



The city is conducting this public meeting using a hybrid model. The public is welcome to attend tonight's meeting in-person at City Hall (Council Chambers), or virtually by using the meeting access link below.

Please click the link below to join the webinar:

<https://sumnerwa-gov.zoom.us/j/86432665763>

Or One tap mobile : +12532158782,,86432665763# or +12532050468,,86432665763#

Or Telephone: +1 253 215 8782 or +1 253 205 0468

Webinar ID: 864 3266 5763

CALL TO ORDER

Pledge of Allegiance

Invocation

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

PRESENTATION

1. Employee Recognition
2. 2023/2024 Budget in Brief

The following items are distributed to Councilmembers in advance for study and review, and the recommended actions will be accepted in a single motion. Any item may be removed for further discussion if requested by a Councilmember.

CONSENT AGENDA

1. Resolution No. 1647 – Condemnation of Blighted Property (801 Cherry Avenue)
2. Approval of the minutes from the regular council meeting of January 17, 2023 and January 23, 2023 study session.

PUBLIC HEARING

REGULAR BUSINESS

1. **Unfinished Business**
2. **Public Comment (Limit 3 minutes)**
Members of the community who wish to give public comment are strongly encouraged to join the meeting via the ZOOM link or by telephone. If you are unable to join the meeting, please submit your public comment in writing via email to the City Clerk at Michelled@sumnerwa.gov no later than 5:30pm on the date of the meeting. Any written comments received will be read into the record and provided to the City Council. Please contact the City Clerk at 253-299-5590 with any questions.
3. **New Business**
 - a. Design Commissioner Appointment (Heath)
 - b. Parks & Forestry Commissioner Appointment (Haines)
 - c. Resolution No. 1646 - 2023 Refuse and Recycle Rate Increase

d. Ordinance No. 2846 - Compost Procurement Policy

4. Reports

a. Council

b. City Administrator

c. Mayor

5. Executive Session

6. Adjournment

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact the City Clerk at (253) 299-5590, 24 hours in advance.

SUBJECT: 2023/2024 Budget in Brief

CATEGORY: Presentation

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. PowerPoint Presentation
-

STAFF CONTACT: Cassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND:

As part of our ongoing budget engagement, the City has created a budget in brief publication. This new document provides the reader with an easy to read and digestible version of our budget and council priorities. It focuses on the source of revenue and how it is spent to achieve the Council's priorities.

COUNCIL COMMITTEE/STUDY SESSION:
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MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Information Only

'23 - '24
BIENNIUM

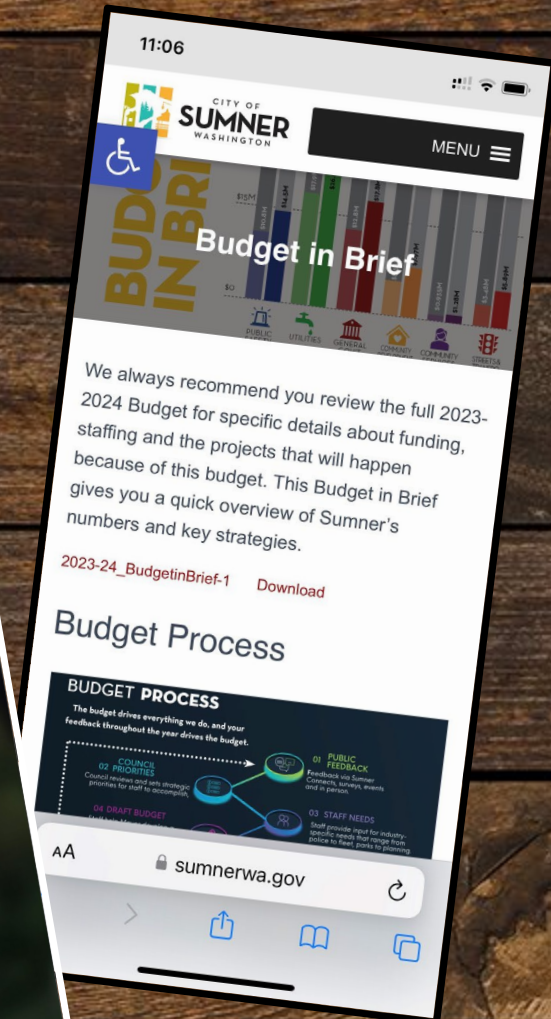
www.sumnerwa.gov

an overview of
Sumner's numbers &
key strategies

CITY OF SUMNER WASHINGTON

BUDGET IN BRIEF

Discover how the City of Sumner is investing in its community character, public safety, excellent government, protection of natural resources, and effective transportation in our budget in brief. See how we are working to make the lives of our residents better every day!



