


**CITY OF SUMPTER  
SPECIAL SESSION  
APRIL 8, 2022**

- 1) Call to Order at 4:07PM
  - a) Members present: Mayor Lucas, Councilor Wise, Councilor Briscoe, Councilor Demaris and Councilor Leuenberger.
  - b) Visitor- Jon Patterson and Rebecca Patterson.
- 2) Grant Administrator
  - a) Mayor Lucas opened the proposal packets. The proposal was sent to HECO Engineering, Northwest Oregon Development District, Decote Consulting, and Greater Eastern Development Cooperation.
  - b) Only Decote Consulting presented a proposal.
  - c) Proposal was opened and presented to all council members.
  - d) Mayor Lucas read from the proposal.
  - e) Discussion ensued.
  - f) The Mayor asked if there were any concerns.
  - g) **MSP: To obtain Ducote Consulting as Sumpters Grant Administrator and for the Environmental Review. Councilor Demaris/Councilor Briscoe. All members approved.**
- 3) Adjournment-4:20PM
  - a) **MSP: To adjourn the meeting. Councilor Leuenberger/Councilor Wise. All members approved.**

Approved by the City Council this 26th day of April, 2022.

Approved: 

Attested: 

ReNae Cameron, City Recorder

**CITY OF SUMPTER  
COUNCIL MEETING  
APRIL 12, 2022, 4:00pm**

- 1) CALL TO ORDER – 4:00pm
  - a) PLEDGE OF ALLEGIANCE
  - b) MEMBERS IN ATTENDANCE –Mayor Lucas, Councilor Wise, Councilor Briscoe, and Councilor Demaris. Councilor Leuenberger, absent.
  - c) VISITORS- Toni Thompson, Rebecca Patterson, Jon Patterson, Leanne Wolfe, Vern Hollopeter, Laramie Shanks, Ryan Shanks, Debbie Bliss, Mike Bogart, John Young, Ron Borello, Kurt Clarke, Keith Christensen, Ron Shapland, Sherry Brandt, Justin Long, and Jenny Long.
- 2) Approve Minutes
  - a) MSP: To accept the March 22, 2022 minutes. Councilor Wise /Councilor Briscoe. All members present approved.
  - b) MSP: To accept March 29, 2022 minutes. Councilor Demaris/Councilor Wise. All members present approved.

REPORTS

- 3) Fire Department- Kurt Clarke
  - a) He thanked the volunteers.
  - b) SCVA certifications are done.
  - c) No calls in the last month.
  - d) Wild fire preparedness pamphlets are available at the library and City Hall.
  - e) Fire evacuation plans are being drawn up.
  - f) For emergency information sign up on the Baker County Sheriff's website, Emergency Alert.
- 4) Pay Bills-Rob Gaslin
  - a) Mr. Gaslin gave a brief overview of the bills.
  - b) MSP: To pay bills as presented. Councilor Demaris/Councilor Wise. All members present approved.
- 5) Merchant Group/Volunteers-John Young
  - a) The merchants and volunteers want to take over and run the 4<sup>th</sup> of July flea market.
  - b) The theme is Old Americana.
  - c) Colored trash bags will be sold and the fire department will be picking them up.
  - d) Porta potties, the donation request form has been filled out and turned in to Baker Sanitary, to cut the cost. The Volunteers will be purchasing some porta potties.
  - e) The Museum would like to allow a couple vendors at the Museum and those fees will go to the Museum.
  - f) Councilor Briscoe asked if this is with or without the Grounds. Mr. Young indicated, without the Grounds, strictly downtown.
  - g) The mayor said he approved of the event.
  - h) MSP: To wave the city's vendor fee for the 4<sup>th</sup> of July. Councilor Wise/Councilor Demaris. All members present approved.
- 6) Grant Administrator Selection
  - a) Four proposal requests were sent out and only one proposal was returned to the city. Decote Consulting was approved during the Special Session on April 8, 2022.
- 7) Planning
  - a) William Wear shed application. MSP: To approve William Wear's application for his shed. Councilor Demaris Councilor Briscoe. All members present approved.

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8) Water Meter Fee

- a) MSP: To approve the water fee of \$44.50 for forty-five hundred gallons and \$2.00 per thousand gallons after that and not read meters November 1 through March 31. Councilor Demaris/Councilor Briscoe. All members present approved.

9) City Website-Economic Profile Page

- a) The mayor asked the City Recorder to remove and update information on the city's economic profile page on the website and ensure the demo site, that Municipal Impact created, is removed.

10) Budget Meeting Date Selection

- a) First Meeting will be May 9<sup>th</sup> at 9:00am.
- b) Second Meeting will be May 23<sup>rd</sup> at 9:00am.

OLD BUSINESS

11) Water Meter Locate and Temporary Employee

- a) MSP: To hire Lee German as a temporary employee for \$17.00 per hour to help locate meters. Councilor Wise/Councilor Briscoe. All members present approved.

12) Dust Abatement

- a) Ed Staub will be using the same rate as last year. Discussion of using water or oil for abatement took place.
- b) Tabled for next meeting.

13) Monthly Council Meetings

- a) Discussion of needing two meetings per month took place.
- b) MSP: Starting in June, have one meeting per month on the second Tuesday. Councilor Wise/Councilor Briscoe. All members present approved.

14) Lucas Variance

- a) Councilor Wise asked about the building being a house or garage. Mr. Lucas reported the garage will be the foundation to the house.
- b) MSP: To approve the variance with the contingency a letter from the trust releasing the property to Mr. Lucas before any construction starts. Councilor Wise/Councilor Briscoe. The mayor, abstain, all other members present approved.

15) Museum Report

- a) Councilor Demaris requested the report be up to date. Ms. Thompson indicated she would have it at the next meeting.

16) Councilor Comment

- a) Councilor Wise asked the mayor if he had made the call to the State Fire Marshal to check on the city well. The mayor indicated he had not heard back.
- b) Councilor Wise will get an estimate for a cost of a city well.

17) Public Comment

- a) Kurt Clarke would like dust abatement put down on Magnolia and Bourne Ave. He also suggested council meeting time be moved to 7:00PM. The mayor said he will have other abatement options ready to present in May.
- b) Leanne Wolfe would like to see the council meeting be moved to 7:00PM.
- c) Sherry Brandt will check on dust abatement with another company.


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- d) Laramie Shanks asked if the burn pile is open. Chief Clarke reported, it is open but it will be closing in May. He will get the date to the City Recorder.

18) Adjournment

- a) MSP: To adjourn the meeting. Councilor Briscoe/Councilor Demaris. All members present voted to adjourn. 5:14PM

Approved by the City Council this 26th day of April, 2022.

