
08/25/2016	42692	Canon Financial Services, Inc.	Copier Lease & Copies 612930	334.57
08/25/2016	42693	CenturyLink Svc.	Phone Services 314013549	726.19
08/25/2016	42694	Crystal Fresh	Bottled Water	38.00
08/25/2016	42695	David Christian	Radio Programming, 6 hrs.	90.00
08/25/2016	42696	Don & Joy Armstrong	Sewer Refund	2.00
08/25/2016	42697	Jackson County Roads	Lignin Application	13,037.00
08/25/2016	42698	Jackson County Sheriff	Law Enforcement Services- Monthly	35,710.92
08/25/2016	42699	Postmaster	Sewer Billing	303.94
Grand Totals:				<u>50,242.62</u>

City of Shady Cove

Resolution No. 16-24

**A RESOLUTION APPROVING OREGON DEPARTMENT OF TRANSPORTATION (ODOT) CONTRACT 28032, AMENDMENT NUMBER 02 LOCAL AGENCY AGREEMENT TRANSPORTATION ENHANCEMENT PROGRAM PROJECT – OR 62: ROGUE RIVER DRIVE – CLEVELAND STREET SIDEWALK/STREETSCAPE**

**Whereas**, the City of Shady Cove and the Oregon Department of Transportation (ODOT) previously entered into an agreement for a street sidewalk and streetscape project on Oregon Highway 62 from Rogue River Drive to Cleveland Street; and

**Whereas**, there is a need to revise several sections of the original agreement, including project cost, project description and project milestones; and

**Now, therefore be it resolved**, by the City Council of the City of Shady Cove, Oregon, that the City Administrator is authorized to sign ODOT Agreement 28032-02 on behalf of the City of Shady Cove.

**Adopted** by the City Council of the City of Shady Cove, Oregon this 1st day of September, 2016.

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 16-25

**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

**Whereas**, the City Engineer advertised a request for bids and four contractors responded: Upper Rogue Excavation in the amount of \$125,843.50; Kogap Enterprises, Inc. in the amount of \$191,901.50; Pair-A-Dice Contracting, LLC in the amount of \$205,311.50; Roxy Ann Rock, Inc. in the amount of \$343,244.00.

**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 \$125,843.50.

**Adopted** by the City Council of the City of Shady Cove, Oregon this 1st day of September, 2016.

Approved:

Attest:

\_\_\_\_\_  
Tom Anderson  
Mayor

\_\_\_\_\_  
Aaron Prunty  
City Administrator

**Council Vote:**

Mayor Anderson \_\_\_\_\_

Councilor Ulrich \_\_\_\_\_

Councilor Sanderson \_\_\_\_\_

Councilor Burgess \_\_\_\_\_

Councilor Mitchell \_\_\_\_\_



CIVIL  
•  
STRUCTURAL  
•  
PLANNING

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August 26, 2016

To: Aaron Prunty  
City Administrator  
City of Shady Cove, Oregon

Re: Storm Drainage Improvements  
Kinworthy Drive and Cleveland Street

Project No.: S16-001

From: Scott D. Pingle, P.E.  
City Engineer

Bids Received:

<u>Bidder</u>	<u>Amount</u>
Upper Rogue Excavation	\$ 125,843.50
Kogap Enterprises, Inc.	\$ 191,901.50
Pair-A-Dice Contracting, LLC	\$ 205,311.50
Roxy Ann Rock, Inc.	\$ 343,244.00

*Engineers Estimate* \$ 130,000.00

This Contract is based upon Pay Items with a Unit Price and an Estimated Quantity. Section 00140.30 and Section 00195.00 of the General Conditions makes it very clear that the Agency may make Changes in the Work and will only pay for the actual quantities of each Pay Item incorporated into the Work. Please see the attached Bid Tab for cost breakdowns by each contractor.

Upper Rogue Excavation is the low bidder at \$125,843.50 for a total of Schedule A, Schedule B and Schedule B Alt. This is a little lower than the Engineers Estimate. I have spoken with Upper Rogue Excavation and he is confident with his numbers and is ready to proceed with the project. The individual pay items appear to be reasonable and nothing has been obviously missed. It is a good and sound bid.

**If the City can afford to move forward with the project, it is recommended that the Contract be awarded to the low bidder, Upper Rogue Excavation. The City has the option to award any or all of the Schedules, as budget allows. Based upon the numbers, I recommend awarding all three Schedules at this time.**