2023-24 Priorities



**COMMUNITY
CHARACTER**



**PUBLIC
SAFETY**

STRATEGIC PRIORITIES



**EFFECTIVE
TRANSPORTATION**

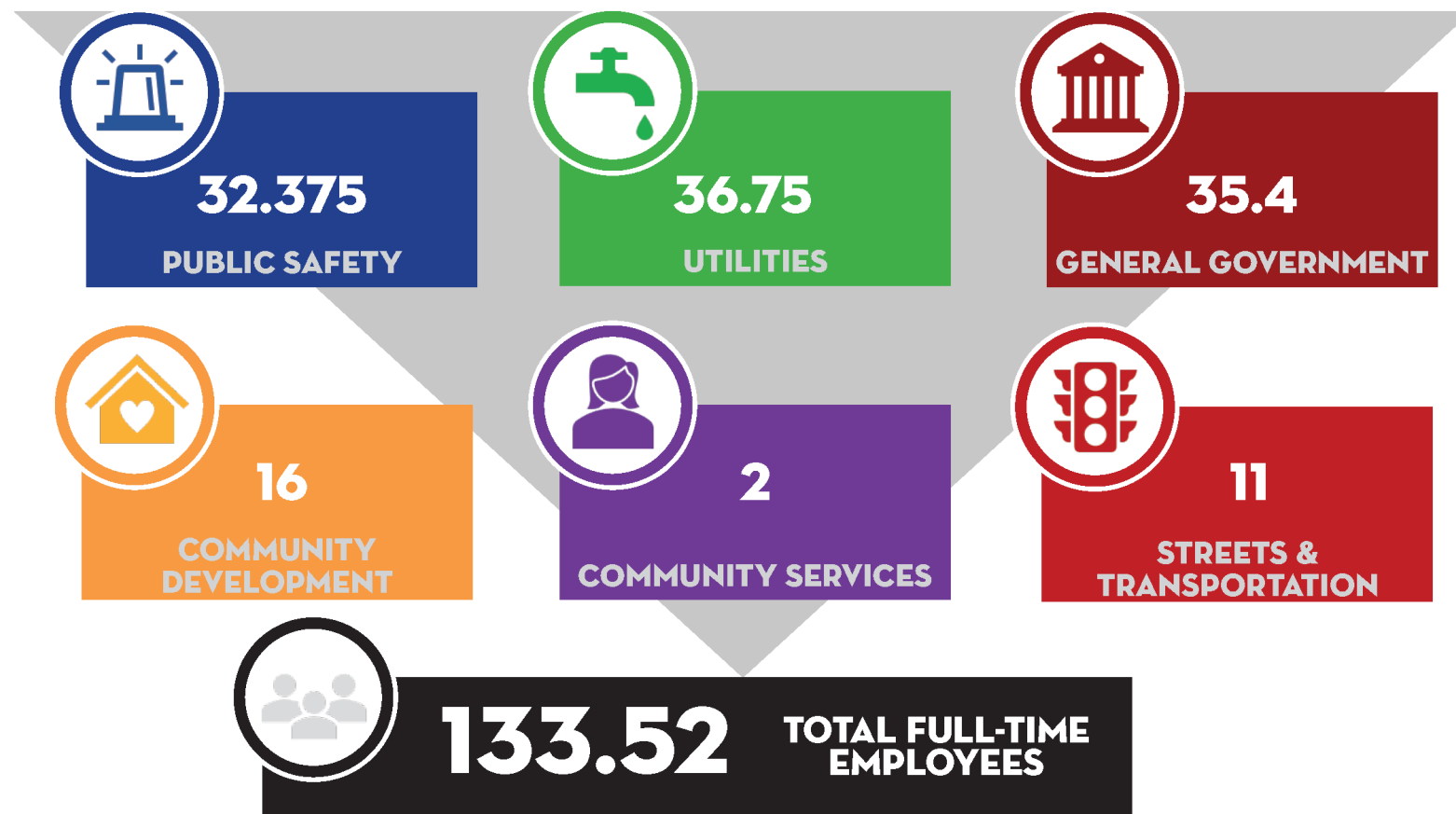


**PROTECTION OF
NATURAL RESOURCES**



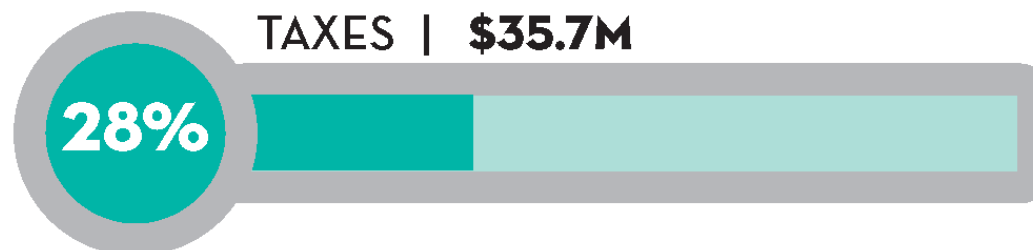
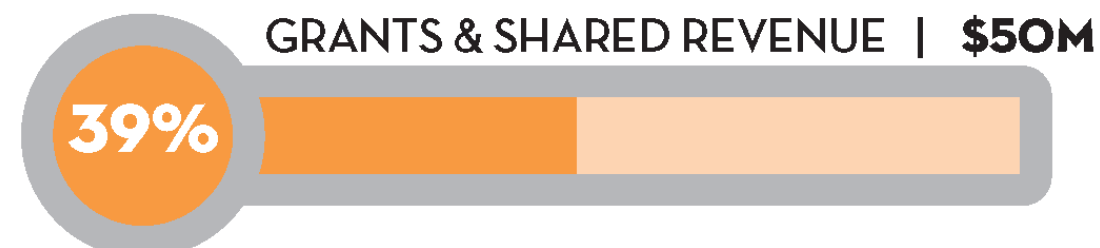
**EXCELLENT
GOVERNMENT**