Approved: 

Attested: 

ReNae Cameron, City Recorder

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APRIL 26, 2022 4:00pm

- 1) **CALL TO ORDER – 4:00pm**
  - a) **PLEDGE OF ALLEGIANCE**
  - b) **MEMBERS IN ATTENDANCE** –Councilor Wise, Councilor Demaris, and Councilor Leuenberger. Mayor Lucas and Councilor Briscoe, absent.
  - c) **VISITORS-** Dale Empey, Jon Patterson, Rebecca Patterson, Tad Williams, Leanne Woolf, Vern Hollopeter, John Young, Nick Decote, and Andy Gehrke.
- 2) **Approve Minute**
  - a) **MSP: To accept the April 8, 2022 Special Session minutes as presented. Councilor Demaris/Councilor Leuenberger. All members present approved.**
  - b) **MSP: To accept the April 12, 2022, meeting minutes. Councilor Demaris/Councilor Leuenberger. All members present approved.**
  - c) Councilor Leuenberger didn't want to second the motion. He wanted more information and decisions put in the meeting minutes. Councilor Wise asked what he would like added or changed. Councilor Leuenberger stated he would like more meat. Councilor Wise asked Councilor Leuenberger if he would be okay for the Recorder to summarize the minutes. He said, that is okay and if it is wrong, we can correct it.
- 3) **Public Works-Tim Jacobson**
  - a) The guys are in the middle of locating all the water meters in town.
  - b) There are trees that need trimmed at volunteer park and a pine tree that needs cut down.
  - c) Councilor Leuenberger talked to Mr. Jacobson about tracer wires and gave advice, on how to use the tracer wire to locate meters from the house to the meter.
  - d) Mr. Jacobson reported, Mr. German would like \$21.00 per hour to assist the guys in locating the water meters. Councilor Leuenberger asked if Mr. German agreed to the \$17.00 per hour, Mr. Jacobson indicated that Mr. German had not agreed to that. Councilor Leuenberger stated that the city is being held hostage but he didn't see any alternative but to pay.
  - e) **MSP: To pay Lee German \$21.00 per hour as a part-time employee. Councilor Leuenberger/Councilor Demaris. All members present approved.**
  - f) The surveyor is mapping all the meters, so in the future they will be easily found. Councilor Leuenberger requested the make and model of the GPS device used to map. He said he wants to be sure when the device goes belly up the information can still be accessed. Mr. Gehrke said the information will be on the mapping.
  - g) Councilor Demaris asked how much the guys will need Mr. German. The guys are going to locate the easy meters and call Mr. German on the meters they can't find.
- 4) **Water Grant Update-Nick Decote & Andy Gehrke**
  - a) Mr. Gehrke and Mr. Decote reported that the upper water tank and the source intake are on forest service lands. It is not possible to get the forest service approval by September. Mr. Gehrke provided a breakdown of the new plan to move forward, without the approval from the forest service. Discussion about the changes ensued.
  - b) Councilor Leuenberger asked Nick Decote if there are more COVID funds that the city can get. Mr. Decote indicated the city is already getting a lot of money for infrastructure. Councilor Leuenberger indicated there is more money for infrastructure projects and said he would forward some information to Mr. Decote for him to look into.

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- c) Councilor Leuenberger asked, "Could this survey also serve as a basis on behalf of the Forest Circus to allow us to cut trees and clean that road out and widen it, which needs to be done?" Mr. Gehrke said it will shoot in the road but he doesn't believe it can be done as part of this project but it can be used, but approval from the forest service would still need to be acquired.
  - d) Tim Jacobson was asked to provide the team with distribution problem areas to include in the proposal.
  - e) The redwood tank needs to be documented before it can be taken down because it is over seventy-five years old. An archeologist needs to do this reporting. Mr. Decote asked if Blue Mountain Consulting is okay to use, or if it must go out to bid. Councilor Leuenberger said, the five-hundred-dollar charter limit is for public improvements and this is not a public improvement and it does not pertain to this.
  - f) Mr. Decote asked the Council to request an increase in the waiver for the Water Grant. Council discussed the waiver and instructed the Recorder to request the increased waiver through Business Oregon.
- 5) **Resolution 400-22 Water Grant Signer**
- a) Councilor Wise indicated, although she will be the signer, she will not sign anything without either the City Lawyer or Business Oregon's approval. **MSP: To approve Resolution 400-22, Designating a certifying officer and authorizing a signer for community development block grant. Councilor Demaris/Councilor Leuenberger. All members present approved.**
- 6) **Resolution 401-22 Equal Opportunity Employer**
- a) **MSP: To adopt Resolution 401-22, A resolution confirming the City of Sumpter as an equal opportunity employer. Councilor Demaris/Councilor Leuenberger. All members present approved.**
- 7) **Resolution 402-22 Excessive Force Policy**
- a) **MSP: To adopt it. Councilor Leuenberger/Councilor Demaris. All members present approved.**
- 8) **Resolution 403-22 Fair Housing Resolution**
- a) **MSP: To adopt it. Councilor Leuenberger/Councilor Demaris. All members present approved.**
- 9) **Resolution 404-22 Revise the Section 3 Plan to Comply with 24 CFR, Part 135 of the United States Department of Housing and Urban Development Section 3.**
- a) **MSP: To adopt it. Councilor Leuenberger/Councilor Demaris. All members present approved.**
- NEW BUSINESS**
- 10) **SVCV, Grounds application for the 4<sup>th</sup> of July-John Young**
- a) Councilor Wise asked what has changed, at the last Council Meeting, the market was only going to be downtown. Mr. Young stated that at the last SVCV meeting, the volunteers voted to rent the Grounds and hold the market. The Merchants will not be involved in the Grounds.
  - b) SVCV wants to ensure the vendors have their regular spots, where they feel comfortable.
  - c) SVCV would like to invite the Elkhorn Muzzle Loaders group to come put on a display and demonstration. It is a Mountain Man rendezvous.
  - d) Councilor Wise asked Councilor Leuenberger for his thoughts. He stated, I believe it goes against what the Council already voted, not to have a flea market, and this is a flea market, and the things that go with the flea market come with it, such as dust abatement and all these other things. My understanding was that at the last meeting, it was decided the market would be held by the merchants downtown, and at this late date, we shouldn't do it.

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- e) Councilor Wise indicated that the Grounds event application for reunions, weddings, etc., that are not overnight events, does not pertain to this flea market event.
- f) Councilor Leuenberger suggested having a contract to address this and the city lawyer should draft it. If SVCV wants to rent it they can pay the lawyer for that contract.
- g) Councilor Wise asked Mr. Young to present a list of what the SVCV will provide and what SVCV would like the city to provide.
- h) **Tabled** for SVCV proposal for the use of the Grounds.

**11) Community Center Electrical-John Young**

- a) Breakers keep being blown during large events. SVCV has tried to contact the city electrician the past two months, and Ron Bell has not returned the calls. SVCV contacted Powder River Electrical for an estimate to fix the breaker problem. The estimate was eight hundred eighty-one dollars. SVCV will provide license and insurance information along with paying for the work. SVCV is requesting permission to move ahead with this project.
- b) The question was asked, if this needs to go out to bid. Councilor Leuenberger suggested the Council contact the City Lawyer.
- c) **Tabled** pending information from the City Lawyer.

**12) Porta Potties-John Young**

- a) SVCV purchased porta potties and would like to hook them up to the sewer system at the Wright House.
- b) Councilor Demaris would like to check to ensure it will be covered by insurance.
- c) Councilor Leuenberger wants to check the sewer ordinance to ensure compliance.
- d) Verification that the Wright House is connected to the city sewer system needs to be done.
- e) **Tabled** until verification regarding insurance, ordinance compliance, and verification of connection to the city system.

**13) Budget Committee Members**

- a) Sherry Brandt, Kimberly Ballard, Jon Patterson, Jennifer Lake and Sheri Wondra have submitted requests to be on the Budget Committee.
- b) Councilor Wise asked the Council if there were any problems with these candidates.
- c) Councilor Leuenberger indicated that he has a problem. Councilor Leuenberger stated, Kimberly Ballard is not an elector in our town and you have to be an elector to be on the committee and I have the statute right here.
- d) Both Councilor Wise and Councilor Demaris stated, she is a registered voter in Sumpter.
- e) Councilor Leuenberger said, "I called and she is not, I called yesterday, and she is not registered in Grant County either."
- f) Councilor Wise said she would double check that.
- g) Councilor Leuenberger stated, the courts say she isn't.
- h) The first Budget Meeting will be May 9, 2022 at 9:00am.

