

City of Shady Cove

INSIDER



City of Shady Cove

"and a river runs through it!"

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We're on the Web!
www.shadycove.net

FINANCIAL MATTERS

The City's Budget Committee consists of the 5 members of the City Council and 5 Shady Cove Residents. At present we have only 3 Shady Cove Residents, thus 2 openings exist. If you are interested in participating, Budget Committee Applications are available at City Hall and also at www.shadycove.net.

This year the Budget Committee Meeting is scheduled for Monday, May 9, 2016, commencing at 9:00 AM. It is highly unlikely that the meeting will last beyond noon.

At the February 18, 2016 City Council Meeting, the Council reviewed financial results through the end of January 2016. All revenue accounts are "on track with or exceed" budget. The only expense account that warrants closer review is General Fund Operations and Maintenance.

CITY COUNCIL MEETING: FEBRUARY 4, 2016

The Council Meeting was preceded by a Study Session wherein Stewart Parmele, a principle in the accounting firm of KDP Certified Public Accountants, LLP, provided the Council an overview of the City's Audit for the fiscal year ending on June 30, 2015. As evidenced by the audit excerpts quote in the January 2016 I N S I D E R , t h e a u d i t w a s p o s i t i v e .

The Regular Council Meeting was called to order at 6:00 PM. Following the usual roll call, pledge of allegiance and Mayor's announcements, the regular meeting was recessed and a Public Hearing was called to order. The hearing was scheduled to accept testimony concerning adoption of a Riparian Area Protection Ordinance.

Only 4 people made statements. Two in favor of the draft ordinance and two opposed.

The Mayor identified that he anticipated revisions to the draft ordinance. As such, the Public Hearing was not closed, but continued until February 18, 2016 at 6:00 PM. This will provide the public the opportunity to provide testimony on any changes.

As New Business, the Council approved an OLCC Liquor License for the new Dollar General store and formally accepted the Audit referenced above.

The final item was a discussion concerning recreational marijuana. Following considerable discussion, it was determined that recreational would be treated in the same manner as medicinal. Production, processing, wholesale and retail would be permitted outright or conditionally. Sales will be in conjunction with a current

CITY COUNCIL MEETING: FEBRUARY 4, 2016

... continued

medical marijuana facility. One facility will be allowed North and one South of the Rogue River Bridge. The facilities shall not be located within 1,000 feet of a school. All recreational grows must take place indoors. This is in an attempt to not exacerbate the existing odor problem.

The Council directed Staff to prepare a separate (from medicinal) ordinance for recreational marijuana reflecting the above. The ordinance will not be reviewed before March 17, 2016.

CITY COUNCIL MEETING: FEBRUARY 18, 2016

The only matter before the City Council was the continuance of the Public Hearing, from February 4, 2016, to consider adoption of a Riparian Area Protection Ordinance.

When the meeting commenced the Council Chambers were nearly full. The meeting began with staff comments from Professional Planner, Dick Converse wherein he spoke to submitted revisions to the "boiler plate" ordinance.

Following Mr. Converse, The Mayor explained the background of the proposed ordinance as it relates to Shady Cove. In 2010, the City submitted, to the State, a 5 year plan wherein the City committed to adoption of a Riparian Protection Ordinance. In 2012, at the direction of the City Council, the Planning Commission held a series of public meetings on the State's proposed document. The public blowback was so severe that the matter was tabled.

By the end of the 5 year period, July 1, 2015, the City was informed by the State that they were in violation of their commitment to adopt a Riparian Protection Ordinance. If the City would proceed to adopt such an ordinance, the violation would be overlooked.

At the Council's request, our City Administrator communicated with Bill Meyers who is the Rogue Basin Coordinator for the Department of Environmental Quality (DEQ). The City Administrator posed 2 questions:

1. What happens if we don't pass this ordinance? Mr. Meyers replied: "From the DEQ Perspective it doesn't have to be this ordinance that passes but the City will need to pass or implement some type of Riparian Protection Program.
2. What if the City does nothing? Mr. Meyers responded: "That is a class II violation ... with a potential daily penalty of up to \$4,000. per day as per Division 13. (OAR 340-012-0055(2))."

In December 2015 and January 2016, the City's Planning Commission again held Public Hearings on the proposed ordinance. Following the close of the final hearing the Planning Commission recommended approval by the City Council.

As noted above, the City Council held a Public Hearing on February 4th.

In the days following, keeping Mr. Meyer's responses in mind, the Mayor drafted 10 revisions to the proposed ordinance. He believed that with the proposed revisions the document would still meet the expectations of the State, but be far less onerous on water front property owners. Additionally, the City is in no financial position to be exposed to any fine, let alone \$4,000. per day, for failure to perform/produce a Riparian Protection Ordinance.

On February 9th, the Mayor met with the City Administrator, Planning Technician and Professional Planner to discuss the viability of the proposed revisions. It was concluded that the proposal was reasonable, and would

CITY COUNCIL MEETING: JANUARY 21, 2016 ... *continued*

likely pass State muster. The planners were requested to prepare a new document with the additions and deletions highlighted and available before the continued Public Hearing scheduled for February 18th.

The Mayor read the revisions into the Public Hearing record.