**CITY OF SHADY COVE  
PROJECT NO. S16-001  
BID TAB**

<b>SCHEDULE A</b>		Upper Rogue Excavation		Kogap Enterprises, Inc.		Pair-A-Dice Contracting, LLC		<b>F</b>	
		<b>UNIT PRICE</b>	<b>TOTAL</b>	<b>UNIT PRICE</b>	<b>TOTAL</b>	<b>UNIT PRICE</b>	<b>TOTAL</b>		
<b>DIVISION</b>	<b>QUANTITY</b>	<b>UNIT</b>							
<b>00210 MOBILIZATION</b>									
1 Mobilization	1	LS	4,000.00	\$4,000.00	10,400.00	\$10,400.00	4,500.00	\$4,500.00	40,70
<b>00225 WORK ZONE TRAFFIC CONTROL</b>									
2 Temporary Work Zone Traffic Control, Complete	1	LS	1,000.00	\$1,000.00	750.00	\$750.00	250.00	\$250.00	17,98
<b>00280 EROSION AND SEDIMENT CONTROL</b>									
3 Hydro Seeding	700	SY	0.50	\$350.00	0.55	\$385.00	0.60	\$420.00	0.6
<b>00310 REMOVAL OF STRUCTURES AND OBSTRUCTIONS</b>									
4 Remove and Replace Paper Box Post, including temporary during construction	1	EA	200.00	\$200.00	60.00	\$60.00	175.00	\$175.00	445
5 Remove and Replace Existing Sign	1	EA	200.00	\$200.00	60.00	\$60.00	150.00	\$150.00	254
6 Abandon Existing 12" CMP In Place	1	EA	100.00	\$100.00	170.00	\$170.00	200.00	\$200.00	535
<b>00320 CLEARING AND GRUBBING</b>									
7 Clearing and Grubbing	1	LS	2,000.00	\$2,000.00	930.00	\$930.00	2,100.00	\$2,100.00	10,37
<b>00330 EARTHWORK</b>									
8 Ditch Excavation	394	LF	7.00	\$2,758.00	4.00	\$1,576.00	17.50	\$6,895.00	22
<b>00390 RIP RAP PROTECTION</b>									
9 Loose Rip Rap, Class 100	6	CY	70.00	\$420.00	115.00	\$690.00	125.00	\$750.00	160
<b>00445 SANITARY, STORM, CULVERT, SIPHON AND IRRIGATION PIPE</b>									
10 12" HDPE Pipe with Class A native backfill	143	LF	15.00	\$2,145.00	19.00	\$2,717.00	60.00	\$8,580.00	88.

**CITY OF SHADY COVE  
PROJECT NO. S16-001**

**BID TAB**

11 12" HDPE Pipe with Class B crushed rock backfill	247	LF	22.00	\$5,434.00	26.00	\$6,422.00	48.00	\$11,856.00	83.00
<b>00470 MANHOLES, CATCH BASINS AND INLETS</b>									
12 Ditch Inlet, Type D	2	EA	1,400.00	\$2,800.00	1,800.00	\$3,600.00	1,200.00	\$2,400.00	1,395
13 Concrete Inlet, Type G-2MA	1	EA	1,700.00	\$1,700.00	1,800.00	\$1,800.00	1,450.00	\$1,450.00	2,751
<b>SCHEDULE A TOTAL</b>				<b>\$23,107.00</b>		<b>\$29,560.00</b>		<b>\$39,726.00</b>	

**SCHEDULE B**

DIVISION		QUANTITY	UNIT	Upper Rogue Excavation		Kogag Enterprises, Inc.		Pair-A-Dice Contracting, LLC		I
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT
<b>00210 MOBILIZATION</b>										
1 Mobilization	1	LS	10,000.00	25,000.00	\$25,000.00	10,000.00	\$10,000.00	43.12		
<b>00225 WORK ZONE TRAFFIC CONTROL</b>										
2 Temporary Work Zone Traffic Control, Complete	1	LS	1,000.00	750.00	\$750.00	450.00	\$450.00	16.82		
<b>00280 EROSION AND SEDIMENT CONTROL</b>										
3 Class 100 Rip Rap Berm	222	LF	9.00	\$1,998.00	\$5,550.00	20.00	\$4,440.00	36.00		
4 Silt Fence	300	LF	4.00	\$1,200.00	\$600.00	3.00	\$900.00	4.5		
5 Construction Entrance	1	EA	1,200.00	1,500.00	\$1,500.00	750.00	\$750.00	3,134		
6 Inlet Protection	4	EA	60.00	\$2,400.00	\$200.00	35.00	\$1,400.00	317		
7 Hydro Seeding	7700	SY	0.50	\$3,850.00	\$4,235.00	0.60	\$4,620.00	0.6		
<b>00310 REMOVAL OF STRUCTURES AND OBSTRUCTIONS</b>										
8 Removing Existing School Fence and off site disposal or recycling	677	LF	2.50	\$1,692.50	\$1,354.00	2.00	\$1,354.00	9.5		
9 Remove Existing Curb and Gutter	22	LF	18.00	\$396.00	\$110.00	20.00	\$440.00	26.00		





THE ATTACHED IS INCLUDED FOR COUNCIL DISCUSSION, ON SEPTEMBER 1, 2016,  
CONCERNING EMPLOYMENT OF AN ADDITIONAL MAINTENANCE EMPLOYEE AND THE  
IMPLEMENTATION OF A RELATED STREET FEE

SUBMITTED IS A DRAFT OF A POTENTIAL LETTER TO THE PRIMARY INHABITANT OF ALL  
RESIDENTIAL AND BUSINESS ADDRESSES IN THE CITY

Date

Addressed to each residence and business address in the City

The City Council intends to approve the addition of a second maintenance employee. This action will necessitate the implementation of a \$4.00 monthly fee to pay the salary, benefits and properly equip the employee. The fee will become effective on January 1, 2017.