**14) ARPA Fund Allocation**

- a) It has been suggested by the state for small cities to report the ARPA Funds under the Allocation of Revenue Loss. Sumpter would still have to account for all the money, it just gives more time to decide exactly where it will be spent.
- b) **MSP: To report the money as Revenue Loss. Councilor Leuenberger/Councilor Demaris. All members present approved.**

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15) **Fire Truck Repair**

- a) The volunteer fire department will deliver the truck for repair.
- b) **MSP: To authorize the work to be done. Councilor Leuenberger/Councilor Demaris. All members present approved.**

16) **Dust Abatement**

- a) More information is needed from Ed Staub regarding signups at City Hall for residents of Sumpter.
  - b) Councilor Demaris asked if the City is going to dust abate with liquor or three waters? If we do liquor, do we have to do liquor for all three markets? Councilor Wise indicated that is the interpretation of the lawsuit, yes, until it can get changed. She also said, we can't put water over liquor. She asked for verification from Councilor Leuenberger. He agreed and said, we can't put water over the liquor.
  - c) Councilor Leuenberger stated, "The proposal I had was that we reduce the amount, include the parking lot, put on gravel, put the liquor on, and those of us that are involved in the lawsuit, will sign off, to amend the lawsuit."
  - d) Councilor Wise said the parking lot can't have dust abatement put on it the way it is.
  - e) Councilor Leuenberger said, "Spray it, put down some gravel, which seems to be in abundance around here, roll it, and then shoot it."
- 17) Councilor Wise said she would work on the dust abatement issue.

**PUBLIC COMMENT**


- 18) Jon Patterson asked, where is the mayor? He also said he has advertised for the flea market.

19) **Adjournment-5:40PM**

- a) **MSP: To adjourn. Councilor Demaris/Councilor Leuenberger. All members present voted to adjourn.**

Approved by the City Council this 10th day of May, 2022.

Approved: 

Attested:   
ReNae Cameron, City Recorder



**CITY OF SUMPTER  
COUNCIL MEETING  
MAY 10, 2022, 4:00pm**

1) CALL TO ORDER – 4:00pm

- a) PLEDGE OF ALLEGIANCE
- b) MEMBERS IN ATTENDANCE –Councilor Wise, Councilor Briscoe, Councilor Leuenberger and Councilor Demaris. Mayor Lucas, absent.
- c) VISITORS- Rebecca Patterson, Jon Patterson, Leanne Wolfe, Vern Hollopetter, Carol Krieske, Kimberly Ballard, and John Young.

2) Approve Minutes

- a) Councilor Leuenberger would like more information in the minutes. He submitted suggested changes, of meeting minutes for April 26, 2022, to the rest of the Council.
- b) Councilor Demaris indicated that some of the suggested changes were not on the recording of the meeting, and should not be added, if it was not said.
- c) Council Leuenberger asked what she meant.
- d) Councilor Demaris pointed out; Mr. Young never said the SVCV meeting was held immediately following the merchants meeting.
- e) Councilor Leuenberger said to his recollection it was said, right after the meeting.
- f) Councilor Demaris reiterated that during the meeting it was said the SVCV met after the merchant meeting, not immediately after.
- g) Councilor Leuenberger suggested having verbatim minutes.
- h) The Council discussed verbatim minutes verses summery minutes.
- i) Councilor Wise will check with the City Attorney, and this meeting's minutes will be verbatim, until she hears differently from the City Attorney.
- j) MSP: To accept the April 26, 2022 minutes in the original draft form. Councilor Demaris/Councilor Briscoe. Councilor Leuenberger, no. All other members present voted to approve.

REPORTS

3) Fire Department- John Young

- a) Things have been quiet, there have been no call outs.
- b) The pumper truck is going to be, schedule to be fixed. The fire department will be transporting the truck to save on delivery fees.
- c) He suggested, everyone be careful while burning.

NEW BUSINESS

4) Pay Bills-Rob Gaslin

- a) Mr. Gaslin gave a brief overview of the bills.
- b) Councilor Leuenberger asked if the Buckley Law bill was for producing copies of our own files. The answer was, yes. Councilor Leuenberger then stated we should not pay that. That is our file, we are intitled to it and if he (Buckley Law) wants to keep copies of it, he (Buckly Law) can pay to make copies for his version. We didn't get documents as he (Buckley Law) produced them? The rest of the Council agreed. Councilor Leuenberger doesn't think this bill should be paid.
- c) MSP: To not pay the Buckley Law bill. Councilor Briscoe/Councilor Demaris. All members present voted to not pay.
- d) MSP: To pay bills except Buckley Law. Councilor Briscoe/Councilor Demaris. All members present approved.

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- 5) Water Grant-Signature Card Signers
  - a) The Council decided to take the City Attorney's recommendation for signers.
  - b) The recommendation was to have Councilor Leuenberger, Councilor Briscoe, and Councilor Demaris as signers for the Water Grant reimbursement requests.
- 6) Resolution 407-22, Approving CDBG agreement
  - a) MSP: To read Resolution 407-22 by title only. Councilor Demaris/Councilor Briscoe. All members present approved.
  - b) MSP: To approve Resolution 407-22, Approving Community Development Block Grant Agreement for Water Tower Replacement. Councilor Demaris/Councilor Briscoe. All members present voted to approve.
- 7) Resolution 405-22, Council Meetings Once Per Month
  - a) MSP: To Read by title only Resolution 405-22. Councilor Demaris/Councilor Briscoe. All members present approved.
  - b) The Council discussed the purpose for having two meetings per month. The Council has a lot of work coming up including Grants, purchasing equipment and other things, all of this will require a lot of time. Discussion ensued and it was determined two meetings per month is needed.
  - c) MSP: That we don't approve Resolution 405-22. Councilor Leuenberger/Councilor Briscoe. All members present voted to not sign the resolution.
- 8) Resolution 406-22, RV Park Water Rates
  - a) MSP: To read by title only Resolution 406-22. Councilor Demaris/Councilor Briscoe. All members present approved.
  - b) Council discussed this resolution. It was determined that it is not adequate and Councilor Leuenberger said he will correct it and present it again at the May 24, 2022 regular meeting.
  - c) TABLED
- 9) Planning-Ken Wilson Park Model Application
  - a) Councilor Demaris feels that commercial residential zone should not be taken up by a residential type building. The CR zone should be for commercial use only. It could be turned into a residence later on and that would require a conditional use permit and that requires a public hearing and needs renewed yearly.
  - b) Councilor Leuenberger and Councilor Briscoe agreed with Councilor Demaris.
  - c) MSP: To veto Ken Wilson's tiny house on Mill Street. Councilor Briscoe/Councilor Leuenberger. All members present voted to not approve the application.

**OLD BUSINESS**

- 10) SVCV-Community Center Electrical
  - a) SVCV would like to update the Community Center electrical. There is a bid for eight hundred eighty-one dollars. The SVCV will pay this and it won't cost the City anything.
  - b) The scope of work entails new circuits, wire and a few outlets.

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- c) Councilor Wise asked Councilor Leuenberger, according to the ORS, is it regular maintenance and it doesn't have to go out to bid?
- d) Councilor Leuenberger doesn't feel this is updating, but that is why we have a city attorney. He said he doesn't think it qualifies. Councilor Leuenberger went on to say local improvement involves construction, which this does. The statute says routine maintenance and upkeep. He would defer to the City Attorney. His opinion is that it doesn't qualify and it can be done easily with an RFP.
- e) Councilor Demaris said, it is a maintenance, upgrade, more of a safety factor.
- f) Mr. Young said he would provide copies of the electrician's license, insurance and permit.
- g) Councilor Leuenberger said, it would be great if we had a licensed electrician and there is a permit and everything is done right, I don't have a problem with it. Councilor Leuenberger then said, 1. Doesn't want us to get hammered for a violation and 2. We have been down this road before where we have let a lot of little things slip or slide, and I don't want to get on a slippery slope.
- h) MSP: That we accept that proposal (John's proposal) and do it, subject to confirmation by the City Attorney that we are not violating the public purchasing laws. Councilor Leuenberger/Councilor Briscoe. All members present approved.

