



CITY COUNCIL MEETING MINUTES
City Hall – 1104 Maple Street
October 3, 2022 6:00 PM

The city conducted this public meeting using a hybrid model both in person and ZOOM.

Staff present: City Administrator Jason Wilson, City Attorney Andrea Marquez, Development Services Director Doug Beagle, Community Development Director Ryan Windish, Public Works Director Mike Dahlem, Police Chief Brad Moericke, Communications Director Carmen Palmer, Deputy City Attorney Maili Barber, Chief Financial Officer Kassandra Raymond, Administrative Services Director Jeff Steffens and City Clerk Michelle Converse

CALL TO ORDER

THE REGULAR MEETING OF THE SUMNER CITY COUNCIL WAS CALLED TO ORDER BY MAYOR HAYDEN AT 6:00PM.

Pledge of Allegiance

Invocation

Roll Call: Bitetto, Brown, Cole, Hochstatter, Neuman, Reed and Stuard

PROCLAMATION

1. Domestic Violence Awareness Month

Police Chief Brad Moericke read the Proclamation into the record. Legal Services Coordinator Noel Clark addressed the council on the services the City provides to our residents.

2. Bonney Lake / Sumner Little League

Mayor Hayden read the Proclamation into the record.

CONSENT AGENDA

MOVED BY HOCHSTATTER, SECONDED BY BITETTO TO APPROVE THE CONSENT AGENDA CONSISTING OF THE FOLLOWING:

1. Approval of electronic checks and payments in the amount of [\\$1,123,969.18](#).
2. Approval of the minutes from the Regular Council Meeting of September 19, 2022, Special Study Session of September 19, 2022 and September 26, 2022 Study Session.

PASSED BY VOICE VOTE.

PUBLIC HEARING

There was none tonight.

REGULAR BUSINESS

1. Unfinished Business

a. BusUp Master Services Agreement - MIC Transit

MOVED BY BROWN SECONDED BY NEUMAN TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT SUBSTANTIALLY IN THE FORM OF THE ATTACHED, WITH BUSUP, INC. TO PROVIDE MICRO-TRANSIT SERVICE IN THE CITY OF SUMNER, TOGETHER WITH ANY OTHER AGREEMENTS REQUIRED TO BEGIN THE TRANSIT PILOT PROGRAM.

Community Development Director Ryan Windish addressed the Council.

DEPUTY MAYOR HOCHSTATTER MOVED TO TABLE IN ORDER TO DISCUSS THIS DURING THE BUDGET PROCESS. THERE ARE A SEVERAL ITEMS THAT ARE UNFUNDED NEEDS. SECONDED BY STUARD.

PASSED BY ROLL CALL VOTE.

DEPUTY MAYOR HOCHSTATTER, ON BEHALF OF THE COUNCIL READ A PREPARED STATEMENT INTO THE RECORD.

“DUE TO RECENT NEW REPORTS, WE BECAME AWARE OF A RACIST MEME SENT BY ONE OF OUR FELLOW COUNCILMEMBERS, MR. PATRICK REED, AT HIS PLACE OF EMPLOYMENT. THE MEME WAS VERY INAPPROPRIATE AND HURTFUL AND IN NO WAY REPRESENTS OUR VALUES AS A WELCOMING COMMUNITY AND THIS COUNCIL AS A WHOLE. WE ARE DISAPPOINTED AND DISAPPROVE OF THE COUNCILMEMBER’S ACTIONS WHETHER INTENTIONAL OR ACCIDENTAL.

INSTEAD OF SWEEPING THIS UNDER THE RUG, WE WANT TO SPEAK OUT SO THAT EVERYONE KNOWS RACIST OR DISCRIMINATORY BEHAVIOR, WORDS AND ATTITUDES ARE NOT ACCEPTABLE AND ARE NOT WHO WE STRIVE TO BE. ALL COUNCILMEMBERS CONTINUE TO PARTICIPATE IN TRAINING THAT INCLUDES TAKING ACTIONS TO BETTER UNDERSTAND PRINCIPLES OF DIVERSITY, EQUITY, AND INCLUSION.

