

**CITY OF SUMPTER
COUNCIL MEETING
JULY 13, 2021 4:00pm**

- 1) CALL TO ORDER by President of Council Wise– 4:00pm
 - a) PLEDGE OF ALLEGIANCE
 - b) MEMBERS IN ATTENDANCE –President of Council Wise, Councilor Briscoe, Councilor Demaris and Councilor Leuenberger. Mayor Lucas on leave of absence.
 - c) VISITORS- Skip Duffin, Vern Hollopeter, Jon Patterson, Rebecca Patterson, Carol Krieske, Mike Ballard, Kimberly Ballard, Kurt Clarke, Dale Erickson, Andy Gehrke (HECO Engineers), and Keith Christensen.
- 2) Public Hearing 4:01pm-4:13pm
 - a) The Public Hearing notice was read aloud.
 - b) Councilor Briscoe asked if meters could be added in place of the main line replacement. Andy (HECO) said there is room in the estimate. Nick Ducote (Grant Writer) said there is a good possibility that USDA will require the meters to be installed.
 - c) Nick gave a brief description of the upcoming grants. He also said there is special money from the Cares Act Stimulus Package (CV-2) that is being released. In the past this has all been Corona virus related, but there is one clause in it about potable drinking water. This money could get to the city faster.
 - d) Nick said this public hearing will cover all the bases for all the upcoming grant applications. This is the first step in the application process.
 - e) Councilor Leuenberger asked if there was money to apply for, to cover the cost of a well. Nick said, sure, block grants can be applied for every five years. The five years starts again once the previous grant has been completed. There are other grants that can be applied for.
 - f) Mr. Patterson asked if the city could apply for the second round of stimulus money. Nick's suggestion is for the city to apply for as many as it can.
 - g) Public Hearing was closed.
 - h) MSP: To apply for the CV-2 funds ASAP and then apply for the Block Grant in the Fall. Councilor Leuenberger/Councilor Demaris. All present approved unanimously.
 - i) Councilor Leuenberger asked why the city hadn't applied for the first round of stimulus money. Nick said he wasn't involved with the city at that time. Councilor Wise said she asked during the mayor's call and no one had received an application or any information. Nick said it starts with the form and Linda agreed, it is hard to find the form.
 - j) Councilor Leuenberger asked if there was a method, a person or entity that we can get on a mailing list to receive grant information. Nick said there is really no one place that does that. He suggested to get to know someone at the state level and invite them to town and give them a tour. It may work and it may not work, you never know until you ask. Councilor Leuenberger asked again if there is a clearing house and Nick said not really.
 - k) Councilor Wise thanked Andy and Nick for coming to the meeting.
- 3) Approve Minutes
 - a) MSP: To approve the City Council meeting minutes for June 22, 2021. Councilor Demaris/Councilor Briscoe. All members present passed unanimously.
 - b) MSP: To accept the Special Session June, 25, 2021 minutes. Councilor Demaris/Councilor Briscoe. All members present passed unanimously.

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- c) MSP: To accept the Special Session June 28, 2021 minutes. Councilor Demaris/Councilor Briscoe. All members present passed unanimously.
- 4) Fire Department- Kurt Clarke
 - a) Kurt thanked all the Volunteer Firemen.
 - b) There was one fire call on the 2nd of July.
 - c) ISO was here July 8th; this is a meeting to lower our insurance. As long as the fire department and water departments are doing well. Sounds like it went well.
 - d) The parking brake on the brush truck needs fixed. Les Schwab said they could fix it for twenty-eight dollars unless they have to tear into it and then it would be one hundred twenty-five dollars.
 - e) No fires or fireworks allowed in town.
 - f) A wish list of hose line was given to the Council. Five, twenty-five footers.
 - g) Sheriff's department gave us two, three-thousand-gallon, bladder bags, potable water safe. They can be used for water storage.
 - h) Councilor Wise asked if any of the guys will be leaving to fight fires elsewhere. Kurt said he needs to ask to find out the answer and see if anyone is able to go.
 - i) Councilor Demaris asked when everyone in town will know if the insurance is lowered. Kurt said he will let the office know as soon as he finds out.
 - j) Councilor Wise asked about the wish list hoses. Kurt said it will just save the guys from having to roll up one-hundred-foot hoses.
 - k) MSP: To have the brake fixed by Les Schwab. Councilor Briscoe/Councilor Leuenberger. All members present approved unanimously.
- 5) Planning- Jon Patterson
 - a) There were three applications.
 - b) Czernik wanted to split a lot into three different tax lots. The dad owns one lot that can be split into three for each of the kids. Mr. Patterson let them know if they want water and sewer on the lots, it will be three different hookups. Planning's recommendation is to allow the split.
 - c) Uptmor house, recommend approval.
 - d) Fitzsimmons, address, 100 Eureka was the recommended address.
 - e) Councilor Leuenberger asked if the Czernik lots are buildable. The answer was yes, they are fifty by one hundred lots.
 - f) MSP: To pass the two zoning applications and address for planning. Councilor Demaris/Councilor Leuenberger. All members present passed unanimously.
- 6) Pay Bills
 - a) Rob Gaslin said this is the time of year that the City starts to draw down on its cash. The next big infusion of funds will come in, when property taxes start coming in.
 - b) Money will need to be transferred from the LGIP account.
 - c) Councilor Leuenberger asked about the bag of ice that was charged at the Stage Stop. Councilor Demaris said the City is required to provide this to the guys during extreme heat.
 - d) MSP: To pay bills. Councilor Briscoe/Councilor Damaris. All members present passed unanimously.

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7) 2021-2022 Budget

- a) MSP: To approve 2021-2022 budget for the City of Sumpter. Councilor Demaris/Councilor Briscoe. All members present passed unanimously.
- b) Resolution 393-21. A resolution to elect to receive State Revenue Sharing.
- c) Resolution 394-21. A resolution to impose and categorize taxes for fiscal year 2021-2022 budget.
- d) Resolution 395-21. A resolution to adopt the 2021-2022 budget.
- e) MSP: To accept Resolution 395-21, Resolution 393-21, and Resolution 394-21. Councilor Demaris/Councilor Leuenberger. All members present passed unanimously.

8) Fee Resolution Update

- a) Councilor Wise said, due to rising prices in supplies and materials a workshop needs set to go over the fees, and this needs to be done soon.
- b) Discussion of putting a hold on applications took place.
- c) Councilor Leuenberger suggested doing it right now.
- d) The Council went through the Fee Resolution, line by line to update the fees charged by the City.
- e) MSP: To adopt Resolution 396-21 with an emergency clause. Councilor Leuenberger/Councilor Demaris. All members present passed unanimously.

9) Water/Sewer Ordinance Workshop

- a) No workshop was scheduled. Verbiage needs to be changed and tabled until the next meeting.

10) Conditional Use in Residential and Residential Limited Zone

- a) Councilor Demaris spoke in regards to trailers being lived in full time in different zones in town.
 - i) RV's are a conditional use in the R, RL and IR zones. A permit needs to be paid for and issued every year. No one can live in their RV year-round in the R, RL or CR zone, but is permitted in the IR zone.
 - ii) There needs to be conditional use permits paid for and issued.
 - iii) Tabled for more time and information, a workshop needs set so Planning and Council can get together and go over the Zoning Ordinance.

11) Nuisance Ordinances Update

- a) Council was provided with an electronic and hard copy of Baker County's Nuisance Ordinance. Tabled until the next meeting.