11) SVCV-Porta Potties at the Wright House

- a) SVCV would like to put porta potties at the Wright House and plumb it into the septic.
- b) Council discussed pros and cons, cleaning, insurance and private property being placed on City property.
- c) Councilor Briscoe stated he was concerned about it being plumbed directly into the city septic tank. Garbage and other items get put in porta potties and we don't want that in the city system.
- d) Council restated that the decision was already made to not purchase the porta potties, so a decision not to allow the porta potties to be placed at the Wright House was made.

12) SVCV-4<sup>th</sup> of July Grounds Contract Information

- a) John Young reported the SVCV is withdrawing the application to rent the grounds for the 4<sup>th</sup> of July Market.
- b) The Market will still be held downtown.
- c) Mr. Young asked if the Council wants the volunteers to run the Memorial Day market like they did last year.
- d) Councilor Leuenberger questioned the SVCV bookkeeping.
- e) There will be a Flea Market fund set up in Sumpter's QuickBooks.
- f) Council discussed using the same agreement as last year's markets.
- g) Councilor Leuenberger would like to see the SVCV's accounting. Councilor Leuenberger doesn't want the SVCV involved in the accounting of the markets, it's a trust issue. He would like someone else from the city to assist the Recorder during the markets.
- h) Councilor Wise asked who he would like to work with the Recorder.
- i) Councilor Leuenberger didn't know who.
- j) MSP: To let the volunteers help and do what we did last year under the same contract. Councilor Briscoe/Councilor Demaris. Councilor Leuenberger, no. All other members approved.

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k) Councilor Wise relayed to Mr. Young that there will be no vendors allowed on the grounds Wednesday. Mr. Young indicated that there will be volunteers to help vendors in need on Thursday.

**13) Budget Committee Members**

a) Councilor Wise indicated that everyone on Budget Committee are all electors in Sumpter. So, they qualify to be on the Budget Committee.

**14) Dust Abatement**

a) Councilor Wise wanted clarification regarding dust abatement. A Resolution is in the works to change some of the wording regarding dust abatement. A change to liquor once per year or water during each market rather than dust abatement for each event.

b) Councilor Leuenberger said, he would have to talk to the other people about it but he thinks their idea is, liquor once per year. Also, include killing the weeds in the parking lot of the Grounds, put gravel on it and roll it.

c) Councilor Wise wanted clarification from Councilor Leuenberger that he didn't want the either/or on dust abatement. It looks like, due to weather, it may not be able to be put down before Memorial Day this year.

d) Councilor Leuenberger responded; he understands that but just because you can't do it today doesn't mean you can't do it tomorrow.

e) Councilor Wise said, the reason either/or would be used, is in case the City can't afford to do liquor in the future, there is the option of water during the markets.

f) Councilor Leuenberger went on to say, we brought that lawsuit for a reason, no body would listen, and kept shirking us off. So, we got what we were happy with. We are trying to save the City some money. Now, even though we had that, Charlie decided we didn't need dust abatement that one time, based on his legal knowledge. So, let's make it liquor and we will be reasonable, there are not many of us left. The other thing is, I must say, why do you think I have a conflict of interest already, it makes no difference, I get mine done either way, and so does Vern, so do the Peters, Myron could care less.

g) Councilor Wise indicated that other streets in town need to be dust abated as well.

h) Councilor Wise asked Councilor Leuenberger how he would like this presented, in a resolution?

i) Councilor Leuenberger said to submit the stipulation to the court.

j) Councilor Wise said she would be talking to the City Attorney and Councilor Leuenberger asked Councilor Wise to have the City Attorney give him a call.

k) Councilor Briscoe's concern is that if it is stipulated liquor before the first market and it is raining, that would be a waste of money.

l) Councilor Demaris suggested stipulating weather permitting before Memorial Day or as soon as possible after the first flea market.

m) Councilor Briscoe doesn't think dust abatement will be able to be put down, before Memorial Day, because of the weather.

n) Councilor Leuenberger said, no one is going to go crazy if it isn't done by then.

**15) Councilor Comment**

a) Councilor Briscoe would like the burn pile to be burned a bit at a time and not all at once.

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- b) Councilor Leuenberger met with the Forest Service for road clearing and possibly putting a building over the intake at McCulley Creek. The Forest Service will do the work below the road and Sumpter would have to do the work on the upper side of the road.
- c) Councilor Briscoe said the Forest Service will widen the road and is asking the City to maintain from the pavement all the way up to the intake. Slots will be cut next to the road for snow removal.
- d) Councilor Demaris asked Councilor Leuenberger if he has talked to Holly about Sumpter Planning being moved to Baker County. Councilor Leuenberger indicated he had not talked to her.

**16) Public Comment**


- a) Leanne Woolfe-Read a statement regarding the history of Sumpter Vally Days and Outdoor Sumpter Flea Markets.
- b) Jon Patterson-Suggested more detail be put in the minutes, to be able to reflect on them.
- c) Jon Patterson-Sumpter Valley ATV - Requested the burn pile be burned now, or wait until after the market. He doesn't want smoke in his shop during breakfast.
- d) Jon Patterson-Suggested blocking off the road leading to the helicopter pad.
- e) Jon Patterson-Community Breakfast at his shop, Saturday and Sunday of Memorial weekend.

**17) Adjournment**

- a) MSP: To adjourn the meeting. Councilor Demaris/Councilor Briscoe. All members present voted to adjourn. 5:25PM

Approved by the City Council this 24th day of May, 2022.

Approved: 

Attested: 

ReNae Cameron, City Recorder

CITY OF SUMPTER  
COUNCIL MEETING  
MAY 24, 2022, 4:00pm

- 1) **CALL TO ORDER – 4:01pm**
  - a) **PLEDGE OF ALLEGIANCE**
  - b) **MEMBERS IN ATTENDANCE** –Councilor Wise, Councilor Demaris, and Councilor Leuenberger, and Councilor Briscoe. Mayor Lucas, absent.
  - c) **VISITORS-** Leanne Woolf, Carol Krieske, Kimberly Ballard, Rebecca Patterson, Tracy Wilson, and Jon Patterson.
- 2) **Approve Minute**
  - a) **MSP: To approve May 9, 2022, Budget meeting minutes. Councilor Demaris/Councilor Leuenberger. All members present approved.**
  - b) **MSP: To approve May 10, 2022, Council meeting minutes. Councilor Demaris/Councilor Briscoe. All members present approved.**
- 3) **Public Works-Tim Jacobson**
  - a) All the meters except for about two have been found.
  - b) Whistle Stop RV Park water is hooked up and working.
  - c) The Baker's sewer has been hooked up.
  - d) The Forest Service is clearing six feet on both sides of the road from the pavement to the water intake at McCully creek. The City will be responsible for maintaining that portion of the road. The City will need to burn the debris piles next year, since the Forest Service can't burn this year.
  - e) The Grounds are ready for the market.