SUMNER’S VISION IS TO BE A PROGRESSIVE SMALL CITY WHERE WE WELCOME ARTS, EVENTS AND ATTITUDES THAT BRING PEOPLE TOGETHER. WE ARE A CITY THAT CELEBRATES ONE ANOTHER, AND WE PROMISE TO UPHOLD THIS VIRTUE. IT IS OUR PRIORITY TO RESPECT ONE ANOTHER AND WORK THROUGH THIS TOGETHER.”

BASED ON THE BEHAVIOR, DEPUTY MAYOR HOCHSTATTER RECOMMENDS PROCEEDING BY ISSUING COUNCILMEMBER REED A WRITTEN REPRIMAND.

COUNCILMEMBER NEUMAN MOVED TO AMEND THE MOTION TO NOT JUST INCLUDE THE WRITTEN REPRIMAND BUT ALSO TO REMOVE HIM FROM CHAIR FROM ANY CITY COMMITTEES AS WELL AS THE PIERCE COUNTY REGIONAL COUNCIL.

SECONDED BY HOCHSTATTER.

COUNCILMEMBER STUARD PROPOSED A SECOND AMENDMENT TO ADD ON TO THE NEUMAN AMENDMENT AND REMOVE COUNCILMEMBER REED FROM ALL COMMITTEES AND ALL ASSIGNMENTS.

SECONDED BY COLE.

MAYOR HAYDEN ASKED THE CLERK TO READ ANY COMMENTS RECEIVED. THE CLERK READ TWO LETTERS FROM CHRISTINA COOPER AND TRAVIS BUTCHER (both are attached as part of the record).

COUNCILMEMBER NEUMAN WITHDREW HER AMENDMENT.

DISCUSSION ENSUED.

COUNCILMEMBER STUARD ELABORATED ON HIS AMENDMENT TO INCLUDE A TIMEFRAME OF UNTIL THE END OF NEXT YEAR.

COUNCILMEMBER NEUMAN RETURNED HER MOTION TO THE FLOOR FOR CONSIDERATION.

DEPUTY MAYOR HOCHSTATTER CALLED FOR THE QUESTION.

THE COUNCIL THEN VOTED ON THE AMENDMENT MADE BY COUNCILMEMBER STUARD, TO ISSUE COUNCILMEMBER REED A WRITTEN REPRIMAND AND REMOVE HIM FROM ALL COMMITTEES UNTIL THE END OF HIS TERM.

VOTING ENDED IN A TIE, WITH COUNCILMEMBERS BROWN, BITETTO AND HOCHSTATTER VOTING NO AND COUNCILMEMBERS NEUMAN, COLE AND STUARD VOTING YES. MAYOR HAYDEN VOTED YES; AMENDMENT PASSED 4-3.

COUNCIL THEN VOTED ON THE MOTION AS AMENDED,

PASSED 4-2

COUNCIL VOTING YES – STUARD, HOCHSTATTER, COLE, NEUMAN
COUNCIL VOTING NO – BROWN AND BITETTO

Ordinance No. 2835 - ARPA Budget Amendment

MOVED BY NEUMAN SECONDED BY TO HOCHSTATTER TO APPROVE ORDINANCE NO. 2835 - AMENDING THE 2021/2022 BIENNIAL BUDGET ALLOCATING \$50,000 TO BE USED FOR A RESTAURANT GRANT AND PARKLET.

Community Development Director Ryan Windish addressed the Council.

PASSED BY VOICE VOTE.

4. Reports

a. Council

Councilmembers Neuman, Brown, Bitetto, Stuard and Hochstatter has nothing to report this evening.