Councilor Mitchell also provided a document reflecting desired revisions and was asked to present and elaborate upon them.

Mr. Converse was then asked to provide his professional opinion on Councilor Mitchell's proposals. He stated that using the property line (in many cases within the banks of the river) as the beginning point of the protection area would not fly. However, including language regarding changes to permitted structures existing within the protected area prior to the approval of the Riparian Protection Ordinance is reasonable.

The meeting was then opened to public comment. Those commenting were requested not to repeat that which they submitted in writing or stated during the February 4th meeting. Other than comments stating the total dislike for the concept of a Riparian Protection Ordinance, or actual legality of such action, all other comments dealt with elaboration on the proposed changes and suggestions thereto.

Following all comments, the Council prepared to go into deliberation. The audience was reminded that public input is sought and permitted on all matters before the Council. However, once the Council goes into deliberation, public comment is not permitted. It was noted that the Council was about to go into deliberations, so if anyone had anything further to add, please do so now. No further comments were forthcoming.

During deliberation, the Council discussed proposed revisions, public comment and sought clarification from Mr. Converse on several concerns. To a person they expressed dissatisfaction with the requirement/State insistence that a Riparian Protection Ordinance be approved. However, they believed that the ordinance with proposed revisions was the best they could do to meet State expectations and still be the least burdensome on the water front property owners.

Staff was requested to prepare a draft ordinance reflecting the revised and added language as discussed. Copies are to be available for the April 4th Council Meeting wherein the Council is expected to approve language for a final draft. The final draft will go before the Council at a time yet to be determined.

MAYORS EDITORIAL NOTE: As noted, the entire City Council is not pleased with the requirement to implement a Riparian Protection Ordinance. In particular, we believe the overwhelming majority of water front property owners are excellent stewards of the river and their behavior relative thereto doesn't need to be overshadowed by an ordinance. The required ordinance is a component of the State's TMDL (Total Maximum Daily Load) program. In essence, it is a water temperature program intended to "insure" that the river water is sufficiently cool to assist in fish survival down river. A glaring omission in the plan is the absence of standards and measurements thereof. It appears to me to be a continuing effort by the State to control privately owned property without any means to measure success or failure of their program.



KSHD 94.3 FM

We would like to take this time to again thank all of our underwriters and to encourage all of our listeners to support them and to remind them that you heard about them on K-Shady Radio at KSHD 94.3 FM.

It has been a great few months for the station. We are constantly working on our signal strength and keeping our music format up to date. In the past month we have added another 700 or so new tunes to our large library of music. If there is something anyone would wish to hear we have it at the station or can get it very quickly.

It is also that time again when we send out notices to all of our underwriters that our standard underwriting cycle is starting up again for the March to August summer season. The station underwriting rates have gone up slightly to cover the cost of our streaming service. Regardless of the rate increase, we are still the best advertising buy in the valley at about \$20 a month. If anyone has or knows of a new business in the area please let them know that the station would love to run ads for them and that the cost and coverage are affordable and effective.

If you have any ideas about the kinds of programming or music you would like to hear on KSHD 94.3 FM please let us know.

ROGUE VALLEY CONNECTOR NOW OPEN

TO THE GENERAL PUBLIC!

The Rogue Valley Transportation District (RVTD) now offers transportation to the general public through their Rogue Valley Connector (RVC) service. Transportation services are provided within the communities of Trail, Shady Cove and Eagle Point with connections to RVTD's fixed route bus service in Medford.

Space and availability is limited.

Priority given to seniors & people with disabilities

Service Hours: Monday-Friday, 6:30am – 5:00pm. Last bus out of Medford is 4:00pm.

Cost: \$5.00 per trip. Day passes for RVTD's fixed route bus service are only \$2 more when you use the RVC service (one per day / per rider)

Scheduling: Monday-Friday, 8am-4pm. 24 hour notice required. No same day requests or changes allowed.

Cities and Locations Served:

- **Trail**
 - Trail Market – 24231 Highway 62, Trail, Or
- **Shady Cove**
 - Hwy 62 Market Place & Rafting – 21171 Highway 62, Shady Cove, Or
 - Shady Cove Market – 22111 Highway 62, Shady Cove, Or
- **Eagle Point**
 - Eagle Point Wal-Mart – 11500 Hannan Road, Eagle Point, Or
 - Eagle Point City Hall – 17 Buchanan Avenue South, Eagle Point, Or
 - Eagle Point Senior Center – 121 Loto St, Eagle Point, Or
- **White City**
 - White City VA Dom – Corner of White Rd & Ave R (RVTD bus stop)
- **Medford**
 - Lear Way RVTD Bus Stops:
 - North Bound – Intersection of Lear Way & Aero Way (RVTD Bus Stop)
 - South Bound – Intersection of Lear Way & Aviation Way (RVTD Bus Stop)
 - RV Mall – Southwest mall entrance (JC Penny)
 - RVTD Transfer Station / Greyhound Bus Station



For information and to register call 541-842-2050



Upcoming Events



March 19

Upper Rogue Community Center
St. Patrick's Day Dinner &
Misty Mountain Cloggers
6:00 PM Tickets: \$8.00 at the door
Info: 541-878-2702

April 9

Pear Blossom

Info: 541-840-8007

<http://www.pearblossomparade.org/>