2023-24 Staffing



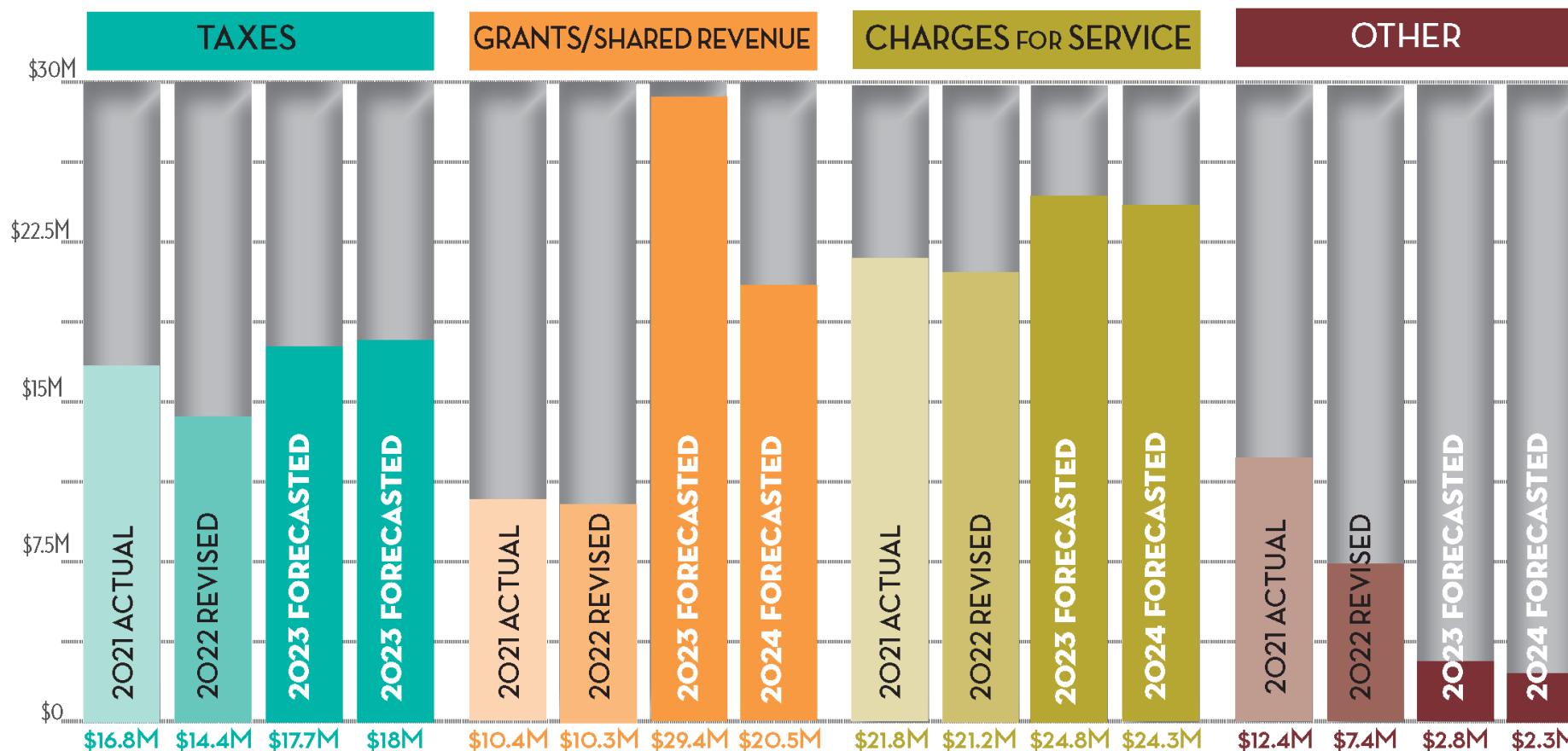
2023-24 Funding Coming In

PROJECTED REVENUES



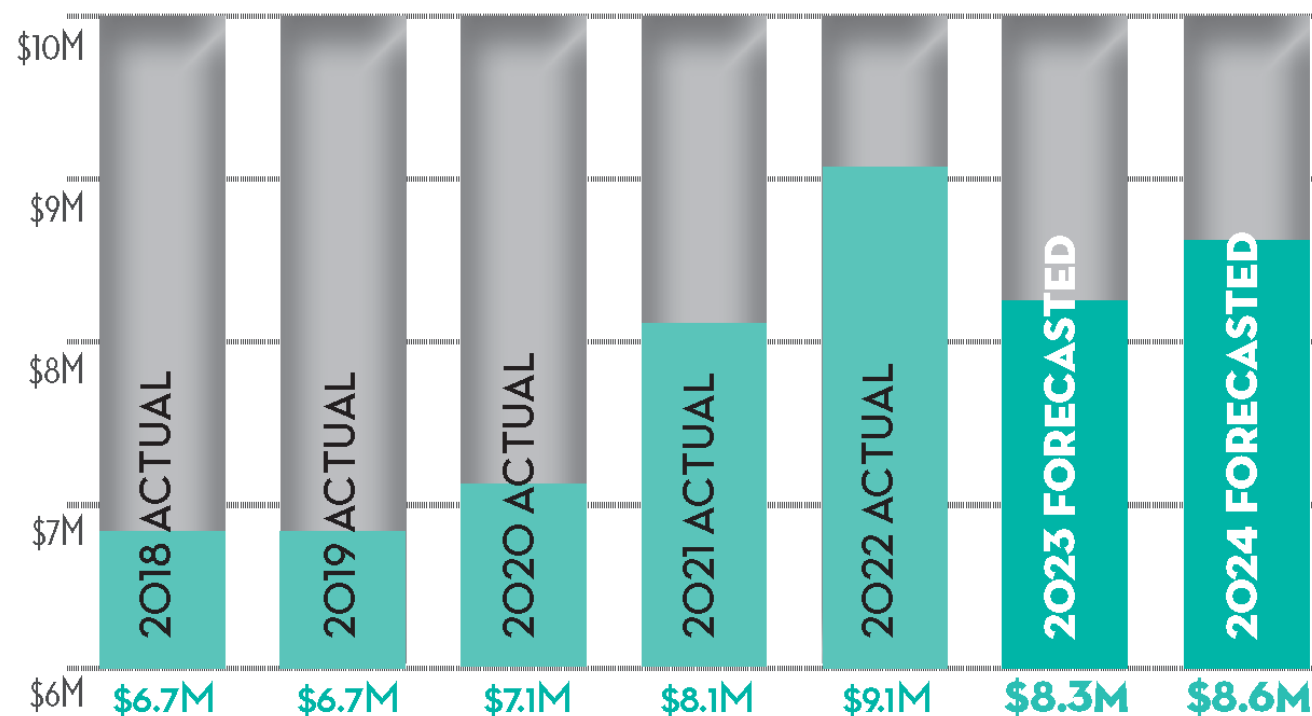
2023-24 Funding Coming In

REVENUES BY YEAR & CATEGORY