12) Labor Day Flea Market

- a) Discussion about the July 4th Flea Market took place. There are some merchants in town that said they would contribute to porta potties but have not yet.
- b) Councilor Leuenberger asked if dust abatement was going to be put down on all the streets this time, like you are supposed to under the lawsuit. Councilor Demaris said the City can't put water over oil. Councilor Leuenberger said then I guess you put oil on it. You are going to do it because the court said you are going to do it.
- c) Discussion about the interpretation of the lawsuit took place. Councilor Briscoe said the lawsuit is for dust and if there is no dust, we shouldn't have to put oil back down. We new we had dust on the main road and that is why we put it back down on the main road and around the fairgrounds.
- d) Councilor Leuenberger said we are dealing with a decree by a court of competent jurisdiction has demanded that the City of Sumpter do. So, either you are going to or you are going to be in contempt, and right now I am seriously considering whether I sue you, individually to make you do

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that because of the way you just shirked that responsibility. This isn't stuff to be playing with, it is a court that said that.

- e) A statement was made, that abatement can also be water. Councilor Leuenberger agreed but said it doesn't make sense to put water on oil.
- f) Discussion about the oiling and who does it took place. Mr. Hollopetter said W4 did his area and Councilor Leuenberger said he used that on his alley as well and it is holding up wonderfully.
- g) Tabled for prices to be checked and the next meeting.

13) Water Restrictions

- a) Even and Odd day watering 6am-9am and 6pm-9pm only.
- b) Councilor Leuenberger suggested there be a penalty. He said how about one hundred dollars that the City can site.
- c) The City will have to adopt a fee for not following water restrictions.

14) Weeds

- a) Discussion about how to take care of the tall grass around town took place.
- b) Councilor Wise said letters need to be sent out to all property owners.
- c) Geoff will be mowing the City property.

15) Councilor Demaris asked Councilor Leuenberger if he had gotten ahold of Cliff Bentz about a city backhoe and grader. Councilor Leuenberger said he did, but he had nothing to report.

16) Old Business

- a) Contract for Rob Gaslin
 - i) **MSP: We adopt it. Councilor Leuenberger/Councilor Demaris. All members present approved unanimously.**
- b) Councilor Leuenberger asked where we are on the Woody lawsuit. Councilor Wise said we are still working on it.

17) Public Comment

- a) Michael Ballard read a statement for the record.
 - i) My name is Michael Ballard and I am a citizen of Sumpter. This statement is for the record. At the last City Council meeting Mr. Leuenberger referred to the citizens of Sumpter as the peanut gallery and at one time told us to shut up. This is behavior unbecoming of any public official. I would like to remind Mr. Leuenberger that he represents all the citizens of Sumpter and not anyone individual. Thank you.
- b) Skip Duffin
 - i) Dust control was absolute junk. The city should use the other guy.

18) Adjournment

- a) **MSP: To adjourn the meeting. Councilor Briscoe/Councilor Demaris. All members present voted to adjourn. 5:50PM**

Approved by the City Council this 27nd day of July 2021.

Approved: 

Attested: 

ReNae Cameron, City Recorder

**CITY OF SUMPTER
COUNCIL MEETING
JULY 27, 2021, 4:00pm**

CALL TO ORDER-4:02PM

PLEDGE OF ALLEGIANCE

1. MEMBERS IN ATTENDANCE-Councilor Wise, Councilor Briscoe, Councilor Demaris and Councilor Leuenberger. The mayor is on a leave of absence.
2. VISITORS-Skip Duffin, Toni Thompson, Michael Ballard, Kimberly Ballard, Carol Krieske, Lyall Olson, Jeffrey Pettingill, John Young, Vern Hollopeter, Jon Patterson, and Rebecca Patterson.
3. MINUTES
 - a. MSP: To approve Budget Meeting minutes for June 22, 2021. Councilor Demaris/Councilor Briscoe. Councilor Leuenberger wasn't present for the vote, all other members passed unanimously.
 - b. MSP: To accept the Council Meeting Minutes for July 13, 2021. Councilor Demaris/Councilor Briscoe. All members passed unanimously.
4. OTEC Bill
 - a. MSP: To pay the OTEC bill. Councilor Demaris/Councilor Briscoe. All members passed unanimously.
5. Baker County Weed Supervisor-Jeffery Pettingill
 - a. Mr. Pettingill talked to the Council regarding weeds in town. He said there is a small weed problem in town. He also said the best way to get rid of them is to wait for the first killing frost. He asked for a motion or MOU for the Council to allow Baker County Weed to come in and take care of the weeds in town. MSP: To allow Baker County Weed to come into Sumpter for weed control. Councilor Leuenberger/Councilor Demaris. All members passed unanimously.
 - b. Mr. Pettingill went over what the County can do for Sumpter for approximately eight hundred dollars for the year. It would be able to spray all the streets in town. Then adjust as the years go on depending on weed situation.
6. PUBLIC WORKS-Geoff Wells
 - a. The water is at one hundred eighty gallons per minute and holding our own. McCully creek has dropped four inches over the weekend. The City is close to having to go to level three water restrictions, meaning no watering.
 - b. The second filter bed has been cleaned, there is one more that needs done.
 - c. Sand filters are in the process of being cleaned.
 - d. Mrs. Patterson asked the guys if they were okay with the City selling water to the minors. The water for the minors will not be coming out of our water source. It will be coming out of our water rights on Cracker Creek. Questions arose regarding the City being able to sell water from Cracker Creek.
7. PLANNING-John Young
 - a. Williams lot line adjustment. Planning recommended for approval.
 - b. The Planning Ordinance is complete and ready for a workshop and review. When the Council is ready to meet to talk about it, Planning is ready to work on it.
 - c. MSP: To approve the lot line adjustment. Councilor Leuenberger/Councilor Demaris. All members present approved unanimously.
8. OLD BUSINESS
 - a. Woodley Lawsuit
 - i. During the Executive Session Council discussed a verbiage change. MSP: To change the working from Myron Woodley to Myron Woodley Trustee of his revocable trust as plaintiff. Councilor Leuenberger/Councilor Briscoe. All members approved unanimously.
 - ii. Councilor Leuenberger asked if the Council was going to adopt the settlement. Councilor Wise said she thought the changes could be make before voting on settlement. Councilor Leuenberger said the lawyer should be able to make the changes.
 - iii. MSP: To Accept the settlement with the plaintiff changes. Councilor Demaris Councilor Briscoe. Martin No vote, all others voted aye.
 - b. Water and Sewer Ordinance
 - i. Councilor Wise asked if a workshop needed scheduled. To go over changes that need to be made to the ordinances. Workshop was scheduled for August 6, 2021 at 4:00pm.

