Agenda

Shady Cove Regular City Council Meeting

Shady Cove City Council Chamber
22451 Highway 62, Shady Cove, Oregon
Thursday, October 15, 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 October 22 at 6:30 p.m. in the Council Chamber.
3. The next regular City Council meeting is scheduled for November 5 at 6:00 p.m. in the Council Chamber.

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 October 1, 2015 (pg. 3-5)

VI. Written Communications

None

VII. Staff Reports

Bills Paid Report, August 20, 2015 – October 12, 2015, $174,144.81 (pg. 6-7)

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).

First Quarter Financial Report

VIII. Unfinished Business

None

IX. New Business

A. Discussion – Marijuana Growing and Processing (pg. 8)

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. Executive Session

None

XIII. Adjournment

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City of Shady Cove
City Council Regular Meeting Minutes
Thursday, October 1, 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, Councilor Burgess and Councilor Mitchell

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

ANNOUNCEMENTS

The Mayor led the audience in the Pledge of Allegiance 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.

CONSENT CALENDAR

A. Regular Meeting Minutes of September 3, 2015

Motion to Approve Consent Calendar.
Motion: Councilor Burgess Second: Councilor Mitchell
All ayes. Motion carried 5-0.

NEW BUSINESS

A. Discussion – Letter from ODOT Reducing Scope of Transportation Enhancement Project

Mayor Anderson read a letter received from Arthur Anderson, Jr. ODOT Rogue Valley Area Manager.

The Mayor and Council are extremely disappointed with the lack of communication from ODOT regarding the Oregon 62 Shady Cove Transportation Enhancement Project changes.

B. Discussion – Hwy 62 Crosswalks

The Mayor and Council are in agreement that crosswalks are needed for crossing the highway. They would like to see at least two in the downtown area of Shady Cove, despite the unrealistic feeling of safety in crosswalks.

C. Discussion – Hwy 62 Speed Zone Study
The Council and the Mayor is looking to lower the speed limit after crossing the bridge heading north in Shady Cove. Along with the speed being lowered they want the speed to be consistent through this area.

D. Resolution 15-29 – Intergovernmental Agreement for Law Enforcement Services
The City Administrator noted the minor and major changes in the new contract for Law Enforcement.

The Mayor advised that the City will be getting three deputies, instead of two deputies and a CSO officer under the new contract.

The City Administrator read the resolution in its entirety.

Motion to Approve Resolution15 – 29 Intergovernmental Agreement for Law Enforcement Services.
Motion: Councilor Mitchell Second: Councilor Ulrich
All ayes. Motion carried 5-0

PUBLIC COMMENTS
Geri Worley announced the flag committee will be changing the flags on Friday, October 2nd. If you're interested in helping put up the new flags, they will be meeting up at the Moose at 10:00 am. Please bring a ladder.

COUNCIL COMMENTS
Councilor Mitchell mentioned, he enjoyed the informative classes he attended at the League of Oregon Cities conference.

Councilor Burgess noted the terrible tragedy that occurred in Douglas County.

Councilor Ulrich mentioned the improvements in Aunt Caroline's park. We have grass sprouting and a new irrigation system installed. Councilor Ulrich also noted that there has been issue with vandalism to the new bathroom, so please keep an eye out for anything suspicious. He mentioned a new term to be aware of in the future a "Wild and Scenic River".

Councilor Sanderson welcomed Bob to Shady Cove, and thank Colleen Roberts for her presence at the Council meeting.

EXECUTIVE SESSION
The Mayor recessed the regular meeting at 7:11 p.m. to Executive Session pursuant to ORS 192.660 (2)(e) – to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

The Mayor reconvened the regular meeting at 7:25 p.m.

ADJOURNMENT

There being no further business before the Council, the Mayor adjourned the regular meeting at 7:25 p.m.

Approved:

_____
Tom Anderson
Mayor

Attest:

_____
Aaron Prunty
City Administrator

Council Vote:

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

Date	Check	Payee	Description	Amount
08/20/2015	42114	AmericanWest Bank Cardmember Service	Fees & Interest	2,466.22
08/20/2015	42115	Blevins, Kamie	Sewer Refund	10.17
08/20/2015	42116	Canon Financial Services, Inc.	Copier Lease	270.97
08/20/2015	42117	Canon Solutions America, Inc.	Copies	130.23
08/20/2015	42118	Caselle, Inc.	Software Maintenance and Support	585.00
08/20/2015	42119	CenturyLink	Labor Charges	150.00
08/20/2015	42120	CIS Trust	Life Insurance	48.73
08/20/2015	42121	Crater Landscape Maintenance & Mgmt	City Hall	535.00
08/20/2015	42122	DEQ	SRF Loan Interest	35,085.00
08/20/2015	42123	DEQ	Water Quality Annual Permit	2,197.00
08/20/2015	42124	FCS Group	SDC Study	1,160.00
08/20/2015	42125	Hayes, Leith	Sewer Refund	1.96
08/20/2015	42126	Jackson County Health & Human Services	Dead Animal Pick Up	28.44
08/20/2015	42127	Mary Gunderlock	Website - Monthly Update	210.00
08/20/2015	42128	Medford Fuel	Public works gasoline/diesel	143.57
08/20/2015	42129	Pacific Power	Nork Lane 32847641-009	1,220.91
08/20/2015	42130	Pape Machinery Exchange	Equipment Maintenance	.80
08/20/2015	42131	Perfection Cleaning	Cleaning Services	280.00
08/20/2015	42132	Postmaster	Box Rent - 1 year	114.00
08/20/2015	42133	Richard W Brewster CPA PC	2nd Quarter Payroll Services	275.00
08/20/2015	42134	Russell C. Underwood	Reimbursement Dust Abatement	250.00
08/20/2015	42135	Shady Cove Hardware, LLC	City Hall	128.08
08/20/2015	42136	SOS Alarm	Aunt Carolines Park	343.05
08/20/2015	42137	Tie Days	Tie Days Promotion & Tourism	750.00
08/21/2015	42138	Monkey Business Landscape & Ma	Aunt Caroline's Park - Irrigation	5,764.50
08/25/2015	42140	Postmaster	Sewer Billing	294.12
08/31/2015	42141	Avista Corporation	Natural Gas	14.28
08/31/2015	42142	Bockelman, Ronald & Dana	Utility Billing Refund	69.96
08/31/2015	42143	Canon Solutions America, Inc.	Business License Overpayment Refund	148.00
08/31/2015	42144	Celtic Circle	Shop Rental	700.00
08/31/2015	42145	CenturyLink LD	Long Distance charges	43.64
08/31/2015	42146	CenturyLink Svc.	Phone Services	713.23
08/31/2015	42147	Crystal Fresh	Bottled Water	33.00
08/31/2015	42148	David Christian	Reimbursement	189.00
08/31/2015	42149	Davis, Tanya	Utility Billing Refund	68.91
08/31/2015	42150	Hull, Kevin & T.J.	Utility Billing Refund	1.96
08/31/2015	42151	Jason Houk	Radio Station Engineering	300.00
08/31/2015	42152	Jessie Bridgham	Professional Services	1,260.00
08/31/2015	42153	KAS & Associates, Inc.	Private Project Review	67.50
08/31/2015	42154	Pacific Power	City Hall 32847641-007	1,220.30
08/31/2015	42155	Pitney Bowes Purchase Power	Postage Refill	402.50
08/31/2015	42156	Prestige Homes	Sewer Refund	15.74
08/31/2015	42157	RVCOG	Computer Software, Upgrades & Assista	2,807.10
08/31/2015	42158	Southern Oregon Sanitation	aunt Caroline's Park 088094	107.25
08/31/2015	42159	Spraymasters, Inc.	Aunt Carolines Park Clean Up	300.00
08/31/2015	42160	Stacy Jentzsch	Sewer Refund	1.99
09/17/2015	42163	ACCESS	Mayors United Gala	250.00
09/17/2015	42164	AmericanWest Bank Cardmember Service	Fuel	1,589.16
09/17/2015	42165	Canon Financial Services, Inc.	Copier Lease	270.97
09/17/2015	42166	Canon Solutions America, Inc.	Maintenance	168.55
09/17/2015	42167	Caselle, Inc.	Software Maintenance and Support	585.00
09/17/2015	42168	David Christian	Radio Programming, 5 1/2 hrs.	172.50
09/17/2015	42169	Jackson County Health & Human Services	Dead Animal Pick Up	63.48
09/17/2015	42170	Jackson County Roads	Dust Abatement Prep	10,220.81