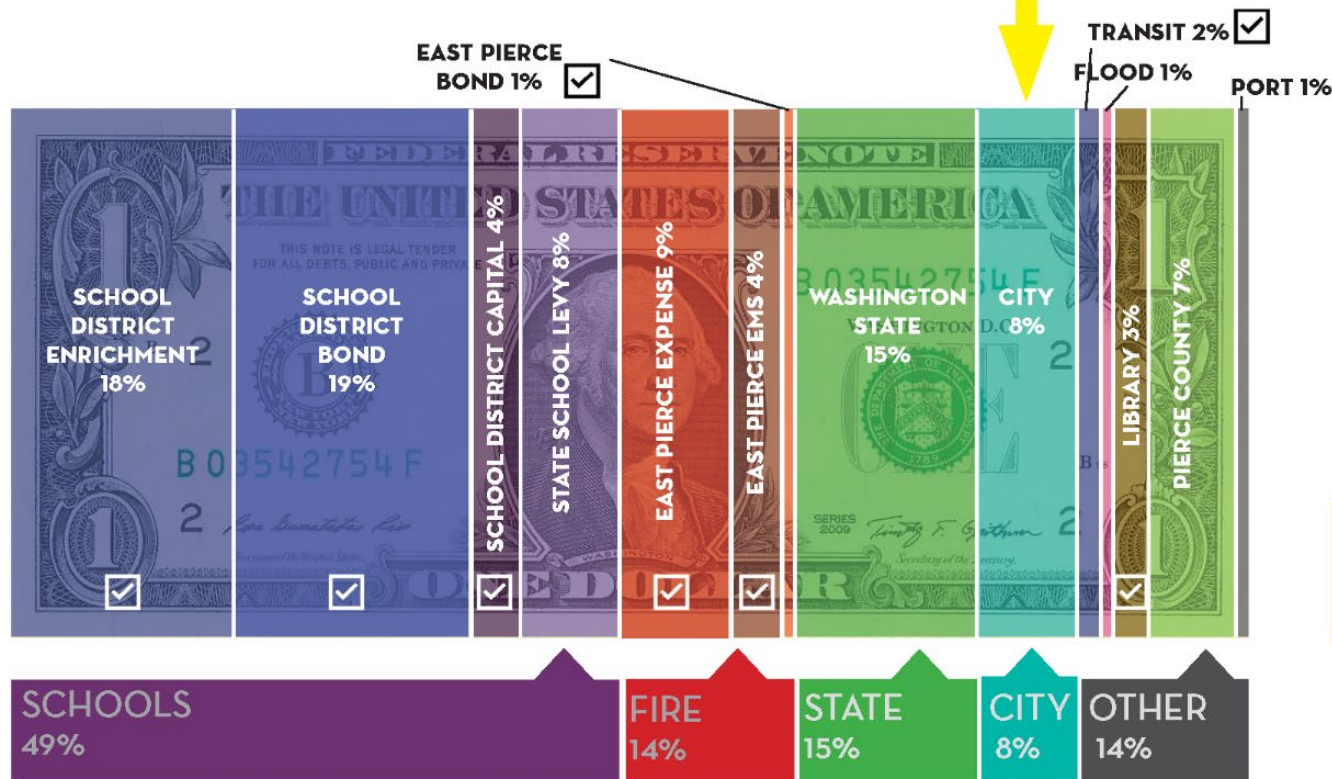
2023-24 Funding Coming In

SALES TAX REVENUES



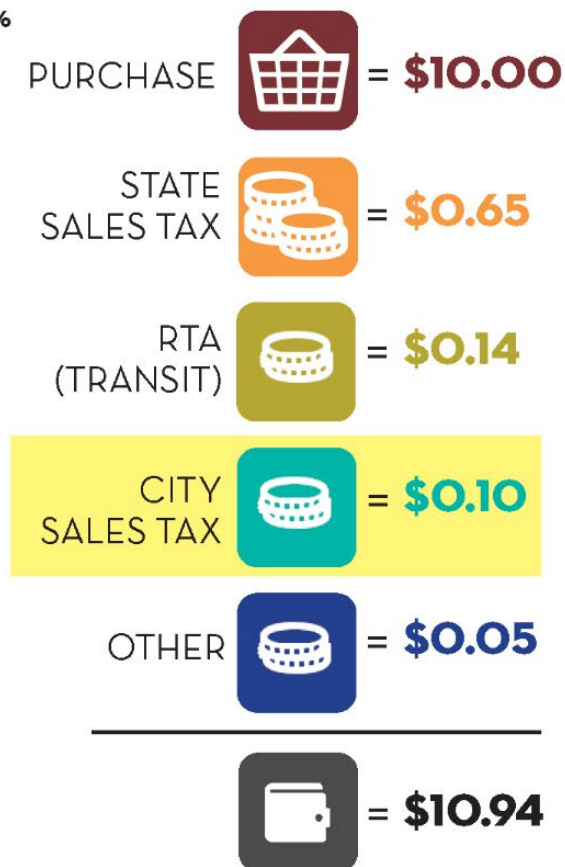
2023-24 Funding Coming In

PROPERTY TAX



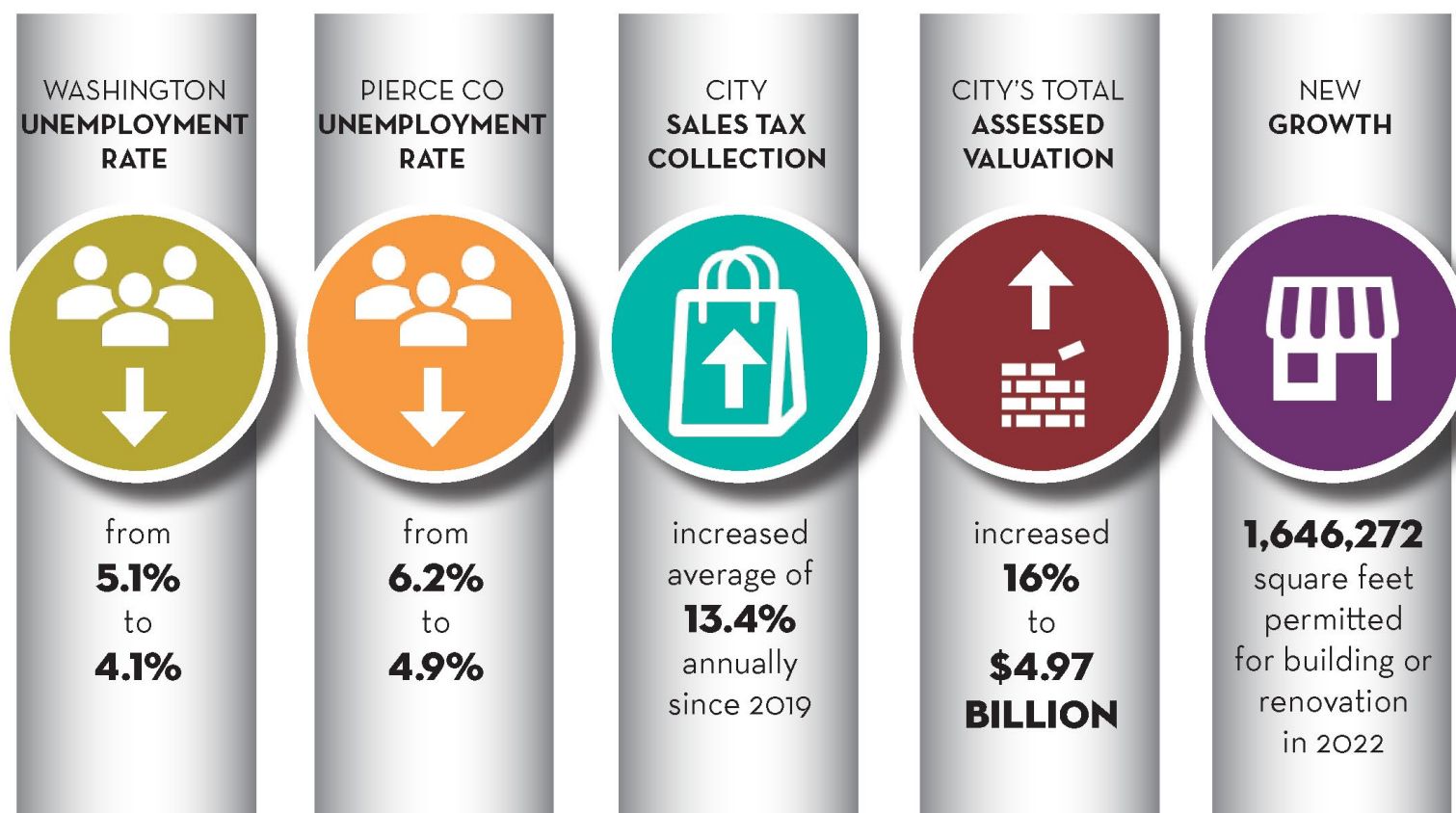
☒ Indicates voter-approved items.