The following is provided in explanation of the process the Council and Staff undertook to arrive at the aforementioned.

The need for a second Maintenance Technician is compelled by two factors. The first, and most critical, is safety. An employee working alone with light to heavy equipment, often in construction zones or traffic, sometimes in the air, is neither a safe nor smart management.

The second factor is work volume. A second person will allow for better care for public property including streets, storm drainage and the City park and potentially reduce costs for contracted services. Equally important it will provide an additional person to respond to citizen complaints or requests for help when the City experiences adverse conditions due to snow, icy roads and high water, etc.

When a study was originally undertaken in February, it was believed that the basic monthly sewer usage fee (\$46.) could be reduced and that reduction could be converted to a "street" fee. As noted in the June INSIDER, professional estimates of the cost to properly maintain the capital components of the waste water treatment facility is far in excess of that which the City anticipated. In July, the Council approved a Resolution which doubles the annual allocation to the Capital Replacement Fund, to \$100,000, for each of the next 10 years, to be used for repair and replacement of capital equipment. That allocation insures that the plant will be well maintained, but precludes a reduction in the basic monthly sewer usage fee.

Using criteria similar to that used for the implementation of the public safety fee, a study calculated revenue generated to employ and properly equip an additional Maintenance Technician. Three monthly amounts, per address, were calculated. Three dollars wouldn't generate sufficient funds. Three and one half dollars would allow the City to commence the program, but run short in the near term. Four dollars would allow for the implementation of the plan and virtually preclude the necessity of an increase during the ensuing 10 years.

Implementation of an additional fee, regardless of amount, is not taken lightly by the current City Council and Staff. Several considerations have been evaluated:

1. The City's property tax rate is \$0.5474 per \$1,000 of assessed value (currently \$248,545,984). The rate is 10th from the lowest of all 242 Cities in Oregon, and budgeted to generate revenue of \$127,800 in the current year. That reflects a collection rate of 94% which is consistent with historical data.

2. The Public Safety Fee was implemented in 2007 at \$15.00 per month and has never been increased even as the City's contract with the County Sheriff's Office, for public safety services, has increased each year since its implementation in 2010.

3. Monthly sewer usage fees were increased one dollar a month for the years 2008, 2009 and 2011. This was for the sole purpose of building a sewer capital replacement fund to avoid what the City experienced in the period 1997 to 2005. That was the time frame during which the City needed to repair and expand the entire facility including the collection system. The cost was \$7,000,000 +. The City had zero replacement reserve so the sewer usage fees increased from \$25.00 per month to \$43.00 per month to cover that expense. As noted above, sufficient funds are being set aside for capital replacement requirements and we anticipate no increase in the monthly usage fee for at least the next 10 years.

4. During the last 2 1/2 years the City has reduced or eliminated several miscellaneous fees.

5. The 1982 loan to construct the wastewater treatment system, repaid through property tax, will be paid in full in 2020. Thereafter taxation for that purpose will no longer appear on each property tax statement.

6. Two years ago the City implemented a plan whereby all gravel or dirt streets would be improved with a solid chip and fog seal surface. The plan is projected to be complete by 2021. All work is being completed through the use of the City's share of gasoline tax and System Development Charges. This program provides a better road surface and **will** preclude the annual expense for gravel, grading and dust control chemicals. The program is in effect for the forgoing only and does not diminish the Street Standards implemented in the late 1990s. Improvement to paved streets and new streets will be expected to meet those standards.

7. During the last 2 1/2 years the Council has authorized storm drainage construction as set forth in the City's 1998 Master Storm Drainage Plan. Initial construction is in the North West quadrant of the City as that is where the most severe drainage problems have occurred. This work is being completed through System Development Charges and a very small piece of the City's share of gasoline tax.

8. The City's System Development Charges were professionally recalculated over a year ago. In an attempt to be competitive with surrounding cities, the Council chose to implement fees dramatically lower than authorized and significantly lower than those previously charged. The upshot is over 10 new building starts since the new fees were implemented. That is compared to 1 or 2 **in** each of the previous several years.

For those of you who might be concerned with the impact on the waste water system with the above noted growth in less than 1 1/2 years, don't be. The systems expansion, completed in 2005, was designed to accommodate growth at 3.5% per year for 20 years. The City's growth has been less than 10% total for the 11 year period 2005 through 2015.

Short of an unanticipated disaster, with implementation of all of the foregoing, we can expect the wastewater facility, streets, storm drains and park to be properly maintained without increases to the established fees for the next 10 years.

Respectively submitted,

Tom Anderson, Mayor