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- c. Labor Day Flea Market
 - i. Councilor Wise opened the subject to the Council to discuss.
 - ii. Councilor Leuenberger said he was talking to Rob Gaslin, and Rob has not done or been asked to do a cost analysis on the Flea Markets. Councilor Leuenberger think Rob should tell the City what it really costs and that is the proper fiduciary thing to do and said let's ask him.
 - iii. Councilor Wise stated we need to make a decision on flea market soon. She said the last discussion was about dust abatement.
 - iv. Councilor Leuenberger suggested that the Volunteers take over the flea market and pay us a percentage. Councilor Wise was concerned the Volunteers don't have enough people to do that. John Young was asked and he said he would have to think about it.
 - v. **TABLED** for the next meeting.
 - d. Nuisance Ordinance
 - i. Councilor Wise presented the Baker County Nuisance Ordinance. Councilor Leuenberger asked for ReNae to contact LOC for a draft.
 - ii. **TABLED**
9. OLD BUSINESS
- a. Zoning Ordinance
 - i. Councilors Wise and Demaris spent some time looking over the Zoning Ordinance. Councilor Demaris said the Ordinance can be argued in both ways regarding RV's. Councilor Demaris think the Zoning Ordinance needs fine-tuned. Council Wise thinks this ordinance needs brought up to date regarding RV's.
 - ii. Councilor Leuenberger suggested that someone make a draft and present it to the Council to look it over. Councilors Wise and Demaris said they would come up with a rough draft and then get together with Planning to go over it.
 - b. LOC Resolution
 - i. A Resolution to receive fifteen hours of legal service from LOC. **MSP: To pass Resolution 392-21 authorizing fifteen free hours of legal service from LOC. Councilor Demaris/Councilor Leuenberger. All members present passed unanimously.**
 - c. Employee Training Request
 - i. The City needs a Certified Cross Connection person in town. Tim Jacobson is willing to become certified and is asking approval to take the certification course. **MSP: To approve Tim to take the Cross Connection course and the City will pay for it. Councilor Briscoe/Councilor Demaris. All members present passed unanimously.**
 - d. Mining Core Drilling Water Use
 - i. This water will come out of Cracker Creek not McCully Creek.
 - ii. The mining company would like to purchase two to four thousand gallons per day.
 - iii. Councilor Demaris asked if there was going to be a contract. The answer was, yes.
 - iv. Councilor Leuenberger pointed out that there is a lot of unknow information.
 - v. Councilor Briscoe said he would contact them and get more information.
 - vi. **TABLED until the next meeting.**
 - e. Mayor Lucas
 - i. Councilor Wise read a text from Mayor Lucas. He is asking for more time. MSP: To not extend. Councilor Leuenberger/Councilor Briscoe. All members present passed unanimously.
 - f. Councilor Wise
 - i. Councilor Wise reported that she had talked to Representative Mark Owens and asked why and how we missed the first round of money. She asked him how to start getting on the radar for funds. His reply was to contact his office. Councilor Wise said she would be calling his office.
 - ii. Councilor Wise also reached out to Commissioner Bennett.
 - iii. Rescue Plan Money-The Act, can be used for infrastructure.

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- iv. Councilor Leuenberger ask the Council if they had given any thought to leasing a grader and backhoe from Powder River Rural Fire Department. The Council said they would look into it.
- v. Councilor Leuenberger asked if our fire department was part of the city. John Young said yes, it is. Councilor Leuenberger said he didn't see it in the budget. Councilor Demaris said, yes, it is in the budget and Councilor Wise agreed. Councilor Demaris let John Young know that Rob Gaslin wanted to see the financials for the fire department that is run through the Sumpter Valley Community Volunteers.

10. PUBLIC COMMENT

- a. John Young- There will be a community breakfast Sunday 7:30-10:30. He asked if the Volunteers could use some tables for outside seating if necessary. The answer was, yes.
- b. Jon Patterson- Asked about the Woodley Lawsuit. What Changed. The answer was the name of the plaintiff.
- c. Lou Krall- Asked the Council for forgiveness on the rate hike on the water and sewer hookups. He was told the old rate by Scott Craig and ReNae. He said the price increase was unexpected. He said there was only four days between when he purchased the property to the price increase of water and sewer. Councilor Demaris said if the City did it at the old price, the City would be funding the project. The price of supplies has increased and that is why the City had to pass it as an emergency. Councilor Brisco said if the City had meters in stock, then we could sell it to you at the lower price but we are having to purchase new meters and the cost a lot more.
- d. Jon Patterson- Asked why the City isn't using meters. Councilor Wise said the are going to be upgraded during the new water project.
- e. Jon Patterson- Asked about the Mayors return, if there was a timeline for him to respond. Councilor Wise said, yes, there is a timeline. Councilor Leuenberger asked if we have all the documents from him. Councilor Wise said, he said we do.

11. ADJOURNMENT

- a. **MSP: To adjourn. Councilor Demaris/Councilor Briscoe. All members present passed unanimously. 5:31PM**

Approved by the City Council this 10th day of August 2021

Approved: 

Attested: 

ReNae Cameron, City Recorder

**CITY OF SUMPTER
SPECIAL SESSION
AUGUST 2, 2021**

- 1) Call to Order at 5:20PM
 - a) Members present: Councilor Wise, Councilor Briscoe, Councilor Demaris and Councilor Leuenberger. The mayor was absent.
 - b) Visitor- Jon Patterson, Rebecca Patterson, Theresa Leuenberger, Vern Hollopeter, Toni Thompson and Skip Duffin.
- 2) Woodley Lawsuit
 - a) Councilor Wise asked the Council if they want to wait to make a decision until the city attorney can be contacted for more information regarding the lawsuit. Councilor Wise asked Councilor Leuenberger if he would call and talk to Ms. Sully. He said he would.
 - b) **Tabled for more information.**
- 3) The Grounds Ordinance
 - a) Councilor Wise said she would like to work with the rest of the Council to come up with an ordinance for the Grounds. She pointed out that Councilor Leuenberger had said at an earlier date that if the Council didn't like the Grounds agreement that the Council could change it. Councilor Wise would like to work something out that works for citizens and the city.
 - b) Councilor Wise would like the grounds used for more events, so the City can make some money on the Grounds.
 - c) Discussion about dust abatement ensued.
 - d) Councilor Wise's suggestion was to ask Ms. Sully to draft an ordinance for the Grounds.
 - e) Councilor Leuenberger said, first decide what we would like to have, and then someone can draft toward that.
 - f) More discussion about dust abatement took place.
 - g) Discussion about weddings and quiet time ensued.
 - h) A workshop was set for August 6, 2021 at 3:00pm.
- 4) Adjournment-5:48PM
- 5) **MSP: To adjourn the meeting. Councilor Briscoe/Councilor Demaris. All present passed unanimously.**

Approved by the City Council this 10th day of August, 2021

Approved: 

Attested: 

ReNae Cameron, City Recorder

**CITY OF SUMPTER
SPECIAL SESSION
AUGUST 6, 2021**

- 1) Call to Order at 4:05PM
 - a) Members present: Councilor Wise, Councilor Briscoe, Councilor Demaris and Councilor Leuenberger. The mayor was absent.
 - b) Visitor- Jon Patterson, Rebecca Patterson, Theresa Leuenberger, Vern Hollopeter, John Young and Skip Duffin.
- 2) Water and Sewer Ordinances
 - a) **Tabled for Councilor Leuenberger's redline copy.**
- 3) Woodley Lawsuit
 - a) Councilor Wise asked Councilor Leuenberger to give a report regarding his conversation with the City Lawyer. He reported that she was not the attorney of record and hasn't been asked to render an opinion. He said she did say that she was against abandonment, generally.
 - b) Councilor Leuenberger said that Woodley states in his petition that, plaintiff recorded with the county recorder a warranty deed being half of Cracker Street and Auburn Street, Myron Woodley Trustee of the Myron Woodley Irrevocable Trust.
 - c) Councilor Leuenberger said that later on in the prayer, the plaintiff recorded with the county recorder a quit claim, deeding the intersections of Center Street and Auburn Street to the Miners Exchange MC Woodley DBA. In Myron's amended petition, petitioner ask a request of relief because of his legal rights and status to the intersection of Center Street and Auburn Street are affected. Councilor Leuenberger said, he says that in the name of Myron Woodley, but then he filed a quit claim deed to the Miners Exchange and then says Myron Woodley Trustee. Being in the trustee's name gives it its status individually.
 - d) Councilor Leuenberger read from the Section 38 of the City Charter.
 - e) Councilor Leuenberger asked the Council if, we settle with Woodley and save a bunch of money or do we insist he bring it in proper party and try to get abandonment changed to a vacation, because he (Mr. Woodley) says the road is a state of legal existence to nonexistence.
 - f) Councilor Leuenberger asked the Council, if it doesn't exist, who owns it.
 - g) Councilor Leuenberger asked, if we are just going to settle this or are we going to do it right.
 - h) Councilor Wise says we don't have the money to go forward.
 - i) Councilor Leuenberger provided Stump with reported cases and didn't hear anything back.
 - j) Councilor Briscoe said Myron wouldn't go for the change.
 - k) Councilor Demaris said, we have spent over one hundred thousand dollars of money that has been taken from the citizens of Sumpter for legal fees.
 - l) Discussion about setting precedence took place.
 - m) Councilor Wise said, we need to decide something, because this has been kicked around.
 - n) Councilor Demaris said, I am tired of spending money on Myron Woodley. She said, if Councilor Leuenberger hadn't come into the picture, we have had a lawyer that we have spent a tremendous amount of money on and has guided us in this. She said there are valid points, I tend to look at the citizens of town over the one hundred thousand dollars that we have spent on ten thousand square feet of road, that money would have benefitted ninety five percent of the citizens of the city and we could have equipment. The citizens are worried about sewer, water and the roads. If we go to court again, we could be bankrupt.