Councilmember Reed offered an apology

Councilmember Cole shared an update from the Rainier Cable Commission meeting from September 21, 2022. She was happy to report that Pierce County TV received a national programing award, and it included the Sumner Welcome In video. They will be holding a special meeting on October 19, 2022, discussion will include dissolving the Rainier Cable Commission and what that would look like to the local jurisdictions.

b. City Administrator

City Administrator Jason Wilson reported on the following:

Upcoming Policy Issues:

- October 10th Study Session:
 - 2023-24 Preliminary Budget Presentations:
 - Streets
 - General Fund (001) Street Operations
 - Sidewalk Capital (302) Fund
 - 2023 Ad Valorem Property Tax Discussion
 - Heritage Park Remediation Update
- October 17th Regular Council Meeting
 - Public Hearing for the 2023 Ad Valorem Property Tax
 - Resolution – Setting a public hearing for Riverwalk Trail ROW Vacation
 - Purchase and Sale Agreement (Nurdyke property)
 - Consultant Contract Agreement - 2024 Comprehensive Plan Update
 - Sumner Springs Reservoir Recoat - Construction Contract Award
 - Town Center: Utility & Woonerf - PSE Agreement for Design Work
 - Town Center: Main and Wood PSE Agreement for Design Work
 - Stormwater Capacity Grant Acceptance
 - Ordinance establishing the 2023 Utility Rates
 - Ordinance amending the Budget for Heritage Park Remediation
 - Consultant Services Agreement Amendment – Heritage Park Remediation

- October 17th Special Study Session
 - 2023-24 Preliminary Budget Internal Service Fund Presentations:
 - Fleet
 - Fleet Operations & Maintenance (550)
 - Fleet Replacement (555)
 - Information Technology (551)

c. **Mayor**

There was so much pink on Saturday in Sumner! This is one of the largest walks in the region now and it helps to keep breast health services and support local. A big thank you to the hosts of this event: MultiCare Foundation, The Old Cannery and all the teams and talkers. A bigger thank you to all the Sumner business and residents for your patience as we held a 5k through our streets. The City's team ended up raising \$16,000 this year – not bad.

5. **Executive Session**

6. **Adjournment**

With no additional business before the council, Mayor Hayden adjourned the meeting at 7:10pm. Councilmembers concurred.

Attest:
DocuSigned by:



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Kathy Hayden, Mayor

DocuSigned by:



9DA228E678404D1

Michelle Converse, CMC
City Clerk

Sept. 6, 2022

Derek Berry

City of Sumner

1104 Maple Street

Sumner Wa. 98390

Re: Seibenthaler Park, Letter dated June 30, 2022

Derek,

We disagree with Beau Lacrosse where he says water is not flowing from the street onto our property. It has been flowing onto our property for many years carrying a lot of sediment along with it. See photos 1,2 and 3.

Our three parking lot catch basins are cleaned on a regular basis and there is no lack of maintenance as indicated by Beau Lacrosse.

The large catch basin at the top of the drive has an elevation that was set by the City Engineer at the time of construction. That catch basin was not intended to collect surface water but rather to collect the sediment from the water flowing from the storm drain before going to the City Storm Sewer. Beau Lacrosse indicated we should lower our catch Basin to accommodate the surface water from the City Street. It is not our responsibility to deal with runoff from the City Street. Beau Lacrosse indicated the overflow was full of sediment which it is not. It is a number of inches from the top.

There is a City Catch Basin to the left of the driveway that should be lowered to collect more of the water from the street.

We are concerned with the dog run being so close to our rental buildings. We believe it will create a huge nuisance and a negative impact to the desirability to the prospective tenants including rents and future purchasers.

As we understand the hedge that is to be planted along the property line adjacent to our rentals will be 6 feet tall which will leave a closed in feeling for the renters and negatively impact the desirability and the rents.

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Seibenthaler Park

Surface Water concerns from the City Park

The Park was more or less flat with low areas that held a lot of water when the rental buildings were constructed. The City decided to import fill materials that was undesirable or substandard for the intended purpose in order to drain the low areas and change the flow of the surface water all to one direction towards our property to a new drain and catch basins that were installed along our property line which has negatively impacted our property in particular the one adjacent to the patio of 1719 which has caused settling and cracking to where it will have to be replaced and possibly the middle patio also. Request the Catch Basin adjacent to the patio be moved down line further away from the building in order to reduce the impact from the surface water.