Date	Check	Payee	Description	Amount
09/17/2015	42171	Jermain, Debby	Travel Reimbursement	224.00
09/17/2015	42172	Mary Gunderlock	Website - Monthly Update	480.00
09/17/2015	42173	Perfection Cleaning	Cleaning Services	350.00
09/17/2015	42174	Pitney Bowes Global Financial	Lease Charges	154.47
09/17/2015	42175	Rogue Valley Sewer Services	Permit Inspections	150.00
09/17/2015	42176	Shady Cove Hardware, LLC	Park	28.00
09/17/2015	42177	Shady Cove Napa	Parks	4.77
09/17/2015	42178	Steve Mitchell	Training	222.78
09/17/2015	42179	Tom Sanderson	Training	222.78
09/17/2015	42180	Walter & E. Lothman	Utility Billing Refund	42.70
09/25/2015	42181	Postmaster	Sewer Billing	303.85
09/30/2015	42182	Avista Corporation	Natural Gas	16.54
09/30/2015	42183	Celtic Circle	Shop Rental	700.00
09/30/2015	42184	CenturyLink LD	Long Distance charges 320416598	39.87
09/30/2015	42185	CenturyLink Svc.	Phone Services 314013549	712.73
09/30/2015	42186	CIS Trust	Life Insurance	48.73
09/30/2015	42187	Crystal Fresh	Bottled Water	26.00
09/30/2015	42188	Danny Byrd	Top Soil	113.00
09/30/2015	42189	DAS - Shared Financial Services -	ORCPP Procurement Membership	500.00
09/30/2015	42190	DAS - Shared Financial Services -	GOV Ethics Assessment FY16	396.10
09/30/2015	42191	David Christian	Radio Programming, 6 hrs.	90.00
09/30/2015	42192	Jason Artner	Aunt Caroline Park	6,649.00
09/30/2015	42193	Jessie Bridgham	Professional Services	1,665.00
09/30/2015	42194	KAS & Associates, Inc.	Private Project Review	282.32
09/30/2015	42195	Lewis Kunz	Utility Billing Refund	56.85
09/30/2015	42196	Pacific Power	Nork Lane 32847641-009	1,155.71
09/30/2015	42197	Perfection Cleaning	Cleaning Services	280.00
09/30/2015	42198	Prunty, Aaron	Expense Reimbursement	86.75
09/30/2015	42199	Reagles, Mitchell	Per Diem	123.00
09/30/2015	42200	Richard D. Acrey	Aunt Carolines Park	3,200.00
09/30/2015	42201	RVCOG	Planning	2,918.19
09/30/2015	42202	Shelly M. Dent	OMFOA PER DIEM & EXPENSE REIMB	447.98
09/30/2015	42203	Southern Oregon Sanitation	aunt Caroline's Park 088094	98.50
09/30/2015	42204	Superior Stamp & Sign Co	Plaque	65.00
09/30/2015	42205	Thomas Peterson	Utility Billing Refund	3.00
10/12/2015	42208	Canon Solutions America, Inc.	Copies	169.97
10/12/2015	42209	Caselle, Inc.	Software Maintenance and Support	585.00
10/12/2015	42210	David Christian	Radio Programming, 6 hrs.	180.00
10/12/2015	42211	Jermain, Debby	Per Diem	83.00
10/12/2015	42212	League of Oregon Cities	Training - Municipal Budgeting 101	175.00
10/12/2015	42213	Mary Gunderlock	Website - Monthly Update	340.00
10/12/2015	42214	Prunty, Aaron	Mileage	378.98
10/12/2015	42215	Rogue Valley Sewer Services	Quarterly Invoice	76,071.84
10/12/2015	42216	RVCOG	Training	25.00
10/12/2015	42217	Shady Cove Hardware, LLC	City Hall	35.82
10/12/2015	42218	URCC	Membership	15.00
Grand Totals:				174,144.81

City Council Agenda Item Summary
City of Shady Cove, Oregon

Meeting Date: October 15, 2015

Prepared By: Aaron Prunty, City Administrator

Agenda Title: Discussion – Marijuana Growing and Processing

Attachment List: State of Oregon v. Lang
Oregon Administrative Rules, Chapter 333, Division 8
City of Pendleton, Nuisance Ordinance No. 3848, Section 10

Issue Before the Council: The Council will discuss various issues related to growing and processing marijuana in Shady Cove.

Key Facts and Information Summary: There is considerable information, much of it still changing as state agencies are tasked with the various issues related to growing and processing. Oregon Liquor Control Commission and Oregon Health Authority, as well other entities, are still working through the processes to be in place over the next several months. There may be additional legislative work done in the next session(s).

The decision in *State v. Lang* recently addressed some issues related to offensive or nuisance odors. Council may want to read the decision, especially those parts related to whether a reasonable person would find a particular odor offensive.

Staff has surveyed other Oregon communities in an attempt to provide additional information to the Council. It appears other communities are interested in addressing growing and processing issues, specifically odor, but that there is no common or overriding method at this point. Some communities, including Pendleton, have appeared to step back from ordinances they've adopted as they are difficult to enforcement or defend.

Staff Recommendation: Discussion of this item. Council may decide if staff should continue researching growing and processing and whether to bring this item, or specific aspects, back for decision-making.