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- o) Councilor Leuenberger made a motion to not settle under these terms. Councilor Briscoe, second. Vote was 2:2 Yeas, Councilors Leuenberger and Briscoe. No, Councilors Wise and Demaris. The motion does not carry.
 - p) Councilor Demaris was asked if she should declare a conflict. Councilor Demaris said she has checked into it and she does not own property in the area of this lawsuit and she does not have to declare a conflict.
 - q) MSP: To send papers to change abandonment to vacate and to do the plaintiff's name. Councilor Briscoe/Councilor Leuenberger. All members voted unanimously.
 - r) Councilor Leuenberger said, we know we have spent money, we know how Stump got here. We know he has not done a good job and he has not been responsive. But that is no reason to roll over and play dead. Myron is going to sue us anyway, even if we settle this. Maybe we can get an attorney that will work for the city.
- 4) **MSP: To adjourn the meeting. Councilor Demaris/Councilor Leuenberger. All present passed unanimously.**
- 5) Adjournment-4:26PM

Approved by the City Council this 10th day of August, 2021

Approved: 

Attested: 

ReNae Cameron, City Recorder

**CITY OF SUMPTER
COUNCIL MEETING
AUGUST 10, 2021, 4:00pm**

- 1) CALL TO ORDER – 4:00pm
 - a) PLEDGE OF ALLEGIANCE
 - b) MEMBERS IN ATTENDANCE –Councilor Wise, Councilor Briscoe, Councilor Demaris and Councilor Leuenberger. The mayor was absent.
 - c) VISITORS- Skip Duffin, John Young, Kimberly Ballard, Michael Ballard, Carol Krieske, Ward Bauer, Jon Patterson, Rebecca Patterson, Vern Hollopeter, Steve McKern, Doris Luker, Al Jones, and Kurt Clarke.
- 2) Councilor Wise said there is a lot to go over so, we are going to try to limit public input to the public comment portion of the meeting. Please come up to the podium to have your say.
- 3) Approve Minutes
 - a) MSP: To approve the July 27, 2021, City Council minutes. Councilor Demaris/Councilor Leuenberger. All members present passed unanimously.
 - b) MSP: To approve the Special Session minutes for August 2, 2021. Councilor Demaris/Councilor Leuenberger. All members present passed unanimously.
 - c) Councilor Leuenberger wanted changes made to August 6, 2021, minutes.
 - i) 3C. Trustee gives him his status, yet it is in his name. He wanted it to read, being in the trustees' name gives him his status, yet it is in his name individually.
 - ii) E. Change the word Woodley for he in the sentence, state of legal existence to nonexistence.
 - iii) I. Instead of recorded cases it should be reported cases.
 - iv) He asked Councilor Demaris for clarification on a statement she made. She clarified that for him.
 - v) R. Is just an observation.
 - d) MSP: To approve the Special Session minutes for August 6, 2021, with approved corrections. All members present passed unanimously.
- 4) Fire Department- Kurt Clarke
 - a) Still in fire season so everyone needs to be careful.
 - b) Responded to two fire calls, both were mutual aid. One with Powder River and the other with Oregon Department of Forestry.
 - c) There was a medical call.
 - d) Training is going well.
 - e) There is a fund raiser Friday the 13th at 6:30. It is for a Baker County fireman, one of his family members is having medical issues. Chief Clarke challenged the City Council and citizens of Sumpter to match what the Fire Department donates as a fire department. There is a pulled pork dinner on the 13th at the Elks Club with a silent auction. It will be fifteen dollars per plate.
- 5) Planning- John Young
 - a) No quorum so there was no meeting.
- 6) Chlorine Run- Tim Jacobson
 - a) Chlorine will be picked up on Friday. Mr. Jacobson has been paid wages and mileage to go get the chlorine. It saves the City four hundred dollars for the one way freight and barrel deposits for him to make the run. He uses his personal pickup and trailer for this trip. He is asking for wages, mileage, and fuel.

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- b) MSP: To pay mileage, fuel and wages. Councilor Leuenberger/Councilor Briscoe. All members present approved unanimously.
 - c) Councilor Demaris asked what the condition of the grader is. Mr. Jacobson said, the radiator has a bad spot in the core. There are two tires that are checked really bad. One injector that is missing, it may need a new injector. Councilor Demaris said, at this point it is nonfunctional? Mr. Jacobson said, at this point with the radiator it is, yes, nonfunctional. Councilor Wise asked what kind of expense is that? He was uncertain.
 - d) Councilor Briscoe asked, if the backhoe had been fixed. Mr. Jacobson said yes, the hose was fixed. Councilor Leuenberger asked, is the other grader good for a radiator. Mr. Jacobson said, they are a little bit different even though they are one serial number apart. He would have to do some measuring to see if it would work.
 - e) Tim Jacobson said, the water looks good; we did go through some chlorine with all the rain we had. It took about twice the amount of chlorine to treat that water.
- 7) Pay Bills-
- a) Mr. Gaslin gave account information and gave a brief overview of the bills. He said, this is the time of year we start to lose money.
 - b) Baker City Harold bill has been put on hold to ensure it is correct.
 - c) Councilor Wise verified that the Millers and D&B Supply were going to be reimbursed through the fire department grant. Mr. Gaslin said, that is correct.
 - d) Councilor Leuenberger asked Mr. Gaslin what the cost is to do a cost analysis for the flea markets. Mr. Gaslin said not much, it would be one hundred dollars per hour, and it would take three or four hours to complete.
 - e) Councilor Leuenberger started to make a motion for Mr. Gaslin to do the analysis. Mr. Gaslin said, before you vote I want to make a statement. Someone is going to be unhappy with what I give you guys. He said, I am going to follow whatever rules are laid out for cost accounting and I am going to include the costs that need to be included and I am not going to include the costs that don't need to be included. He just wants everyone to understand that, before he does it. He said there are many opinions about what should and shouldn't be included and he is going to include what he feels appropriate. Councilor Leuenberger asked if there was going to be a list of what was included and what was not included. Mr. Gaslin said, yes there will be a list.
 - f) MSP: To have Rob do a cost analysis for Memorial Day and 4th of July markets. Councilor Leuenberger/Councilor Briscoe. All members approved unanimously.
 - g) MSP: To pay bills excluding the Baker City Harold at this time. Councilor Demaris/Councilor Briscoe. All members passed unanimously.
- 8) Special Event- Vern Hollopeter
- a) In his opinion the City missed the boat with the marathon runners. He gave a report of what the races consisted of, and the states represented during the race. He would like to see Sumpter give a positive message to the runners and show a good welcome.
 - b) Councilor Wise said, the runners had a good time and have already booked for next year.
 - c) Councilor Wise thanked Mr. Hollopeter for being an ambassador for Sumpter.
 - d) It was pointed out that the Sumpter Valley Community Volunteers provided a breakfast Sunday morning and there were a lot of runners that attended.