A better solution would be to re-grade the park so all the water does not drain in one direction but rather maintains all the water in the park and install drainage throughout the park to handle all the surface water. By adding the inferior import fill materials the City changed the flow of the water from the park to adjacent property. See photos 1 thru 6.

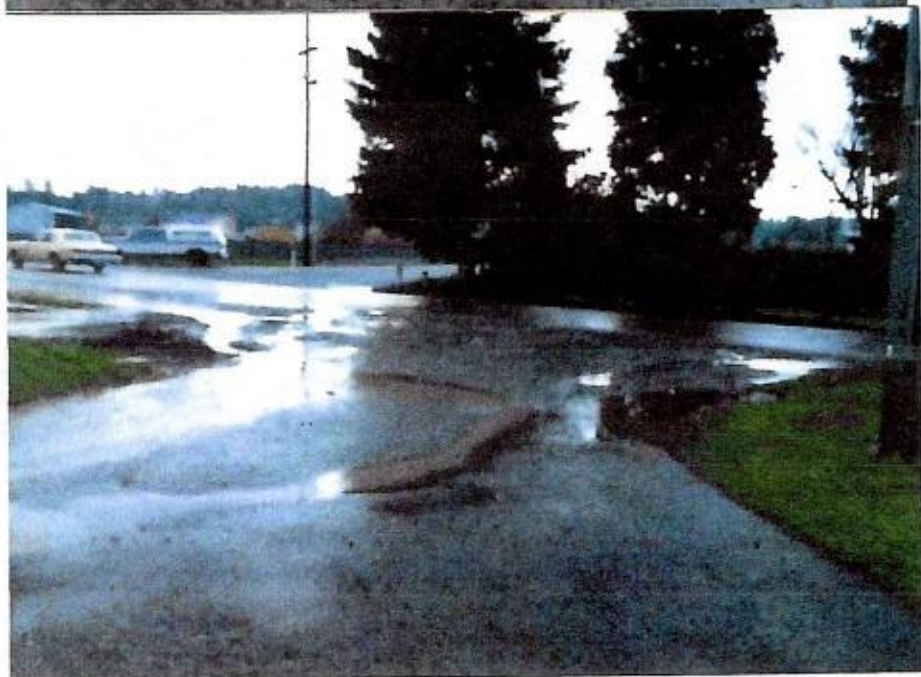
We kindly request you address these issues.

Regards,

Sumner Park Investments, LLC



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Michelle Converse

From: Earle Stuard
Sent: Monday, October 3, 2022 2:34 PM
To: Michelle Converse
Cc: Andrea Marquez
Subject: Fw: Patrick Reed - Vote for Censure or Removal from Appointed Council Committees

Hi Michelle,

I received an email today which the sender consented to have read at the council meeting tonight. The email is the first item in this string, and the most recent is his consent to have it read. Please contact me if you have any questions.

Thank you for your help,
Earle Stuard

From: Travis Butcher [REDACTED]
Sent: Monday, October 3, 2022 1:39 PM
To: Earle Stuard <estuard@sumnerwa.gov>
Cc: Andrea Marquez <AndreaM@sumnerwa.gov>; Kathy Hayden <KHayden@sumnerwa.gov>; Jason Wilson <jasonw@sumnerwa.gov>
Subject: Re: Patrick Reed - Vote for Censure or Removal from Appointed Council Committees

****EXTERNAL EMAIL****

Yes I consent to you forwarding it to the city clerk so it can be read during public comment tonight and made public record.

Thank you Councilmember Stuard

On Mon, Oct 3, 2022 at 1:33 PM Earle Stuard <estuard@sumnerwa.gov> wrote:

Travis,

Thank you for your email and the information you have provided. In order for your email to be made a matter of public record, would you consent to my forwarding it to the city clerk so it can be read during public comment tonight?