SALES TAX



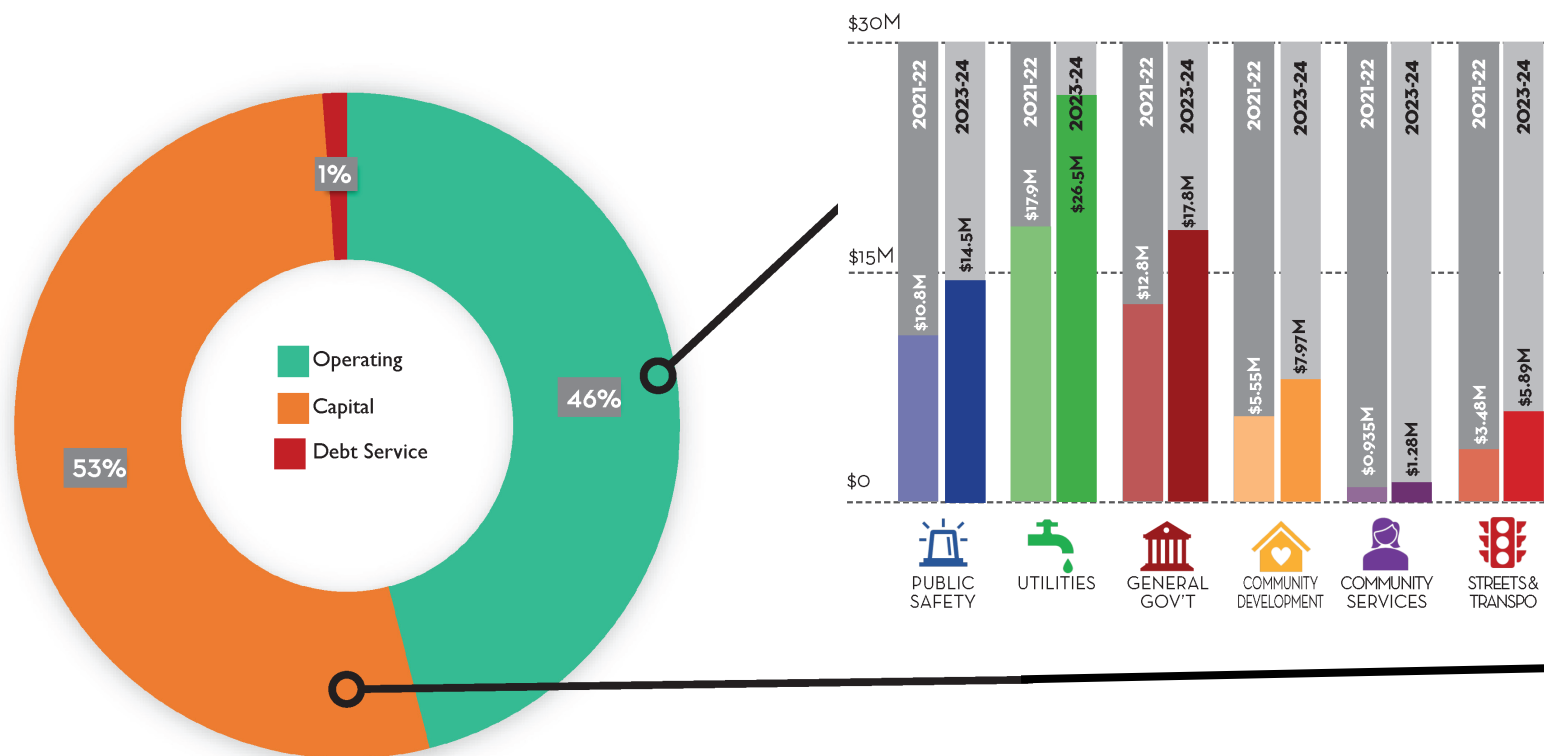
2023-24 Funding Coming In

CURRENT ECONOMIC CLIMATE



2023-24 Funding Going Out

OPERATING BUDGET BY FUNCTION

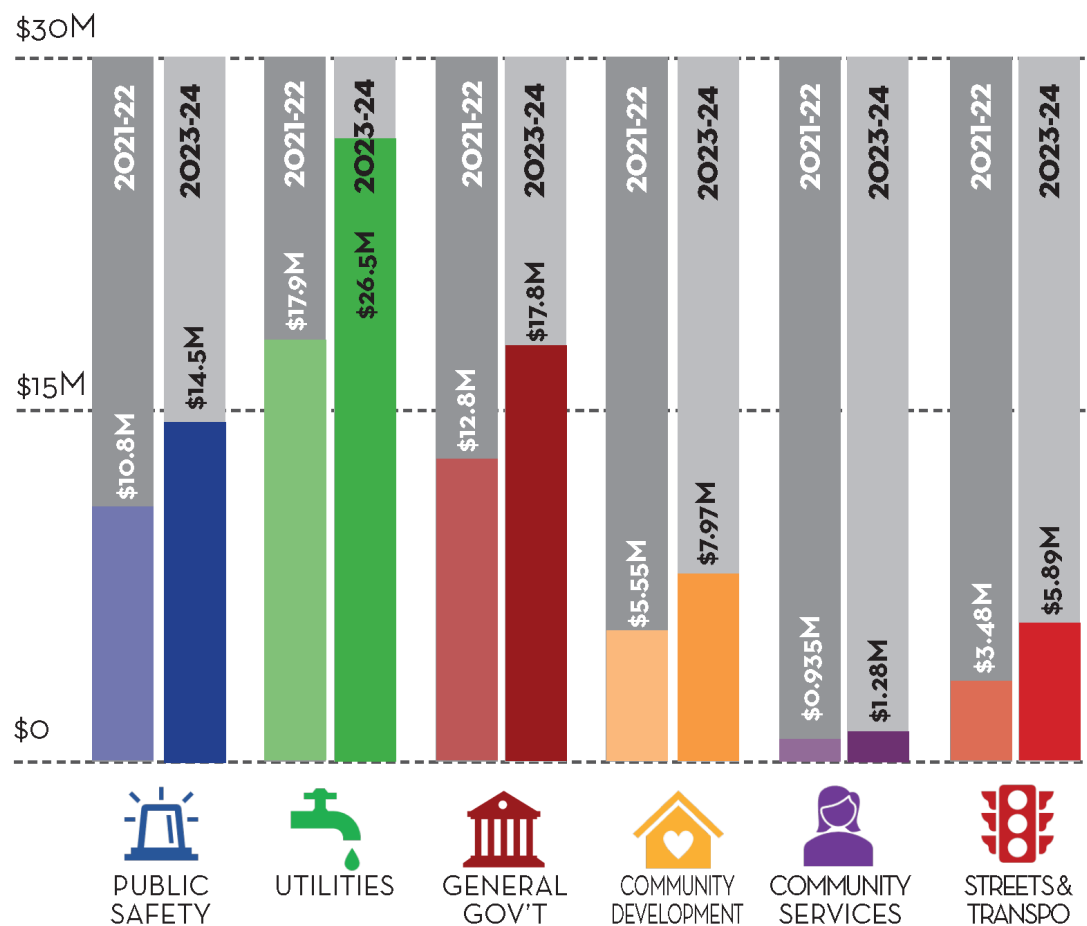


CAPITAL BUDGET BY FUNCTION



2023-24 Funding Going Out

OPERATING BUDGET BY FUNCTION



2023-24 Funding Going Out

CAPITAL BUDGET BY FUNCTION



0.75%

PUBLIC SAFETY

\$667,000



63.56%

UTILITIES

\$56.9M



6.77%

COMMUNITY DEVELOPMENT

\$6M



0.1%

COMMUNITY SERVICES

\$92,000



28.82%

STREETS & TRANSPORTATION

\$25.8M

Making Lives Better



COMMUNITY CHARACTER

- Replace playground at Rainier View Park & redesign Heritage Park.
- Paint the Sumner Senior Center
- Celebrate a broader range of cultures in arts and events.
- Rehabilitate Ryan House for broader, consistent use.
- Secure funding for Seibenthaler Park & Bennett property development.



PUBLIC SAFETY

- Grow community court to provide alternative resources to criminal defendants struggling with underlying addiction or mental health disorders.
- Add position for Emergency Manager/Safety Coordinator.
- Build new Operations Facility to respond to broken water mains, filling potholes or plowing snow.
- Partner with Co-operative Cities to provide specialized police services.



EXCELLENT GOVERNMENT

- Improve explanation for when/why projects need a permit & offer a fee calculator.
- Update the Comprehensive Plan.
- Focus on employee cross-training to add staffing depth to department.
- Review and update the non-represented Salary Study.
- Configure and implement new mobile device management solution.

Making Lives Better



PROTECTION OF NATURAL RESOURCES

- Build Habitat project of White River Restoration project to provide flood protection & wildlife habitat.
- Offer green burial options at Sumner Cemetery.
- Update the Parks, Trails & Open Space plan.
- Replace back-up generators that keep the treatment plant working in power outages.
- Complete design and advance permitting for a fish passage culverts along Salmon Creek.



EFFECTIVE TRANSPORTATION

- Complete the construction of the Academy Street Bike Lane Project.
- Relaunch public/private sidewalk program.
- Finish Town Center: Main & Wood intersection construction.
- Continue replacing plastic pavement markings every 7 years, restriping lane lines annually, patching potholes as needed, and chip sealing roadways every 15 years.

SUBJECT: Resolution No. 1647 – Condemnation of Blighted Property (801 Cherry Avenue)

CATEGORY: Resolution

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Resolution No. 1647 - Condemnation of Blighted Property
2. Declaration of Officer Brittanie High
3. Executive Determination of Mayor Kathy Hayden

STAFF CONTACT: Andrea Marquez, City Attorney

SUMMARY BACKGROUND:

The property owner of 801 Cherry Avenue died intestate and without heirs. The abandoned property quickly fell out of repair and became an attractive nuisance to squatters and illegal activity. The city is seeking Council approval to move forward with the legal process of condemnation, under the blighted property state statutes. Tonight's Resolution authorizes staff to initiate the litigation/condemnation process, and carry it through to finalization.

COUNCIL COMMITTEE/STUDY SESSION: Public Safety Committee
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MEETING/STUDY SESSION DATE: 1/18/2023

COMMITTEE RECOMMENDATION: Do Pass

STAFF RECOMMENDATIONS/MOTION:

Adopt Resolution No.1647 authorizing the City to initiate and carry through to resolution a condemnation proceeding for 801 Cherry Avenue as a blighted and abandoned property, and authorizing the payment of just compensation for the property into the court registry at an amount to be determined by the court.

**RESOLUTION NO. 1647
CITY OF SUMNER, WASHINGTON**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, PROVIDING FOR THE ACQUISITION BY EMINENT DOMAIN OF PROPERTY LOCATED AT 801 CHERRY AVENUE, SUMNER, WASHINGTON, FOR THE PURPOSES OF ELIMINATING NEIGHBORHOOD BLIGHT.

WHEREAS, RCW 35.80A.010 authorizes the City of Sumner (“City”) to condemn property that “constitutes a blight on the surrounding neighborhood”; and

WHEREAS, RCW 35.80A.010 requires that, prior to such condemnation, the City Council shall adopt a resolution declaring that the acquisition of the property is necessary to eliminate neighborhood blight; and

WHEREAS, RCW 35.80A.010 provides that a property is a “blight on the surrounding neighborhood” if any two of the following factors exist: “(1) If a dwelling, building or structure exists on the property, the dwelling, building, or structure has not been lawfully occupied for a period of one year or more; (2) the property, dwelling, building, or structure constitutes a threat to the public health, safety, or welfare as determined by the executive authority; or (3) the property, dwelling, building, or structure is or has been associated with illegal drug activity during the previous twelve months” ; and

WHEREAS, the City Council, having considered the Executive Determination of Mayor Kathy Hayden determining that the property at 801 Cherry Avenue, Sumner, Washington, constitutes a threat to the public health, safety, or welfare, and having considered the supporting declarations submitted by the Sumner Police Department, and a City resident and neighbor of the property describing the criminal activity present and ongoing on the premises, including within the past twelve months, hereby declares that the City’s acquisition of the property located at 801 Cherry Avenue, Sumner, Washington, is necessary to eliminate neighborhood blight; and

WHEREAS, RCW 35.80A.010 provides that the condemnation of property for the purpose of eliminating neighborhood blight is declared to be a public purpose; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Public Use and Necessity.