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9) City Shop RFP

- a) There was one bid. It was from Hughes Inc. in the amount of two thousand five hundred dollars. Councilor Leuenberger asked if it was reasonable. Councilor Briscoe said, yes, it is fair since it had to be a prevailing wage bid. Estimated completion date August 20, 2021.
- b) MSP: To accept the bid. Councilor Leuenberger/Councilor Briscoe. All members present approved unanimously.

10) Water Ordinance

- a) Tabled

11) Sewer Ordinance

- a) Tabled

12) Labor Day Flea Market

- a) Councilor Wise read an email from Karen Peters.
- b) Councilor Wise asked, are we going to go forward with the flea market and are we going to do some form of dust abatement.
- c) Councilor Briscoe said, I think the City should have the flea market, since we already had the other two. As for dust abatement, since we haven't changed the lawsuit as of yet, we can do as it says and bring in a water truck and water the roads and that will take care of the dust problem.
- d) Councilor Leuenberger said, I am against it because we don't have a clue whether we make money or not. We haven't had a clue for the last one or the one before that or any other before that for years. Now we are going to finally get it, but I guess we can go a head and spend money not knowing.
- e) Councilor Demaris asked John Young if the volunteers have thought about hosting it. Mr. Young said, it was ambitious at this time and they don't have enough people to take it on. This has been a City thing that benefits everybody in town. He suggests everyone sit down this winter to fix the problems.
- f) Councilor Leuenberger responded by saying, one, we don't have a clue if it can be done. Two, I am not sure it benefits everybody in town. It helps some merchants, but they have been reluctant to participate, and you haven't seen them at one meeting. It was pointed out that they were at the meeting in May that Councilor Leuenberger was not at.
- g) More discussion about the merchants and sponsors took place.
- h) MSP: That we do the flea market providing we are going to do the dust abatement the way the lawsuit states with a water truck. Councilor Briscoe/Councilor Demaris. Councilor Leuenberger, Nay, all other members voted yea. Motion approved.
- i) Councilor Demaris said, it was brought up at the last meeting that there was a problem with dust abatement at the top of the Grounds. There were three vendors, the guys gave those vendors a hose and nozzle to use as needed for dust abatement. Councilor Leuenberger asked if those hoses were before treatment or after water treatment. The vendors used treated water. Councilor Leuenberger asked why we are doing that when we have a water shortage. The answer was, that was Memorial market in May and there was no shortage at that time. Councilor Leuenberger asked if we are going to do it now again, and where does that water come from.

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- j) John Young said, there is a draft point that the fire department can use forty thousand gallons for training and, if there is a fire, pull what is needed. He also said there is a five-hundred-gallon bag that the City can borrow from the fire department and fill it from the draft point. Councilor Leuenberger asked, that's not for fire, is it? John Young said we could take up to forty thousand gallons out of it for basically any purpose, training, any purpose. Councilor Leuenberger said, I thought you said fire. Mr. Young said, I said fire training and other purposes. Councilor Leuenberger said oh, and other purposes. Mr. Young said he got permission from the Baker County guy to use the draft point, and he said take what we want up to forty thousand gallons. Councilor Leuenberger asked who it was that you talked to? Mr. Young said he doesn't remember, but I have a letter. Councilor Leuenberger asked Mr. Young to furnish that letter. Mr. Young said he would try and find it.

13) Nuisance Ordinance

- a) Councilor Wise asked the Council if anyone had read them yet. Councilor Leuenberger said, I have, and it still has some of the same problems as it had before. He said, nuisance is in the eye of the beholder. He said he looked through Eugene, Corvallis and Hood Rivers and Corvallis seems to be the best. He asked if anyone has agreed to be our nuisance officer?
- b) Tabled

14) Conditional Use Zoning

- a) Councilors Wise and Demaris are going to work on them and get back with the Council.
- b) Tabled

15) Water For Test Drilling

- a) Councilor Briscoe said, I have not gotten a hold of the water master yet, so therefor I have not gotten a hold of Ken yet.
- b) Councilor Leuenberger said, I did, and we can't do it, without a modification of our water rights. So, I suggest we not do it.
- c) Councilor Leuenberger talked about the use of water rights.
- d) Councilor Briscoe said he will get a hold of Ken Tullar and let him know he can't have city water.

16) Public Comment

- a) John Young-Asked if the Council has decided to have SVCV help with the flea market. The answer was, yes. Councilor Leuenberger asked if we are still paying? The answer was, yes.
- b) Elaine Livran-Wanted to clarify and ask questions. She said she and a volunteer made five outhouse boxes for donations for porta potties and parking. Mrs. Livran asked for suggestions for placement of the boxes. There was a suggestion to place them outside the potties. Mrs. Livran said, so there is no confusion about how much money is collected, she would like to have myself, ReNae and one other community member count the money that is collected.
- c) Jon Patterson-Asked how are we doing on writing grants, are we writing any? Councilor Wise said we are not writing grants; we have someone writing them. Mr. Patterson asked what are we writing grants for. Councilor Wise said we are applying for everything we can find.
- d) Councilor Leuenberger said he talked to John Day's guy and they are spending a million a month for twenty-four months.
- e) At this time a disagreement happened. Councilor Wise called the room back to order.

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- f) Rebecca Patterson- Stated, one gentleman from behind me came here several meetings ago and said he was a citizen of Sumpter, made comments toward one of our councilors, tonight he said he was a resident of Grant County. She said, we would appreciate it if control happened with this council and that gavel to control it before it gets to that point, he (Mr. Ballard) shouldn't have to stand up and he (Councilor Leuenberger) shouldn't have to feel bottled up.
- g) Jon Patterson- Said he called and talked to Noodle about the bridge on Sawmill Gulch. Noodle said it is going to be one of the first bridges the County will fix. Discussion about bridges took place.
- h) Kimberly Ballard- Clarified that she and her husband are citizens of both cities just like most people in town.
- i) Councilor Wise said there was a special session and we voted to change verbiage on the Woodley lawsuit. She said there are a lot of people in town that are upset with the Council for continuing to spend money. She said this is something we need to revisit. She thinks it is the wrong choice of going forward and trying to go to court. Councilor Demaris said I have one problem with it, that was brought up. Councilor Demaris said, Councilor Leuenberger brought up and mentions several times that he does not trust the City of Sumpter and of course we are the City of Sumpter. She said, so we have two councilors that went to a meeting with two lawyers and a judge. Everybody agreed on this, with advice from our lawyer and a judge. It was signed and now we are renegeing on something we said we would do, in front of a judge in good faith. She said, how are we ever going to break away from, "I don't trust the City of Sumpter?" Councilor Leuenberger said let me explain that to you. He said, I have not seen one bit of written evidence we have signed anything. Councilor Wise said we have not signed the final judgement. Councilor Demaris said, but we agreed to it, in front of a judge. Councilor Leuenberger said, nobody knows the facts, you were incorrect as the facts, you didn't know who owned that property, you didn't know the requirements for having a proper party, you didn't know the common law abandonment has been out of use in Oregon in favor of vacations for years and the judge probably didn't know. He said, you guys vote and go back to the way you want, fine, I don't care because the two of you are dead set on using the way it was, even though it is wrong, you are asking the judge to sign a judgement that is not legal in the terms of the proper party, or the vacation, but you go right ahead. You can explain it to them then. Councilor Demaris asked why have we spent over one hundred thousand dollars on legal council if we can't trust our legal counsel? Councilor Leuenberger said, it seems like, about eight months ago, I told you he (Mr. Stump) blew it on the summary judgement, that I had sent him cases and he wouldn't even respond, he hasn't done anything. Councilor Leuenberger said, now if you hired him (Mr. Stump) and kept him, that's on you, I told you early on he was the wrong lawyer. Councilor Wise said, but in February, you (Councilor Leuenberger) were in the same meetings, February and March, when we spent that money on the phone and agreed, the majority agreed to move forward and settle, if we got the few options we wanted. Councilor Leuenberger said, if you recall, it was after that, that I did the work that, that lawyer should have done to decern that there wasn't the correct party, and I told you that two months ago, so don't go changing the facts. Councilor Wise said, I am not changing the facts, I am saying in March this council voted to go forward on a settlement. Councilor Leuenberger said, go ahead, make a motion. Councilor Wise said, then we were concerned it was a subpar piece of property, which it is not, it can stand on its own. Councilor Leuenberger said, I know. Councilor Wise said, it