**NEW BUSINESS**

None

**UNFINISHED BUSINESS**

- 4) **Resolution 406-22, A Resolution to Update RV Park Water Metering and Rates**
  - a) Councilor Leuenberger had two suggested changes. Adding per calendar month and or any portion there of to number 1 of the ordinance.
  - b) Councilor Wise read Resolution 406-22 in full, with corrections.
  - c) **MSP: To approve Resolution 406-22. Councilor Leuenberger/Councilor Demaris. All members voted to approve.**
- 5) **Planning**
  - a) **Barker-House application**
    - i) **MSP: To approve the Barker's planning application. Councilor Leuenberger/Councilor Briscoe. All members present approved.**
  - b) **Garber-House application**
    - i) **MSP: To approve Garber's planning application. Councilor Demaris/Councilor Leuenberger. All members present approved.**
  - c) **Wilson-Park Model**
    - i) Councilor Wise asked what the purpose of this building will be. Mr. Wilson indicated it will be an Airbnb.
    - ii) Councilor Demaris referred to Section 10 of Zoning Ordinance #1984-3. She believes it falls under the conditional use and would require a public hearing. Per the ordinance, 4.400 paragraph 7, if it is under five hundred square it will need a public hearing, along with it being a mobile home, then it will fall under those requirements also.
    - iii) Councilor Wise asked it this will be registered with Airbnb? Mr. Wilson said yes.

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- iv) Councilor Briscoe asked how many square feet the building is. The answer was four hundred ninety-two square feet. The ordinance shows no building less than five hundred square feet can be put on a commercial lot.
- v) Councilor Briscoe stated he feels it is an out right use in the commercial zone because it will be a business. Councilors Wise and Demaris both said it still falls under the mobile home requirements.
- vi) Discussion continued about conditional use and dimensional standards.
- vii) Councilor Demaris stated she is just trying to follow the zoning ordinance.
- viii) Councilor Leuenberger suggested to detitle it and making it real property and possibly putting it on a foundation.
- ix) Councilor Leuenberger said he wants to have an enforcement mechanism for those who say their property is commercial and within a short period of time change it to residential in the commercial zone.
- x) Councilor Wise requested Mr. Wilson contact the assessor's office to see if it can be changed to real property and follow up with the Council
- xi) The decision to **Table** the application until Mr. Wilson can check with the assessor and county about making it real property was made.

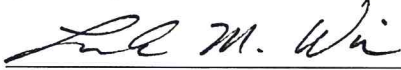
**PUBLIC COMMENT**

- 6) Jon Patterson-Told a story about the author of Gentle Ben.
- 7) Leanne Wolfe- Read a letter about doing things the "Sumpter Way" and Volunteering in Sumpter.
- 8) Dave Stillman-The spigot at Volunteer Park is locked and campers are coming to town and can't fill their water tanks. He feels if water isn't provided it may lead to fewer visitors and businesses may suffer.
- 9) Jon Patterson- Suggested sending information in the water bills regarding water conservation.
- 10) Mr. Donald-Pointed out that it doesn't matter if he gets water from the park or a person in town the city is still out the cost of the water. He suggested advertising that the spigot is locked.

**11) Adjournment-5:10PM**

- a) **MSP: To adjourn. Councilor Leuenberger/Councilor Demaris. All members present voted to adjourn.**

Approved by the City Council this 14th day of June 2022.

Approved: 

Attested:   
ReNae Cameron, City Recorder

CITY OF SUMPTER  
COUNCIL MEETING  
JUNE 14, 2022, 4:00pm

- 1) **CALL TO ORDER – 4:00pm**
  - a) **PLEDGE OF ALLEGIANCE**
  - b) **MEMBERS IN ATTENDANCE** –Councilor Wise, Councilor Demaris, Councilor Leuenberger, and Councilor Briscoe. Mayor Lucas, absent.
  - c) **VISITORS-** Dale Empey, Rebecca Patterson, Jon Patterson, Carol Krieske, Kimberly Ballard, Nick Ducote, Vern Hollopeter, Jeff Anderson, John Young, Al Jones, Kurt Clarke, and Ken Wilson.
- 2) **Approve Minutes**
  - a) **MSP: To pass the Council meeting minutes for May 24, 2022. Councilor Demaris/Councilor Briscoe. All members present approved.**
- 3) **Water Project Wetlands Review-Nick Ducote**
  - a) Fish and Wildlife has signed off on the project.
  - b) The project was submitted to State Historic Preservation Office, (SHPO).
  - c) The old maps from about forty years ago, show the water tower is on wetlands. Mr. Ducote provided information about wetlands. The Council discussed the situation.
  - d) **MSP: To move forward in presenting information determining a wetlands permit is not needed for the water project. Councilor Leuenberger/Councilor Demaris. All members present approved.**
  - e) Archeologists are waiting for SHPO determination before they come out to do their report. It is possible that SHPO will decide an archeologist is not needed for this project.
  - f) Wastewater grant, Mr. Ducote indicated a twenty-thousand-dollar technical assistance grant, maybe available to be applied for, to do the engineering. Sisul Engineering didn't know the city was going to apply for a block grant, so not all work was done to comply with the block grant requirements.
  - g) Sisul Engineering suggested a boundary and topographical survey be done to ensure where everything is.
  - h) Sisul Engineering will finish up their portion of the work, so the project will be eligible for a Block Grant.
- 4) **Fire Department-Kurt Clarke**
  - a) There have been no fires and just a couple medical call outs.
  - b) All the brush trucks are ready to go.
  - c) The pump truck is waiting for parts and will be fixed after fire season.
  - d) Al Jones and Mike Manning completed AMS training.
  - e) Everyone that took the wildfire certification passed and received their certificate.
  - f) Chief Clarke thanked the volunteers.
  - g) Councilor Briscoe asked for Chief Clarke to make sure when the fire department charges anything at the Stage Stop that the person charging signs the charge log.

**NEW BUSINESS**

- 5) **Pay Bills-Rob Gaslin**
  - a) Mr. Gaslin gave an overview of the bills to be paid.
  - b) **MSP: To pay the bills as presented. Councilor Demaris/Councilor Leuenberger. All members voted to approve.**
- 6) **Resolution 411-22, Block Grant, 2021-2022 Budget Amendment, Accepting the CDBG funds**
- 7) **Resolution 412-22, Small City Allotment Grant, 2021-2022 Budget Amendment, Accepting SCAG funds**
- 8) **Resolution 413-22, Moving Funds, 2021-2022 Budget Amendment, Moving General and Sewer funds**
  - a) **MSP: To read the three resolutions by title only. Councilor Briscoe/Councilor Demaris. All members present approved.**
  - b) Resolution 411-22 read by title. **MSP: To accept resolution 411-22. Councilor Demaris/Councilor Briscoe. All members present approved.**



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- c) Resolution 412-22 read by title. **MSP: To accept resolution 412-22. Councilor Demaris/Councilor Leuenberger. All members present approved.**
- d) Resolution 413-22 read by title. **MSP: To accept resolution 413-22. Councilor Demaris/Councilor Briscoe. All members present approved.**

**Budget Hearing called to order at 4:20**

**9) The budget was presented to the Council**

- a) Resolution 410-22, Adopting the 2022-2023 Budget. **MSP: To adopt the 2022-2023 budget as presented. Councilor Leuenberger/Councilor Briscoe. All members present approved.**
- b) Resolution 408-22, State Revenue Sharing, read by title. **MSP: To accept resolution 408-22 as stated. Councilor Demaris/Councilor Briscoe. All members present approved.**
- c) Resolution 409-22, Impose and Categorize Taxes, read by title. **MSP: To accept resolution 409-22 as stated. Councilor Demaris/Councilor Briscoe. All members present approved.**