- 1.1 Public use and necessity require that the City acquire the property at 801 Cherry Avenue, Sumner, Washington, (“Property”) legally described in Attachment A hereto for the purpose of eliminating neighborhood blight.
- 1.2 The City Council adopts as its finding of fact in support of this resolution the facts set forth in the Declaration of Brittanie High, and the Executive Determination of Mayor Kathy Hayden determining that the Property constitutes a threat to public health, safety or welfare and the

supporting declarations submitted by the Sumner Police Department, and a City resident and neighbor of the property describing the criminal activity present and ongoing on the premises. The Mayor's Executive Determination and declarations attached thereto are incorporated herein by reference.

Section 2. Authorization for Litigation (Prosecution).

The City Attorney and/or her designee, is authorized to take all necessary action to commence and litigate a condemnation action against the Property to obtain City ownership thereof.

Section 3. Just Compensation.

The Property is to be taken only after just compensation has been made, or paid into the registry of the court, for the legal owners thereof in a manner provided by law.

Section 4. Funding.

The entire cost of the acquisition provided for this ordinance shall be paid from the general fund or from such other funds as the City may make available for this purpose.

Section 5. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the city clerk and the code reviser are authorized to make necessary corrections to this resolution, including but not limited to the correction of clerical errors; or references to other local, state, or federal laws, codes, rules, or regulations.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this _____ day of February, 2023.

Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse

City Attorney Andrea Marquez

First Reading:
Date Adopted:
Date of Publication:
Effective Date:

EXHIBIT A
LEGAL DESCRIPTION

Section 24 Township 20 Range 04 Quarter 34 SUMNER (ADDITION) W 57 FT OF L 6 B 7

The West 57 feet of Lot 6, Block 7, of Sumner, according to Plat recorded in Book1 of Plats at Page 68, records of Pierce County Auditor.

1
2
3
4
5 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
6 IN AND FOR PIERCE COUNTY

7
8 CITY OF SUMNER, a municipal
corporation,

9 Petitioner,

10 vs.

11 HEIRS AND/OR UNKNOWN HEIRS
12 AND/OR ASSIGNEES OF JANIS
13 FIEBELKORN; and ALL UNKNOWN
14 OWNERS and ENCUMBRANCES;
15 ALSO, ALL OTHER PERSONS OR
16 PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, ESTATE, LIEN, OR
INTEREST IN THE REAL ESTATE
DESCRIBED IN THE COMPLAINT
HEREIN.

17 Respondents.

No.

**DECLARATION OF
OFFICER BRITTANIE HIGH FOR
PETITION FOR CONDEMNATION**

18 I, Officer Brittanie High, declare under penalty of perjury under the laws of
19 Washington that the foregoing is true and correct:

20 1. I am the Community Service Officer for the City of Sumner Police
21 Department (SPD). I make this Declaration in support of the City's Petition for
22 Condemnation of Blighted Property. I am over the age of 18, have personal knowledge of
23 the facts set forth in this Declaration, and am otherwise competent to testify to the matters
24 stated herein. I make this declaration pursuant to RCW 9A.72.010, RCW 5.50.010 and
subject to RCW 9A.72.020.

25 **DECLARATION OF OFFICER BRITTANIE**
26 **HIGH- 1**

CITY OF SUMNER
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1
2 2. As part of my duties, I am tasked with working on Code Enforcement cases
3 within the City of Sumner. Additionally, as a member of the SPD, I assist in various duties
4 involving police investigations and criminal cases. As a result, I have knowledge regarding
5 the police response and subsequent investigation undertaken at the vacant house on the
6 property of 801 Cherry Ave., Sumner, WA.

7 3. The property at 801 Cherry Ave., Sumner, WA has had numerous dispatch
8 calls for service for trespassing as unknown subjects unlawfully entered the property on
9 many occasions. The property has become a health hazard as there is no power or water.
10 Trespassing occupants were defecating in the toilet that had no running water to flush. The
11 windows were broken out, the garage was left cracked allowing wild animals to enter, and
12 the personal property remaining in the home was destroyed. As a whole the property
13 constitutes a threat to the public health, safety, or welfare.

14 4. In addition to above, I have had personal experience with the property as
15 follows:

16 5. I personally took the pictures attached as Exhibit #1 and they reflect a true
17 and correct depiction of the property after suspects broke into and vandalized the house.

18 6. On June 18, 2021, SPD officers were dispatched to conduct a welfare check
19 on Janis L. Fiebelkorn DOB: 05/10/47. SPD Sgt. Kurle checked the residence which had
20 some windows ajar. The front door and garage were locked and there were three
21 newspapers in the front lawn. The neighbor advised that both her vehicles were accounted
22 for outside. Through the windows Sgt. Kurle, based on his 28 years in law enforcement,
23 could see that Ms. Fiebelkorn was deceased. Medical Aid arrived and confirmed at 1601
24 with Dr. McLean of Good Samaritan ER. See SPD report #2116901471.

25 **DECLARATION OF OFFICER BRITTANIE**
26 **HIGH- 2**

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1
2 7. At the end of the death investigation, Sgt. Kurle locked up the house and
3 properly booked the house key into safekeeping at the Sumner PD. During the investigation
4 Sgt. Kurle was able to determine, based upon some calls to various friends of Ms.
5 Fiebelkorn, that she was an only child and that she had made plans on where she was going
6 to be buried. Sgt. Kurle was able to contact a friend of Ms. Fiebelkorn that was going to
7 arrange with the funeral home to carry out Ms. Fiebelkorn's wishes of being buried with her
8 parents as she had already picked out her plot. See SPD report #2116901471.

9 8. December 2021, SPD Deputy Chief McCurdy was sent an Adult Protective
10 Services (APS) referral, intake #178909, investigation #134511. The referral came from
11 Boeing Employees' Credit Union (BECU) and they believed that Ms. Fiebelkorn maybe a
12 victim of financial exploitation. As the case was assigned to SPD Officer Eller, he alerted
13 APS that Ms. Fiebelkorn had died in June of 2021 and the APS investigator stated that she
14 was going to take care of everything on her side of APS. See SPD report #211690147.2

15 9. On January 11, 2022, a neighbor of 801 Cherry Ave. called to report that
16 some time since about 5:00 pm on January 10, 2022, the house at 801 Cherry Ave. was
17 burglarized and the two vehicles were stolen from that residence. SPD responded and
18 conducted a security check. See SPD report #2201100830.

19 10. On January 29, 2022, SPD Officer Boulay was dispatched to contact the
20 Aberdeen Police Department regarding a vehicle that was registered in Sumner. Aberdeen
21 PD Officer Capps stated that a 2018 Chevy Colorado was recently involved in multiple
22 incidents of eluding and other crimes in the area. Ofc. Capps stated that the vehicle was
23 registered to a Janis Fiebelkorn of 801 Cherry Ave., Sumner, WA. Ofc. Boulay notes that
24 he was unable to determine who would be legally responsible for Ms. Fiebelkorn's
25 residence or her two vehicles. It appeared that the two vehicles that were owned by Ms.

26 **DECLARATION OF OFFICER BRITTANIE**
HIGH- 3

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1 Fiebelkorn were now stolen, however, without a living owner, Ofc. Boulay did not have
2 enough information to enter them as “stolen” at this time. See SPD report #2201100830.
3

4 11. On June 6, 2022, the SPD received a written complaint from David Peters,
5 neighbor, and resident at 805 Cherry Ave. Sumner, WA. The complaint was regarding 801
6 Cherry Ave. Sumner, WA and read, “House has been vacant since June 2021 due to death.
7 Deceased had no know [sic] relatives. House was broken into Jan 22 and two cars were
8 stolen. Police came and took report. House was spray painted on interior walls according to
9 Officers. Door was unlocked. June 28th 2022 observed Individual [sic] walk into house.
10 Called police they removed The [sic] man from house. Door again was unlocked. Windows
11 seem to have been covered on the inside to conceal occupancy. I am filing this complaint
12 under 15.14.070 #1. of Sumner Municipal Code[.]”