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doesn't even have to be in the trust, Myron has a choice. Councilor Leuenberger told Councilor Wise, your law degree is probably newer than mine, so we go with yours. He said, vote, make the motion, go ahead, go ahead. Councilor Wise said she brought it up because it bothers me. Councilor Leuenberger said, then change it, change it. Councilor Wise said, there are two other people that have opinions too, other than you and me. Councilor Leuenberger said, just change it then, if you like, if that makes you feel better. Councilor Demaris said, it isn't about feeling better, it is about looking out for the majority of the people in this town. She said, we don't even have a grader for plowing snow this winter, and we keep paying money to a lawyer. Even if we get rid of this lawyer, we have to hire a new lawyer and pay him a lot of money. Councilor Leuenberger said, and you are going to keep spending money on flea markets, so make your motion, let's change it your way. Councilor Demaris said, that is pennies to dollars on that one. MSP: To abide by the agreement that was made in front of the judge. Councilor Demaris/Councilor Briscoe. Councilor Leuenberger, Nay, all other members Yea. Motion passes.

- j) Jennifer Lake-Asked if Greg Lucas is still mayor? Councilor Wise said, he is currently on unexcused absence, he has thirty days from his eight weeks, but we were just told... Councilor Briscoe said rumor has been said that he will be back by the 24th, no later than the 25th.
- k) Jon Patterson-Said he thinks the City is about nine grand short according to our new ordinance, with Tony Amstad and Lynn Bean. Alterations are forty-five hundred, just like a new service. The City Recorder said Amstad paid for his. Mr. Patterson said he didn't see it in the financials. The Recorder said it wouldn't be in the financials, it is run through water and sewer in QuickBooks. Councilor Demaris said, Lynn's was just a pipe fix.

17) Adjournment

- a) MSP: To adjourn the meeting. Councilor Briscoe/Councilor Demaris. All members present voted to adjourn. 5:16PM

Approved by the City Council this 24th day of August 2021

Approved: _____

Attested: _____

ReNae Cameron, City Recorder

**CITY OF SUMPTER
COUNCIL MEETING
AUGUST 24, 2021, 4:00pm**

- 1) CALL TO ORDER – 4:00pm
 - a) PLEDGE OF ALLEGIANCE
 - b) MEMBERS IN ATTENDANCE –Councilor Wise, Councilor Briscoe, Councilor Demaris. Councilor Leuenberger and the mayor, absent.
 - c) VISITORS- Skip Duffin, Rebecca Patterson, Jon Patterson, Carol Krieske, Michael Ballard, Kimberly Ballard, and Toni Thompson.
- 2) PUBLIC HEARING-Called to order at 4:00PM
 - a) Hearing notice was read aloud.
 - b) Councilor Wise said the City is in the pre application process and asked for comments. No comments were made.
 - c) The Council will move forward with applying for the Community Development Block Grant.
 - d) Public hearing adjourned at 4:06
- 3) Approve Minutes
 - a) MSP: To accept the minutes for the August 10, 2021, City Council meeting. Councilor Demaris/Councilor Briscoe. All members present passed unanimously.
- 4) PAY BILLS
 - a) MSP: To pay the Baker City Herald bill. Councilor Briscoe/Councilor Demaris. All members present passed unanimously.
- 5) PUBLIC WORKS-Geoff Wells and Tim Jacobson
 - a) The water is doing well. Thanks to everyone for reducing their water use, that has helped a lot. The tanks are staying full for water and fire. The filter beds are staying full as well.
 - b) Councilor Wise asked about locks for the shower buildings. Tim said he would be going to town to purchase them. The showers will be closed during the Labor Day flea market. The bathrooms will remain open.
 - c) The city pickup has been fixed and is running again. The guys and a citizen from town fixed the fuel pump.
 - d) The sewer lagoon is up and running again.
 - e) Byron will be letting us know when he is going to complete the work on the city shop.
 - f) The road grader needs a radiator, injector, and breaks. Councilor Briscoe will be looking into getting it fixed.
 - g) The private property that needs ditch work will be taken care of in the next few days.
 - h) Work on the ditch on Granite will be completed soon. The culverts will be cleaned out as well.
 - i) Water for dust abatement will come from the fill point in Cracker Creek. It will not come from the City's water source.
- 6) PLANNING-John Patterson
 - a) Nothing to report.
- 7) WATER AND SEWER ORDINANCE
 - a) Councilor Wise asked the Recorder if she has heard anything from Councilor Leuenberger about the red line versions of the ordinances. The answer was no. TABLED
- 8) LABOR DAY FLEA MARKET
 - a) Showers will be closed, and the restrooms will be open.
 - b) COVID signage to wear a mask and social distance will be posted.

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- c) Baker County will provide a water truck for dust abatement.
- d) Notice was given to vendors to let them know the showers will be unavailable.
- e) Elaine Livran said she has five outhouses built for porta potty donations.
- f) There are forty-nine vendors signed up at this time.

9) NUISANCE ORDINANCE

- a) Councilor Demaris said she likes that Baker County will do the enforcement if we adopt their ordinance. MSP: To change the ordinance to show the letter will come from Sumpter once a complaint has been received. They will be given fourteen days, and if no action is taken, the complaint will be forwarded to Baker County. Councilor Demaris/Councilor Briscoe. All members present passed unanimously.

10) NEW BUSINESS

- a) Councilor Wise reported, she, Councilor Demaris and ReNae listened to a webinar with LOC regarding the American Rescue Plan funds. Sumpter will be getting approximately forty-five thousand dollars to be paid over two years. Half of that this year and the other half next year. It needs to be obligated by December of 2024. Research needs done as to how this money can be spent.

11) PUBLIC COMMENT

- a) Toni Thompson asked if the mayor had returned. Councilor Wise said he had been reported as being back, she hasn't seen him, but he had been sighted. He should be back for the next council meeting.
- b) Elaine Livran would like to give a comment about how prideful she is with our volunteer emergency department. There was a quick response to her friends in the meadow. She wanted to commend the volunteers.

12) Adjournment

- a) MSP: To adjourn the August 24, 2021, meeting. Councilor Demaris/Councilor Briscoe. All members present voted to adjourn. 4:46PM

Approved by the City Council this 14th day of September 2021.