While I cannot speak for other Councilmembers, I am very concerned by the actions of Councilmember Reed and will take all public comments into consideration as we discuss this issue during tonight's meeting.

Best regards,
Earle Stuard
Sumner City Councilmember

Get [Outlook for iOS](#)

From: Travis Butcher [REDACTED]
Sent: Monday, October 3, 2022 1:07:30 PM
To: Earle Stuard <estuard@sumnerwa.gov>
Subject: Patrick Reed - Vote for Censure or Removal from Appointed Council Committees

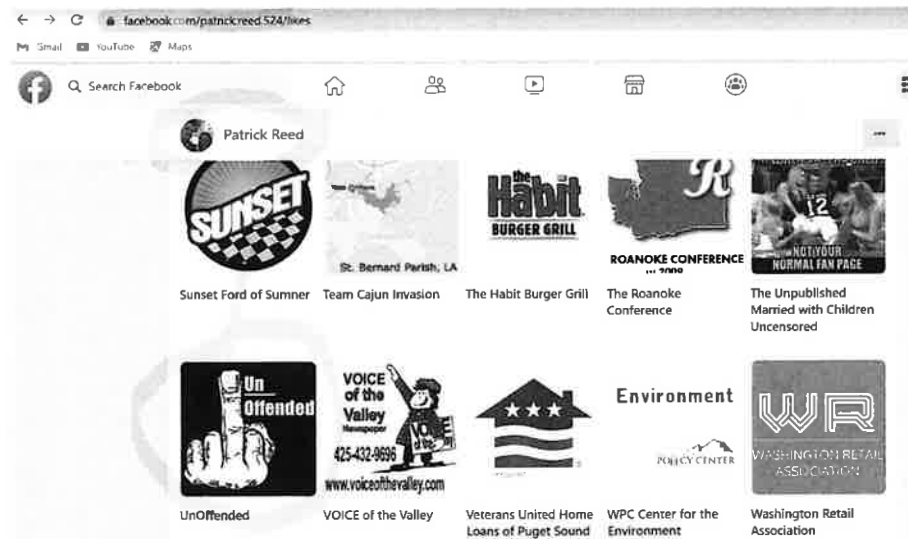
****EXTERNAL EMAIL****

Hello Councilmember Stuard,

I am writing as a Sumner resident and voter to ask that you vote for a verbal admonition, a written reprimand, censure, and removal from appointed council committees of Patrick Reed.

Patrick Reeds use of a racist meme cannot go unpunished. Racism should have no home here in Sumner, especially in a City Council position that has the power to make decisions that can disproportionately impact minorities.

Furthermore Patrick's Reeds apology is not genuine. His public facebook page shows that he still follows a facebook page called "Unoffended" this page is a cesspool of racist, homophobic, and transphobic memes. The fact that Patrick Reed is still consuming this racist material shows that he is not apologetic and has not learned from his "mistake". Here is the proof that he is still consuming racist memes.



Please let me know as a Council Member the actions you will be taking. Thank you

Travis Butcher
Sumner Resident

From: [REDACTED]
To: [Andrea Marquez](#); [Michelle Converse](#)
Subject: Fwd: Suggested Motion for Councilmember Reed
Date: Saturday, October 1, 2022 12:40:14 PM

****EXTERNAL EMAIL****

Please ensure this is filed as public written comment for Monday's meeting.