13 12. On June 6, 2022, I requested that the City public works crew remove the
14 water meter at 801 Cherry Ave.

15 13. On June 6, 2022, after reading past reports, I learned that an individual was
16 found inside the house on May 28, 2022. Ofc. McDonald and Ofc. Kaylor contacted one
17 male who was taken off the property. Ms. Fiebelkorn’s vehicles were also taken from the
18 driveway in early 2022. I advised the City of Sumner Legal team of the situation. The City
19 attempted to find any next of kin for Ms. Fiebelkorn but has been unsuccessful. It appears
20 that there are no known relatives whatsoever for Ms. Fiebelkorn.

21 14. Together with my SPD colleagues, secured the home under community
22 caretaking purposes. The property has become a public safety issue due to the nature of the
23 complaint and ongoing criminal activity. See SPD report #2216000705.

24 15. On June 6, 2022, I called the Pierce County Medical Examiner’s Office to
25 search for any next of kin for Ms. Fiebelkorn. The Medical Examiners were only able to

26 **DECLARATION OF OFFICER BRITTANIE**
27 **HIGH- 4**

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1 provide a phone number for Ms. Fiebelkorn's friend, Dave Wheeler. SPD Detective
2 Schliesman also attempted to find any next of kin using his law enforcement databases for
3 Ms. Fiebelkorn and was not successful.
4

5 16. On June 7, 2022, the City Shops department removed the water meter due to
6 the squatting situation. Notes indicate that the meter was already shut off in February 2022.

7 17. On June 9, 2022, Ofc. Kaylor, Ofc. McDonald and I arrived at the property
8 to conduct a security check at the residence. Ofc. Kaylor made multiple announcements
9 prior to entering the residence. We entered the home and did not find any person inside.
10 The inside of the house appeared ransacked. There was spray painted graffiti on the walls,
11 mail was thrown everywhere and clothes all over the floor. There was feces in the toilet
12 despite no running water. I took pictures of the damage and uploaded them into the case
13 files. (See Attachment #1 below.) I waited for the City Shops department to arrive at which
14 point they started the process of securing it. City Shops placed plywood boards inside the
15 windows to properly securing it from any additional unauthorized persons trying to gain
16 access; they changed out the front door lock to a City used key. A lot of the papers inside
17 the residence were financial documents that included bank statements, insurance policies
18 and bank checks. See SPD report #2216000705.

19 18. On June 9, 2022, Deputy City Attorney, Maili Barber, and I went to Chase
20 Bank in Sumner to speak with a representative regarding the account. We did this to ensure
21 we had uncovered every possible avenue of locating surviving heirs. We wanted to notify
22 Chase Bank that Ms. Fiebelkorn is deceased and to inquire if any next of kin are located on
23 her accounts. Chase stated they received notification of her death but were unable to
24 provide any additional information to us without a court order and death certificate.

1
2 19. On July 26, 2022, at about 7:31 am, dispatched advised that David Peters
3 called in to report that sometime after 10:00 pm, someone broke the front window of the
4 house at 801 Cherry Ave. and that the house had noticeable damage to some of the
5 windows. Officer Boulay, Officer Miller and I arrived to investigate an attempted burglary
6 of the vacant house. I provided them with a key to the front door and we cleared the house.
7 The City has since boarded the house up, maintained the window boards and the yard (to
8 discourage criminal activity). The board that secures the front window is still in place but is
9 not visible from the outside because it is mounted inside the house behind the shades. Ofc.
10 Boulay notes in the police report that the front window was cut. The front window was also
11 broken out and all of the sliding rear and side windows were opened. I believe that someone
12 likely intended to enter the house but gave up when they discovered that the boards on the
13 inside of the windows prevented them from gaining access. See SPD report #2220700511.

14 20. On August 4, 2022, I received an email from the neighbor, Dave Peters
15 stating that he saw a large racoon going under the house. A few days later it appeared that
16 the racoon had vacated.

17 21. I have determined that the property constitutes a threat to public health,
18 safety, and welfare as the home has regularly fallen victim to squatting, damage, breaking
19 and entering and health hazards.

20 **I DECLARE UNDER PENALTY OF THE PERJURY UNDER THE LAWS**
21 **OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND**
22 **CORRECT TO THE BEST OF MY KNOWLEDGE.**

23 Executed this 11th day of January 2023, at Sumner, Washington.

24 _____
25 Officer Brittanie High #
26 Sumner Police Department

27 **DECLARATION OF OFFICER BRITTANIE**
HIGH- 6

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Attachment #1 June 9, 2022
In-Home Pictures Taken by Ofc. High



**DECLARATION OF OFFICER BRITTANIE
HIGH- 7**

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**DECLARATION OF OFFICER BRITTANIE
HIGH- 8**

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**DECLARATION OF OFFICER BRITTANIE
HIGH- 9**

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**DECLARATION OF OFFICER BRITTANIE
HIGH- 10**

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**DECLARATION OF OFFICER BRITTANIE
HIGH- 11**

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EXECUTIVE DETERMINATION OF MAYOR KATHY HAYDEN THAT THE PROPERTY AT 801 CHERRY AVE. SUMNER, WA CONSTITUTES A THREAT TO THE PUBLIC HEALTH, SAFETY, AND WELFARE.

I am the elected Mayor and executive authority of the City of Sumner, Washington. I am familiar with the property located at 801 Cherry Ave, Sumner, Washington.

I have reviewed information provided by the Sumner Police Department, neighboring property owner(s), utility documents, and video and pictures regarding the conditions, activities, and criminal activity that has occurred on the property and the impact on the surrounding neighborhoods.

I am familiar with the definition of blight as defined in RCW 35.80A.010. I am aware that the property owner died intestate in June 2021 leaving no known heirs. I am aware that since her death, the property has not been lawfully occupied for a period exceeding one year and has been regularly targeted and used for criminal activity.

Pursuant to my authority as Mayor, and pursuant to RCW 35.80A.010, I hereby determine and declare that the property located at 801 Cherry Ave. Sumner, WA, is a property constituting a threat to the public health, safety, and welfare. I base this determination and declaration on the following:

- Declaration of Sumner Police Department Community Service Officer Brittanie High.
- Sumner Police Department Reports, Body Worn Camera Video, and pictures.
- Complaint filed by Dave Peters, neighbor at 805 Cherry Ave.
- Water meter shut off records.
- Order instructing the Public Works department to remove the Water meter.

The declarations and reports by the above officers, neighboring property owners, utilities documents, and accompanying video and pictures document the threat to public health, safety and welfare posed by the property at 801 Cherry Ave, Sumner, WA. Additionally, police reports and the utilities documents show that the dwelling at 801 Cherry Ave, Sumner, WA, has not been lawfully occupied for a period of one year or more. Therefore, pursuant to RCW 35.80A.010, I hereby determine that the condemnation of the above property is declared to be for a public use and necessary to eliminate neighborhood blight.

Executed this 11th day of January 2023, at Sumner, Washington.

Mayor Kathy Hayden, City of Sumner

SUBJECT: Approval of the minutes from the regular council meeting of January 17, 2023 and January 23, 2023 study session.

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Minutes - January 17, 2023
2. Minutes - January 23, 2023

STAFF CONTACT: Michelle Converse, City Clerk

SUMMARY BACKGROUND:

Minutes from the previous two meetings.

COUNCIL COMMITTEE/STUDY SESSION:
--

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Approve as presented.