Approved: 

Attested: 

ReNae Cameron, City Recorder

**CITY OF SUMPTER
COUNCIL MEETING
SEPTEMBER 14, 2021, 4:00pm**

- 1) CALL TO ORDER – 4:06pm
 - a) PLEDGE OF ALLEGIANCE
 - b) MEMBERS IN ATTENDANCE –Mayor Lucas, Councilor Wise, Councilor Demaris and Councilor Leuenberger. Councilor Briscoe, absent.
 - c) VISITORS- Carol Krieske, Mike Ballard, Kimberly Ballard, John Young, Rebecca Patterson, Jon Patterson, Al Jones, Debbie Bliss, Kurt Clarke, and Toni Thompson.
- 2) Approve Minutes
 - a) MSP: To accept the August 24, 2021 minutes with the one correction. Councilor Demaris/Councilor Wise. Mayor abstain, all members present passed.
- 3) Fire Department- Kurt Clarke
 - a) No big fires but there have been medical calls.
 - b) There is still one fire truck that needs certified.
 - c) Fund raiser with the train on September 11, 2021 raised five hundred dollars. That should cover the hoses that were requested.
 - d) Mr. Clarke asked if the fire department is still in charge of the burn pile. At this time the fire department is still in charge of the burn pile. The question was asked if the burn pile can be moved to the sewer lagoon. Council will look into this.
 - e) Training is going well.
- 4) Planning- John Young
 - a) There was one request for an address assignment. Whistle Stop RV on Sawmill Gulch. The recommendation of the Planning Commission is 101 Sawmill Gulch. Councilor Leuenberger stated he has a potential conflict. MSP: To accept Planning’s recommendation of 101. Councilor Demaris/Councilor Wise. Councilor Leuenberger abstained. All other members present approved.
- 5) Pay Bills-Rob Gaslin
 - a) It was a phenomenal month, American Rescue Plan money was deposited, in the amount of twenty-two thousand eight hundred and sixty-five dollars. This money can be used on four items such as infrastructure.
 - b) Mr. Gaslin gave an overview of the bills.
 - c) The 2018 audit is in the final stage.
 - d) MSP: To pay the bills. Councilor Demaris/Councilor Wise. All members present passed unanimously.
 - e) Reimbursement request. Mr. Craig paid a filing fee for Sumpter on behalf of the Williams, he is seeking reimbursement. MSP: To reimburse Scott Craig for the filing fee on behalf of the Williams. Councilor Demaris/Councilor Wise. All members present approved unanimously.
- 6) Employee Evaluation
 - a) Employees need evaluations and Councilor Demaris has a few different evaluation forms for Council to decide on. Employee evaluations are set for October 1, 2021 at 4:00PM.
- 7) Councilor Demaris asked Toni Thompson to provide the Museum quarterly report for the next council meeting. Ms. Thompson said she would do that.
- 8) OLD BUSINESS
 - a) Water Ordinance-Tabled for the Mayor to review.
 - b) Sewer Ordinance-Tabled for the Mayor to review.

**CITY OF SUMPTER
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SEPTEMBER 14, 2021, 4:00pm**

9) Christmas Tree

- a) Discussion about the City Christmas Tree being placed on city property or private property took place. No decision was made, the Council will look more into a location. Tabled for the Council to check options.

10) Dirt behind the City Shop

- a) There is fill dirt behind the City Shop. A citizen would like to take it and use it for fill. Tabled for further discussion.

11) Flea Market Cost Analysis-Rob Gaslin

- a) Mr. Gaslin stated his numbers are pretty close to ReNae's numbers. The revenue side was very close but there were differences in expenses. Dust abatement was one of them.
- b) Mr. Gaslin explained the cost analysis to the Council.
- c) Dust abatement can be figured three different ways. 1. Spread the expense over the three markets. 2. Spread the expense over all possible events held at the grounds. 3. Put the expense on the market that it occurred for. Mr. Gaslin's suggestion was option 3, which shows a loss of approximately twenty-nine hundred dollars. The other two options are close to breakeven over the Memorial Day and 4th of July markets. Mr. Gaslin was not asked to do an analysis for Labor Day.
- d) There are a few overhead items Mr. Gaslin did not include. ReNae is salaried so it could be argued that her time should be calculated, but she is salaried. There may be an increased cost for insurance to have these events, but Mr. Gaslin didn't check into that. Maintenance and repairs are done year-round so, should that be a flea market expense? These are decisions the Council needs to consider.
- e) The mayor said he feels an analysis should be done for Labor Day, to get an inclusive account over the three markets. Councilor Leuenberger agreed.
- f) Discussion about ReNae's hours worked at the markets ensued.
- g) MSP: To have an analysis for Labor Day. Councilor Demaris/Councilor Wise. All members present passed unanimously. Mr. Gaslin confirmed with the Council that ReNae's time needs added and the dust abatement will be completely applied to the markets only.

12) Adjournment-4:52PM

- a) MSP: To adjourn the meeting. Mayor Lucas/Councilor Demaris. Councilor Leuenberger, voted No. All other members present voted to adjourn.

13) Due to the noncompliance of citizens present, the mayor did not allow for public comment.

- a) Added information by request of Councilor Leuenberger: Twice Mike Ballard failed to comply with legitimate request of council and became obstreperous and the mayor canceled public participation because matters were getting out of hand.

Approved by the City Council this 24th day of August 2021

Approved: 

Attested: 

ReNae Cameron, City Recorder

**CITY OF SUMPTER
SPECIAL SESSION
SEPTEMBER 17, 2021**

- 1) Call to Order at 4:01PM
 - a) Members present: Mayor Lucas, Councilor Wise, Councilor Briscoe, Councilor Demaris and Councilor Leuenberger.
 - b) Visitor- Jon Patterson and Rebecca Patterson.
- 2) City Road Grader
 - a) Councilor Briscoe said the radiator, brakes and injector needs fixed. He talked about how much that may cost to complete. Councilor Briscoe said the snow is coming and it is going to take some time to get the grader fixed. He asked the Council what they want to start on first, his suggestion was to start with the radiator. The estimated cost to fix the radiator is eight hundred to one thousand dollars.
 - b) Councilor Leuenberger said the brakes need to be number one. Councilor Leuenberger gave an example of how the city would be responsible if there was an accident due to brake failure. He said he wants nothing to do with anything like that. He said it needs to be able to stop, otherwise we are criminally liable as a city and as individuals.
 - c) Discussion about fixing the brakes and fixing the grader one piece at a time took place.
 - d) Councilor Leuenberger suggested contracting with someone to remove snow. He had suggested several months ago about seeing if the district could get a grant to buy some equipment and we could lease it from them. In exchange we could do work for them with that equipment. We do a lease, thereby at the end of it we pay them like a dollar and we would own it. He said there are grants for rural districts and Bentz is who brought this up. Councilor Leuenberger said he thinks Bentz would help us with that, but Councilor Leuenberger didn't know where that went.
 - e) Councilor Demaris brought up a conversation with Commissioner Bennett about using a county grader. She was told that this was not an option according to the county.
 - f) Councilor Leuenberger said it sounds like we are throwing good money after bad. Eventually equipment wears out. He thinks we should make do with what we have and look for grants or work with the district. So, we can get some newer equipment.
 - g) Councilor Briscoe asked if anyone had gotten a hold of Travis. Mayor Lucas said he would do that.
 - h) The Council discussed leasing or buying a piece of equipment.
 - i) Councilor Leuenberger suggested that we not waste time, effort and money on these graders. Make sure that what we have will function, at least to get people in and out of their driveways and in and out of town. Then try to find a way we can get a grader.
 - j) The Council talked about what the city can afford.
 - k) **MSP: That our grader does not hit the road without operating brakes. Councilor Leuenberger/Councilor Briscoe. All members approved unanimously.**
 - l) **MSP: To plan on addressing the 2021-2022 snow season with our backhoe, the deuce and a half and our orange dump truck and get coveralls for Geoff and Tim and in the interim, to try to obtain grants, leases or purchases of suitable equipment to be approved by the Council. Councilor Leuenberger/Councilor Demaris. All members approved unanimously.**
 - m) The mayor said he would talk to Travis, Councilor Briscoe will get a hold of John Deere and Councilor Leuenberger was going to get a hold of Bentz and a client that has ownership in Western Equipment, he will also talk to the City Manager in John Day.