----- Forwarded message -----

From: Christina Cooper <[REDACTED]>
Date: Sat, Oct 1, 2022 at 10:31 AM
Subject: Suggested Motion for Councilmember Reed
To: <bbitetto@sumnerwa.gov>, <cbrown@sumnerwa.gov>, <pcole@sumnerwa.gov>, <chochstatter@sumnerwa.gov>, <cneuman@sumnerwa.gov>, <preed@sumnerwa.gov>, <estuard@sumnerwa.gov>, <khayden@sumnerwa.gov>

My name is Christina Cooper and I reside in Sumner off of Washington Street. The recent racist incident of Councilmember Reed has caught the attention of many concerned residents, including myself. In reviewing the agenda from the council's study session on September 26th, I was relieved to see the council taking action on the incident. However, I noticed that the motion is for Councilmember Reed to receive a written reprimand. While I understand that this is a serious disciplinary action, I don't feel it's enough. Councilmember Reed's responsibility as an elected official is to represent ALL residents of Sumner and also represent the City of Sumner. Is this how the City of Sumner wants to be represented?

I am requesting that Councilmember Reed be removed from the council completely. I have noticed he's on the Public Safety committee as well. If the council is not willing to vote to remove him, at the very least, he should be removed from the Public Safety committee as he has demonstrated a strong bias against the BIPOC community.

I have seen Councilmember Reed's apology and have tried to give him the benefit of the doubt in the scenario he provided of "sending the wrong meme", but there are a few things that keep getting in the way of this incident being a mistaken meme.

1. What meme bank was he pulling from that he had readily available on an official search engine?
2. Even if the meme omitted the racial components, does Councilmember Reed believe that anyone that ends up in court is presumed guilty? Isn't it presumed innocent until proven guilty by the court?
3. Who sends memes in official emails?

I believe that Councilmember Reed knew what he sent and has become so relaxed with his

racist and biased views, that he slipped up. If the people he sent that meme to knew that was out of character for him, they would have likely dismissed it and brought it to his attention but that's not what happened. It was reported to HR, which should tell us all that at least one of the recipients was finally able to provide evidence of who Councilmember Reed really is and took it to HR.

Over the last several months, I've noticed the City of Sumner taking meaningful steps towards creating space for the marginalized members of our community, such as the Pride bench at Loyalty Park, the murals in town, and City staff joining the Sumner Bonney Lake School District's Equity Advisory Council. I believe allowing Councilmember Reed to remain on the council sends the opposite message of what the City's recently been working towards: Sumner is inclusive and EVERYONE is welcome.

I don't think it's appropriate for the council to wait and see how Councilmember Reed's employer handles this. How this council handles this incident will be reflective of what this council truly believes and wants for ALL the residents of Sumner.

In solidarity,
Christina Cooper

[REDACTED]

You can't be neutral on a moving train - Howard Zinn

Certificate Of Completion

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Document Pages: 18

Signatures: 6

Envelope Originator:

Certificate Pages: 5

Initials: 0

Michelle Converse

AutoNav: Enabled

1104 Maple St

Envelopeld Stamping: Enabled

Sumner, WA 98390

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

MichelleC@sumnerwa.gov

IP Address: 50.216.105.106

Record Tracking

Status: Original

Holder: Michelle Converse

Location: DocuSign

10/18/2022 10:15:05 AM

MichelleC@sumnerwa.gov

Signer Events

Kathy Hayden

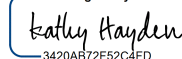
khayden@sumnerwa.gov

Mayor

City of Sumner

Security Level: Email, Account Authentication
(None)**Signature**

DocuSigned by:



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Timestamp

Sent: 10/18/2022 10:32:48 AM

Viewed: 10/18/2022 12:36:51 PM

Signed: 10/18/2022 12:37:16 PM

Signature Adoption: Pre-selected Style

Using IP Address: 50.216.105.106

Electronic Record and Signature Disclosure:

Accepted: 10/18/2022 12:36:51 PM

ID: 33e5aaaa-5c0f-41fd-b4e5-314a395f344f

Michelle Converse

michellec@sumnerwa.gov

City Clerk

City of Sumner

Security Level: Email, Account Authentication
(None)

DocuSigned by:



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Signed: 10/18/2022 4:14:53 PM

Signature Adoption: Uploaded Signature Image

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Signing Complete

Security Checked

10/18/2022 4:14:53 PM

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Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		