**Budget Hearing Closed 4:25.**

**10) Planning**

- a) Simonson/Blum Lot Line Adjustment
  - i) Mr. Anderson explained the situation of Mr. Blum's house being on Mr. Simonson's property and Mr. Blum's shop being in a city street.
  - ii) Maps of the Saint Lewis Addition were presented to the Council.
  - iii) Mr. Anderson requested approval of a lot line adjustment and to vacate Bonanza and Elm streets on the property.
  - iv) The Council indicated that the lot line adjustment is a separate application and process.
  - v) Mr. Anderson requested the lot line be considered and the vacate could be completed at another time.
  - vi) Councilor Briscoe indicated the vacate should be done before the lot line adjustment.
  - vii) A question of the portions of Bonanza and Elm already being vacated was brought up. Councilor Leuenberger said somebody needs to dig that out of the records.
  - viii) Mr. Anderson said he would do some digging since there is conflicting information.
  - ix) Councilor Leuenberger suggested doing both the lot line and vacate concurrently.
  - x) Councilor Leuenberger said, knowing Mr. Blum, I'm not sure he will follow through with one if we do one and not the other.
  - xi) **Tabled for the Vacate and Lot Line adjustment to be done together.**
- b) Jeff Long-Shed application
  - i) Mr. Long will have the property surveyed before building.
  - ii) **MSP: To approve the shed. Councilor Briscoe/Councilor Leuenberger. All members present approved.**
- c) Wilson-Park Model
  - i) Mr. Wilson did what Councilor Leuenberger suggested he do, at the previous meeting, and detitled the park model, so now it is real property.
  - ii) Councilor Leuenberger read DMV statute for park model recreational vehicle specs.
  - iii) Councilor Leuenberger said he didn't have a problem with it as long as there is a deed restriction on it stating it has to be used for commercial purposes.
  - iv) Mr. Wilson indicated he was okay with a deed restriction.
  - v) Dawn Kitzmiller, Baker Building Department, asked how the building is powered.
  - vi) Mr. Wilson said it is plugged in, and he has the electric company coming out to put a junction box in.
  - vii) Jon Patterson, Baker County Commercial Electrical Inspector, said it has to be hooked to power permanently.

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- viii) Mrs. Kitzmiller indicated for it to be hooked to electricity permanently, the building has to be on a permanent foundation, it can't be on wheels, it has to be attached to the ground. She stated that park model RVs won't meet the dwelling code. She said it is a land use decision that the Council needs to make.
- ix) Councilor Leuenberger asked Mr. Wilson if he is going to put it on a foundation. Mr. Wilson said, I was going to but they don't want it affixed to the property, it cannot be affixed to the property.
- x) Councilor Leuenberger said, they want to tax this property, I don't see why they wouldn't do that. Mr. Wilson said, I'm just doing what you guys tell me, I feel like I'm running around in a big circle.
- xi) Mrs. Kitzmiller stated again that park models are not built to the dwelling code. It can't be inspected.
- xii) Councilor Wise said, we have to go by our ordinances.
- xiii) Councilor Leuenberger read statute 801.409 recreational vehicle conversion. After reading the statute, Councilor Leuenberger stated, this seems to be the bastard child that doesn't fit anywhere. So, if he (Mr. Wilson) puts the covenant on, and hardwires it, with a meter base and all that, puts it on a foundation, I don't know what the problem is under this statute.
- xiv) Councilor Briscoe asked if blocks are as good as a foundation?
- xv) Councilor Leuenberger said, it has to be rendered structurally immobile, and how do you do that? It has to be immobile. If it is on a foundation, there is no question.
- xvi) Mrs. Kitzmiller followed up stating, it still has to meet the building code that is called for in the statute.
- xvii) Councilor Leuenberger said, there is a rebuttable presumption.
- xviii) Mr. Wilson said he was under the impression after the last meeting, if he made it real property, the consensus of the council was that this would be a done deal. Mr. Wilson said he has worked on it for three weeks and there is another discussion.
- xix) Councilor Wise said, it still has to meet our ordinance requirements.
- xx) **MSP: To accept Ken Wilson's proposal with a recorded deed restriction, foundation, hard wired electrical and plumbed. Councilor Briscoe/Councilor Leuenberger. Councilor Demaris, no. All other members present approved.**

11) **City Contractor Application-Timberlake Construction**

- a) **MSP: To accept the application. Councilor Leuenberger/Councilor Briscoe. All members present approved.**

12) **Waste Water Lagoon Sludge Survey**

- a) A proposal from ByoGon was presented.
- b) This is something that needs to be done every three years.
- c) Councilor Leuenberger thinks the bid is expensive.
- d) Discussion about needing to provide a boat and motor ensued.
- e) The Council decided to **TABLE** for more information and another estimate.

13) **Wright House Contract with SVCV**

- a) Councilor Demaris requested quarterly financial reports for SVCV for everything they do to include the Wright House and Fire Department.
- b) Councilor Leuenberger would like proof of insurance.
- c) Councilor Leuenberger asked for copies of building permits.
- d) Mr. Young was told since it is under two hundred square feet and no plumbing or electrical was being installed, no permit was required for the structure in front of the Wright House.
- e) Mrs. Kitzmiller stated, since it is a commercial building, a permit would be required.
- f) Councilor Leuenberger presented the rest of the Council with a document. This document was not presented to the Recorder to include in the minutes of the meeting.
- g) Councilor Leuenberger's document was a copy of emails Mr. Leuenberger received from Mrs. Kitzmiller. He indicated the City was informed they needed permits and that ReNae was told that. Mrs. Kitzmiller relayed, that information was recently.

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- h) Councilor Leuenberger said the lease can't be renewed because there was no notice of renewal from the SVCV in writing.
- i) Councilor Leuenberger doesn't feel that water and sewer should be provided at no charge. He said the lease states, "Complies with all laws." The SHPO laws apply. Councilor Leuenberger said, "From what I see in correspondence that SHPO has not been complied with, especially in regard to that roof." Councilor Leuenberger asked for conformation from Jon Patterson, that Mr. Patterson put a six-foot level on the it and asked what he found. Mr. Patterson said it is four inches out of plumb in six feet.
- j) John Young stated they have known that for quite a while. When he and Kurt Clarke fixed the south wall, we knew it was out of plumb, we improved the structural ability of the building. SHPO has been informed, there was a plan submitted about three years ago, that was approved by them. When Mr. Young asked permission from SHPO to build a shelter to be able to use the building year-round, SHPO approved them.
- k) Councilor Leuenberger asked for the documents.
- l) Councilor Leuenberger said there needs to be ADA compliance, and someone in a wheelchair can't get in to it.
- m) Councilor Leuenberger asked about flea market vendors at the Wright House.
- n) Councilor Wise said, for flea market vendors to be there, event insurance would have to be purchased, listing the city as the insured.
- o) Councilor Leuenberger asked, who gets the money from the vendor fees? The answer was that SVCV would get the money to go back into the Wright House.
- p) Councilor Leuenberger asked Mr. Young for information on what has been spent on the Wright House.
- q) Councilor Leuenberger addressed the accounting information the Council received two or three months ago from the SVCV. He said it shows the funds for the Fire Department were commingled with the other volunteers' funds, which is illegal.
- r) Mr. Young indicated the different funds are different line items in the account.
- s) Councilor Leuenberger said, it's in the same account.
- t) Councilor Leuenberger read from the lease. Option to renew, provided the lease has not been in default, and it has, big time.
- u) Councilor Leuenberger stated he thinks this is a monumental waist. Councilor Leuenberger said, I don't think the Council can legally renew this lease because it has been in default, there is no question about it. He pointed out that stuff had been done without permits and that isn't the City's fault.
- v) Council went on to discuss the building and the awning and how the awning is constructed.
- w) Councilor Leuenberger suggested SVCV pay the insurance on the Wright House.
- x) Kurt Clarke asked Councilor Leuenberger what he would do with the building if the volunteers weren't working on it. Councilor Leuenberger responded; he would like to see it torn down.
- y) Councilor Wise and Mr. Young said it can't be torn down, it has to be given back to the State.
- z) Councilor Leuenberger said, then give it back to the State and they will probably give it right back to us.
- aa) Mr. Young said, give it to the State and the volunteers will work on it for the State.
- bb) Councilor Leuenberger said, that's a good idea.
- cc) **Tabled** for two weeks for Mr. Young to find the paperwork.