**CITY OF SUMPTER
SPECIAL SESSION
SEPTEMBER 17, 2021**

- 3) Dirt at the City Shop
 - a) There are people that are interested in using the dirt. Councilor Briscoe asked the Council what the city is going to do with it. His suggestion was to sell it at seventy-five dollars per load in the city limits.
 - b) Conversation about citizens hauling the dirt away and what the city could use it for took place.
 - c) The decision was to push the dirt up into a pile to clear the ground it is on.
- 4) Audio/Video for City Hall
 - a) The audio and video quality aren't good for recording Council meetings.
 - b) New speakers were discussed. Councilor Leuenberger didn't like the idea of a daisy chain system. He said if one goes bad then the next goes bad. He suggested talking to a professional about installing a proper system.
 - c) Councilor Briscoe suggested the Owl.
 - d) **MSP: to get a hold of Davis Computer for an opinion. Councilor Wise/Councilor Demaris. All members passed unanimously.**
- 5) Adjournment-5:11PM
- 6) **MSP: To adjourn the meeting. Councilor Briscoe/Councilor Demaris. All present passed unanimously.**

Approved by the City Council this 28th day of September, 2021

Approved: 

Attested: 

ReNae Cameron, City Recorder

**CITY OF SUMPTER
COUNCIL MEETING
SEPTEMBER 28, 2021, 4:00pm**

- 1) CALL TO ORDER – 4:00pm
 - a) PLEDGE OF ALLEGIANCE
 - b) MEMBERS IN ATTENDANCE –Councilor Wise, Councilor Briscoe, Councilor Demaris and Councilor Leuenberger. The mayor, absent.
 - c) VISITORS- Theresa Leuenberger, Rebecca Patterson, Jon Patterson, John Young, Skip Duffin, Debbie Bliss, and Fred Hansen.
- 2) APPROVE MINUTES
 - a) MSP: To accept the September 14, 2021 minutes, with Martin’s additions. Councilor Demaris/Councilor Leuenberger. Councilor Briscoe abstain, all other members present voted to approve.
 - b) MSP: To accept the September 17th Special Session minutes. Councilor Briscoe/Councilor Demaris. All members present approved.
- 3) REPORTS
 - a) County Sheriff- Sheriff Ash gave a description of a new deputy position the county commissioners are working on. This position will not be a typical deputy position, it will be dealing with homelessness, county nuisance issues and will be in each community in Baker County. This will only happen if Sumpter adopts the county nuisance ordinance. Complaints will go directly to the county sheriff’s office. Discussion about the process took place.
 - b) Councilor Leuenberger-Asked Sheriff Ash, what is the sheriff department’s position on enforcement of the governor’s mask mandate? Sheriff Ash said that has all been delegated to OSHA, the sheriff’s office has not been asked to enforce mask mandates and they are not enforcing mask mandates.
- 4) PUBLIC WORKS-Geoff Wells and Tim Jacobson
 - a) The water is doing well but no outdoor watering is allowed at this time. Sewer irrigation lines have been taken apart for winter.
 - b) There is one more water and sewer hook-up to do. The City needs more inventory of water and sewer supplies in case something brakes during the winter.
 - c) There is a valve up at the filter bed that is full of water. It is leaking and needs to be fixed. It will take a pumper truck to clean it out so the valve can be fixed. Councilor Briscoe will look at it and report back to the Council.
 - d) MSP: Approve to buy replacement parts up to four thousand dollars. Councilor Briscoe/Councilor Demaris. All members present approved.
 - e) Councilor Leuenberger asked if the ditch at the Schroeder’s has been fixed. He was told not yet, but the guys have a plan and will be working on it. It should be a pretty easy fix.
- 5) PLANNING-John Young
 - a) Mr. Hansen’s garage request. Planning recommends approval as long as the thirty-foot tall rule is adhered to.
 - b) MSP: To accept the Hansen application. Councilor Briscoe/Councilor Leuenberger. All members present approved.

**CITY OF SUMPTER
COUNCIL MEETING
SEPTEMBER 28, 2021, 4:00pm**

6) WATER AND SEWER ORDINANCE

- a) MSP: To accept the ordinance 2020-2, sewer ordinance and the water ordinance 2020-3, with the changes of moving the billing and the notices from one to the other and changing the billing to ten days and adding the spelling and grammar paragraph corrections. Councilor Demaris/
Councilor Briscoe. All members present approved.

7) CITY GRADER

- a) Councilor Briscoe, at the advice of Rob Gaslin, is recommending the City have the road grader looked at by John Deere to see if it can be fixed. They feel it will be better to show if it can be fixed or not, rather than go buy a new grader. He said that the brakes should come first.
- b) Councilor Leuenberger asked about the radiator. Councilor Briscoe said when they come out to look at the brakes, they can look at the radiator then. Councilor Briscoe estimated a cost of two to three thousand dollars for the estimate to have it fixed.
- c) Councilor Leuenberger pointed out that there was a decision made to make due with what we have.
- d) Councilor Wise said the streets can't be done the way everyone expects with the equipment we have and we won't be able to get to some of the higher areas in town.
- e) Councilor Briscoe said he talked to the guys and it will take more than six hours to plow the city so the overtime will go through the roof.
- f) Councilor Leuenberger said he talked to Noodle and asked him about graders. Noodle said there are three of them coming up through the state. These graders may be available for about twenty-five thousand dollars at the end of October.
- g) Discussion about getting an estimate, buying, leasing or renting took place.
- h) Councilor Demaris said in her opinion it is better to have the grader looked at in hopes it is an easy fix. The City will pay more in overtime, paying the guys to clear streets. If we can get it running for five thousand dollars and if that other grader comes available, we would have a working grader to sell and could get more for it than scrap prices.
- i) Councilor Leuenberger said we don't need to make that decision right now. He would rather not spend the three thousand dollars.
- j) More discussion ensued about the brakes and radiator.
- k) Councilor Demaris asked for clarification from Councilor Leuenberger on his objection. He said his objection is spending the three thousand dollars for an assessment.
- l) Motion: To table from meeting to meeting until we know something further. Councilor Leuenberger. No second.
- m) Discussion about overtime took place.
- n) MSP: To call John Deere to have them come up and assess the brakes on the grader. Councilor Briscoe/Councilor Demaris. Councilor Leuenberger voted, no. All other members approved.

8) MUSEUM QUARTERLY REPORT

- a) Toni Thompson was not in attendance to provide the information. Tabled

9) EXECUTIVE SESSION AND EMPLOYEE EVALUATIONS

- a) Evaluations at 9:00AM
- b) Litigation at 1:30PM

**CITY OF SUMPTER
COUNCIL MEETING
SEPTEMBER 28, 2021, 4:00pm**

10) POSSIBLE EMPLOYEE PAY INCREASE

- a) Councilor Briscoe said he feels employees pay increase should be up to two dollars and fifty cents an hour.
- b) MSP: After the evaluations, approve up to a pay increase of two dollars and fifty cents. Councilor Demaris/Councilor Briscoe. All members present approved.

11) PUBLIC COMMENT

- a) John Young- The SVCV would like to put in and pay for a frost-free faucet at the Hub. Councilor Leuenberger asked where the used water goes. Mr. Young said it goes down the hill, this will not be inside the Hub. MSP: To put a frost free in at the Hub at no fee to the City. Councilor Demaris/Councilor Leuenberger. All members present approved.
- b) Councilor Briscoe- Asked Mr. Patterson to pay for his sewer hook-up. A discussion about the hook-up ensued.

12) Adjournment

- a) MSP: To adjourn. Councilor Leuenberger/Councilor Demaris. All members present voted to adjourn. 5:29PM.

Approved by the City Council this 12th day of October 2021.

Approved: 

Attested: 

ReNae Cameron, City Recorder