14) **Park Grant**

- a) Councilor Wise has information for Park Grant. Grant applications are due in May of each year. She has paperwork for the City to apply next year.

15) **Clean Air Grant**

- a) This is for a clean air shelter for extreme weather and smoke. Councilor Wise has asked Baker Heating and Air for an estimate for the project.

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OLD BUSINESS

16) Sisul Engineering-Waste Water Project

- a) Mr. Ducote will help the City get a twenty thousand dollar grant to get the engineering of the waste water project completed. Sisul Engineering will be sending a bill to get paid for the work they have already completed.

17) **City Hall Audio Video-Councilor Wise**

- a) Three months ago, she was told that City Hall is too small to come up and install a system. A suggestion of a better camera and speakers was made to her from the tech company.
- b) CIS has a risk management grant that is about three hundred three dollars that could be used for security cameras. This is a reimbursement grant and it needs turned in by June 20<sup>th</sup>.
- c) Councilor Demaris suggested Blink cameras. Councilor Wise reiterated the deadline is June 20<sup>th</sup>.
- d) Councilor Leuenberger suggested a special meeting.
- e) Councilor Wise discussed purchasing audio/video for use during council meetings. There is a camera that will pickup everyone in the room and has eight noise canceling microphones.
- f) Councilor Leuenberger said, we talked a while ago about getting someone in here that knows what they are doing, has that occurred?
- g) Councilor Wise said, a gentleman from Idaho came in and said, our best option that would do what we need, is to use something to hook to our computer and it will be more cost effective for us.
- h) Councilor Leuenberger suggested getting one of the two outfits in Baker to come out and tell us. He said, if we cobble things together there is always a problem that this doesn't work with that.

i) **Tabled**

18) **Small City Allotment-Councilor Briscoe**

- a) There will be a paving crew working on Granite Mtn. The County Road Master suggested seeing if the City can amend the grant and change it to pavement. This would possibly pave Austin from Mill to First Street. It is about four tenths of a mile.
- b) Permission is needed for a letter to be sent to ODOT requesting that change in the SCA.
- c) Councilor Briscoe would like to take advantage of the rock being crushed at the county pit and stockpile gravel for the City.

19) **Councilor Comment**

- a) Councilor Demaris
  - i) City cell phone: Per our resolution, City electronics are to be signed out before leaving the City, the mayor has not signed out the city cell phone. He is not involved in what is going on in the City. She is requesting the City disconnect the City phone. The two maintenance guys don't want to carry an extra phone. She has three months of phone bills that indicate the City phone is being used for personal use. **MSP: To unhook it and demand that he returns it immediately. Councilor Leuenberger/Councilor Briscoe. All members present approved.**
- b) Councilor Briscoe
  - i) High Desert has asked to use water from the hydrant for the work they are doing on Granite Mtn. highway. Councilor Briscoe suggests letting them use water to work on a relationship with them.
  - ii) The water that they will use is not chlorinated water.
  - iii) Councilor Leuenberger said, if we can get a good deal on the pavement or gravel, give them the water. If we can't get a good deal, charge them for the water, as long as we have water for the citizens of Sumpter that pay for water.
- c) Councilor Wise discussed a letter received thanking the Pattersons for all their hard work during the Memorial Day weekend. There was a great breakfast, dinner and poker run.

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- d) Councilor Wise asked Councilor Leuenberger if he was working on the rough draft agreement with Baker County for planning and zoning. Councilor Leuenberger said, yes.
- e) Councilor Wise suggested getting a group of community members and two councilors to work on the City's planning ordinances. She would like to see this group come up with suggestions to present to the council to update the ordinances. Her suggestion was possibly Councilors Leuenberger and Demaris along with Mrs. Patterson.

20) **Public Comment**


- a) Al Jones is in favor of paving Austin Street, but everyone already drives too fast, he suggested speed dips to slow traffic down.
- b) Dawn Kitzmiller said, she is always happy to provide assistance from the building department aspect.
- c) Dawn Kitzmiller, regarding the Wright House, even if there aren't any permits, Baker County will work with them to bring it up to speed. People do it all the time and the county works with them to get them caught up. Since the Wright House is a commercial building, most everything needs to be permitted.
- d) Dawn Kitzmiller, regarding the park model RV, most park model RVs don't meet egress, so people can't sleep in them legally, so they can't be rented out. So, even if he gets approval from the Council, he may not be able to be permitted from the County. She reiterated to the Council that the park model RV may not meet building code. She doubted it could be modified to meet code.
- e) Jon Patterson, stated that ordinances are for everybody, not who, or what they belong to, or what they want to do, anything. You are blind people reading this piece of paper, where now you can't see what's on the other side of it, that's what you need to do. Last weekend, the whole town was an RV park. He stated, Nash's have an RV on their property in the CR zone. Mr. Patterson said, they can't build a house in Sumpter in the CR zone after 1987. He said, the Council needs to get the R out of the CR zone. He stated the ordinances need enforced for everybody or throw them in the garbage. He suggested going back and requiring a conditional use permit be issued to everyone in town that are staying in RVs on their property. He said there are a lot of people buying lots in town to put an RV on them.

21) **Adjournment-6:13PM**

- a) **MSP: To adjourn. Councilor Leuenberger/Councilor Demaris. All members present voted to adjourn.**

Approved by the City Council this 28th day of June 2022.

Approved: 

Attested:   
ReNae Cameron, City Recorder

CITY OF SUMPTER  
COUNCIL MEETING  
JUNE 28, 2022, 4:00pm

- 1) **CALL TO ORDER – 4:02pm**
  - a) **PLEDGE OF ALLEGIANCE**
  - b) **MEMBERS IN ATTENDANCE** –Councilor Wise, Councilor Demaris, Councilor Leuenberger, and Councilor Briscoe. Mayor Lucas, absent.
  - c) **VISITORS-** Carol Krieske, Kimberly Ballard, Rebecca Patterson, Jon Patterson, Vern Hollopeter and Cynthia Remington.
- 2) **Approve Minutes**
  - a) **MSP: To approve June 14, 2022, council meeting minutes. Councilor Demaris/Councilor Leuenberger. All members present approved.**
  - b) Councilor Leuenberger brought up that the Recorder asked the Council if more information needs to be added to Mr. Wilson's portion of the June 22, 2022 Special Session draft minutes. He didn't think it would do any good to have anything about the shouting match in it. Councilor Leuenberger stated, to my recollection, he (Mr. Wilson), came here with the purpose of withdrawing his application and didn't withdraw it after the Council gave him a hard time. Councilor Demaris said, I assumed that because he already had the signs made up, that was an assumption. Councilor Leuenberger said, I think he actually said that. So, Councilor Leuenberger wanted that added, and said, we didn't do anything to browbeat him (Mr. Wilson) into doing that, I don't believe. Councilor Leuenberger wants it to read, Mr. Wilson came here with his stated purpose of withdrawing his application and he did. Councilor Wise said, we didn't really know what he was going to do until he told us. Councilor Leuenberger wants the minutes to read. "Mr. Wilson stated, he came to the meeting with the stated intention of withdrawing his application and he did so."
  - c) **MSP: To approve June 22, 2022, Special Session meeting minutes with the changes as stated. Councilor Leuenberger/Councilor Demaris. All members present approved.**
- 3) **Public Works-Tim Jacobson**
  - a) Irrigating from the sewer lagoon has been started and the pond level has dropped two feet.
  - b) The screens at the water intake are being cleaned every other day.
  - c) Levi was here and looked everything over and it all looks good.
  - d) There have been 2 new hookups.
  - e) The water leak on Sawmill Gulch has been fixed. A new line will have to be put in to replace the stubbed off line, so it will be hooked in directly to the mainline.
  - f) Councilor Demaris asked if the roadsides can be mowed. Mr. Jacobson indicated that can be done.

**NEW BUSINESS**

- 4) **Banner Bank Credit Card Account**
  - a) Kathy Vinson and Julie McKinney are still authorized on the credit card account.
  - b) **MSP: To remove them from the credit card account. Councilor Leuenberger/Councilor Demaris. All members present approved.**
  - c) **MSP: To add Linda Wise, Charlie Briscoe, Marsha Demaris and Rob Gaslin to the account. Councilor Leuenberger/Councilor Briscoe. All members present approved.**

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5) **Measure 109**

- a) The State of Oregon has approved the use of psychedelic mushrooms. If cities don't want to allow it, the city must opt out. The city can put a two-year moratorium or prohibit the use forever on the ballot.
- b) **MSP: To prohibit permanently the sale of psychedelic mushrooms in Sumpter. Councilor Leuenberger/Councilor Demaris. All members present approved.**

6) **Baker Building Department-Dawn Kitzmiller**

- a) Mrs. Kitzmiller took the opportunity to assure the citizens of Sumpter that the Baker County Building department doesn't want to be in anyone's business any more than the citizens want them in it.
- b) Mrs. Kitzmiller clarified that the building department advised the council with the caveat that Mr. Wilson never submitted anything to the building department for review. Information was provided to the council by comparing like structures, the building department was never invited to Mr. Wilson's property.
- c) Mrs. Kitzmiller wanted to thank everyone in Sumpter for making it easier to come up and complete inspections in Sumpter. She gave a brief history of when and why building codes have been put in place.
- d) Mrs. Kitzmiller wanted everyone to be aware that all the regulatory departments are not tied together. So, if one organization approves, that doesn't mean the project has been approved by all the departments.
- e) Councilor Wise asked what Baker County's stance was on prefab buildings? Mrs. Kitzmiller stated, it is the same as the rest of the state. There are two sides that have to be looked at, the Land Use (which is Planning), and the Structure (which is Building). Land Use must always be approved by the City, no matter the size of the structure, or if you are adding a structure to a lot in city limits, a land use approval is required from the city. However, not all buildings need a building permit. If a structure is two hundred square feet or less and not taller than fifteen feet at the peak and used for light storage, a county permit is not required. Buildings over two hundred square feet do require a county building permit.
- f) Prefabricated buildings over two hundred square feet do require a building permit. The building department will inspect the plans or installation instructions, to ensure structural integrity to include snow load and hold downs.
- g) Councilor Leuenberger asked, if a building is under two hundred square feet and electrical or plumbing is going into it, does it need a permit. The answer was, yes.
- h) Councilor Leuenberger asked if there is a difference between commercial and residential requirements. Mrs. Kitzmiller responded, yes.
- i) The building department is here to help everyone in compliance with code.
- j) Councilor Leuenberger asked for clarification about the Wright House. Mrs. Kitzmiller said the only thing the building department can do is red tag it to stop construction. The building department has not been in it to inspect it structurally, in order to post a do not enter, no trespassing sign on it. It was up to the City to post a do not enter sign on it.
- k) Councilor Leuenberger asked if any permits have been pulled on the Hub, at the Grounds. Mrs. Kitzmiller couldn't recall off the top of her head.

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- l) Councilor Briscoe asked for clarification about a shed. If it is a commercial building that will have electrical or plumbing added, does it need a permit. Mrs. Kitzmiller said, if it is commercial, it needs permits for electrical and plumbing.

7) **Lot Line Adjustment**

- a) Jon Patterson requested two lot line adjustments.
- b) **MSP: To pass Jon Patterson's two applications for lot line adjustment. Councilor Briscoe/Councilor Demaris. Councilor Leuenberger, abstain. All others present approved.**

**OLD BUSINESS**

8) **Employee Handbook**

- a) The handbook is mostly done with the exception of a pay scale.
- b) Councilor Wise asked Councilor Demaris to work on the step increases and COLA and present something at the next meeting.

9) **Tree Trimming**

- a) Willows and a dead pine tree by volunteer park need trimmed and removed.
- b) Councilor Leuenberger asked about the range of the price to do the work and asked what all needs done.
- c) Councilor Briscoe indicated that if the tree trimmer has to haul the chips to Baker City then it will cost more.
- d) The tree trimmer has been dumping chips in the low part of the Grounds.
- e) Councilor Leuenberger wants an RFP.
- f) **TABLED** for more information.

**COUNCILOR COMMENT**

- 10) Councilor Wise relayed a message from Chief Clarke. If there is an emergency or fire in town, please call 911. This will make sure every volunteer gets the call and not just one person.
- 11) Chief Clarke also wanted guidance regarding if there is a structure fire. What takes priority, an RV that is burning or the property and structures around it?
- 12) The Council discussed the topic. The Council determined, whatever it takes to contain the fire.
- 13) Councilor Wise notified the rest of the Council that a prefab shed has been moved onto a piece of property in city limits and that the Council needs to start addressing the subject. No permits were submitted for the structure.
- 14) Councilor Leuenberger stated that is a nuisance, a violation of law by state law is a nuisance.
- 15) Discussion about the Wright House and Beau's property took place.
- 16) **MSP: To have the Wright House posted, stay off and do not enter, by the authority of the city council. Councilor Leuenberger/Councilor Briscoe. All members present approved.**
- 17) **MSP: To send a certified letter to notify Beau not to enter or use or do anything to it without obtaining proper permits and inspections or it will be declared a nuisance. Councilor Leuenberger/Councilor Demaris. All members present approved.**
- 18) Councilor Leuenberger had a question. All these other streets that got dust oil, who made those decisions? Councilor Wise responded; we had decided that if we had enough money to do the other streets, we would. Years ago, the pot money would be used to dust abate because of all the ATV traffic.



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- 19) Councilor Demaris stated the City needs to move on, the mayor has been gone too long. According to the charter he can be removed now and she made a motion to remove the mayor. Councilor Leuenberger said, the election is coming shortly, he is basically a nonentity as far as this council is concerned, why not wait and let people run for it, because otherwise we will be called upon to fill that, and that might give an unfair advantage to someone to run as an incumbent. Councilor Demaris withdrew her motion.

**PUBLIC COMMENT**


- 20) Jon Patterson- Asked what the difference between the yellow and red hydrant is. He asked the council to consider giving the construction crew chlorinated water. Councilor Briscoe stated the construction company asked to and is allowed to use unpotable water for the job. The construction company knows it is non potable water and not for camper water. Councilor Leuenberger suggested sending a letter saying do not allow your employees to use this for potable water purposes, please acknowledge that you will warn them, sign it and send it back.

21) **Adjournment-5:06PM**

- a) **MSP: To adjourn. Councilor Leuenberger/Councilor Briscoe. All members present voted to adjourn.**

Approved by the City Council this 12th day of July 2022.

Approved:  \_\_\_\_\_

Attested:   
ReNae Cameron, City Recorder