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, City Engineer Michael Kosa, Communications Director Carmen Palmer, Police Chief Brad Moericke, Administrative Services Director Jeff Steffens, City Clerk Michelle Converse, Environmental & Sustainability Specialist Robert Wright and Associate City Engineer Alisa O'Haver-Ayala

CALL TO ORDER

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

Pledge of Allegiance

Invocation

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

Councilmember Stuard attended the meeting remotely and experienced audio difficulties throughout the meeting.

CONSENT AGENDA

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

1. Lease Agreements – Carroll's Garage and Car Village
2. Approval of the minutes from the regular council meeting of January 3, 2023 and January 9, 2023

PASSED BY VOICE VOTE.

PUBLIC HEARING

REGULAR BUSINESS

1. Unfinished Business

None tonight.

2. Public Comment

No Public Comment.

3. New Business

a. Updating Sumner Municipal Code 13.6.060 Storm Credits

MOVED BY BITETTO SECONDED BY REED TO ADOPT ORDINANCE NO. 2840, REVISING SECTIONS OF CHAPTER 13.36.060, SUBSTANTIALLY IN THE FORM AS APPROVED BY THE CITY ATTORNEY.

Environmental & Sustainability Specialist Robert Wright addressed the topic with council.

PASSED BY ROLL CALL VOTE, WITH COUNCILMEMBER STUARD NOT VOTING DUE TO AUDIO DIFFICULTIES.

4. Reports

a. Council

Councilmembers Brown, Neuman and Reed had nothing to report tonight.

Councilmember Bitetto – last week the Pierce County library spoke to the Council about their plans for a new library and she encouraged the public to attend an open house at the Sumner Library on January 31 from 11-12pm and 3-4pm to provide comments about what you would like to see at the new library.

Councilmember Cole had the opportunity to participate in interviews for a community representative for the Pierce County Force and Investigation Task Force.

Councilmember Stuard was still experiencing audio difficulty.

b. City Administrator

City Administrator Jason Wilson reported on the following:

Upcoming Policy Issues:

- January 23, 2023 – Study Session
 - 2023 Refuse Rates
 - Compost Procurement Policy
 - Rainier View Covered Court Update
 - White River Restoration Project Update
- January 30, 2023 – No meeting (5th Monday)
- February 6, 2023 – Regular Council Meeting
 - Compost Procurement Policy Ordinance
 - Resolution Authorizing Condemnation of 801 Cherry Ave
 - Appointment of a Design Commissioner
 - Appointment of a Parks & Forestry Commissioner

Policy Follow-Up:

- Our MIC transit pilot project, Sumner Commuter Connector, has started. We have signed employer agreements with LKQ and Seikasui and have additional contracts nearing completion. We have also started seeing ridership.

Miscellaneous:

- Chamber State of the Cities is next Tuesday at 11:30am. If you are interested in attending, please contact Michelle.

c. Mayor

Deputy Mayor Hochstatter had a couple of items to comment on:

The Deputy Mayor invited the public to attend an Open House on January 25, from 4-6pm at Electric Coffee for Heritage Park and activating downtown alleys.

She also reminded the public about the new online utility bill pay system, at www.sumnerwa.gov.

5. **Executive Session**

Deputy Mayor Hochstatter adjourned the regular meeting at 6:16pm into an Executive Session for the purpose of discussing with legal counsel litigation or potential litigation pursuant to RCW 42.30.110(1)(i) for a period of no more than 30 minutes. There will be no action to follow.

6. **Adjournment**

Deputy Mayor Hochstatter reconvened and adjourned the regular meeting at 6:46pm.
Councilmembers concurred.

Attest:

Deputy Mayor Cindi Hochstatter

Michelle Converse, CMC
City Clerk



The city conducted this public meeting using a hybrid model, in-person and Zoom.

Staff present: City Administrator Jason Wilson, City Attorney Andrea Marquez, Community Development and Economic Director Ryan Windish, City Engineer Michael Kosa, Development Services Director Doug Beagle, Administrative Services Director Jeff Steffens, Community Development Manager Derek Barry and Environmental & Sustainability Specialist Robert Wright

Deputy Mayor Hochstatter called to order the Study Session, at 6pm.

CALL TO ORDER

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

COUNCILMEMBER NEUMAN WAS ABSENT.

MOVED BY BITETTO SECONDED BY COLE TO EXCUSE NEUMAN FROM TONIGHT'S MEETING.

PASSED BY VOICE VOTE.

REGULAR BUSINESS

1. 2023 Refuse and Recycle Rate Increase
2. Compost Procurement Policy
3. Rainier View Park Covered Court
4. White River Restoration – Project Update

CITY ADMINISTRATOR REPORT AGENDA

SETTING

1. Council Meeting Agenda Calendar
2. Council Committee Meeting Calendar

EXECUTIVE SESSION

Deputy Mayor Hochstatter adjourned the regular meeting into Executive Session at 7:25pm for the purposes of discussing with legal counsel litigation or legal risks of a proposed action (RCW 42.30.110(1)(i)(iii)). The time was not to exceed 30 minutes, and no action to follow. The Executive Session was extended three times, once at 7:55 for 30 minutes, once at 8:25 for 10 minutes and the last time at 8:35 for 5 minutes.

ADJOURNMENT

Deputy Mayor Hochstatter reconvened into the regular meeting which she adjourned at 8:40pm. Councilmembers concurred.

ATTEST:

City Clerk Michelle Converse, CMC

Deputy Mayor Cindi Hochstatter

SUBJECT: Design Commissioner Appointment (Heath)

CATEGORY: Motion

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Commission Application - Luke Heath

STAFF CONTACT: Scott Waller, Assistant Planner

SUMMARY BACKGROUND:

The Mayor is seeking the confirmation of Luke Heath to a 4-year term on the Design Commission.

Mr. Heath wants to ensure new projects meet the design intent and the continuity of the established precedence. He previously served on the City of Puyallup Historic Preservation and Design Review Board for two years.

The Sumner Design Commission consists of seven members who are appointed by the Mayor and confirmed by the City Council. The members are to be selected without respect to political affiliations and serve without compensation.

COUNCIL COMMITTEE/STUDY SESSION:
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MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Confirm the Mayoral appointment of Mr. Luke Heath to the Design Commission for a four-year term, ending in April 2027.



COMMISSION APPLICATION

Thank you for your interest in serving on a City of Sumner commission. We value the contributions that volunteers make in keeping Sumner a great place. This application will help us better understand your background. **Please fill out electronically or print clearly.**

I am interested in serving on the following:

☐ ARTS & CULTURE ☐ CIVIL SERVICE ☒ DESIGN ☐ LODGING TAX ☐ PARKS/FORESTRY ☐ PLANNING

Name: Luke Heath Contact Phone: [REDACTED]

Address: [REDACTED] Sumner, WA

Email: [REDACTED]

Occupation (if retired, please indicate former occupation or profession):

Structural Engineer

Education: Bachelor of Civil Engineering and Masters of Structural Engineering at WSU

Professional and / or Community Involvement:

Association For Learning Environment (Former Treasurer); Structural Engineer Associate of Washington (Former State and Local President)

Why are you interested in serving on this commission?

I'm interested in preserving the heritage and character of Sumner. I want to ensure that new projects meet the design intent and the continuity of the established precedence. Sumner is an amazing community and I want to help keep that same enthusiasm for years to come, both for the residents and owners of Sumner.

Have you previously served on a City commission? ☒ Yes ☐ No

If yes, which one(s): City of Puyallup Historic Preservation and Design Review Board 2015 to 2017

Please note that all information on this form becomes public information when submitted.

Return completed form to City of Sumner, 1104 Maple Street, Sumner, WA 98390

OR email: michellec@sumnerwa.gov

SUBJECT: Parks & Forestry Commissioner Appointment (Haines)

CATEGORY: Motion

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Application - Scott Haines

STAFF CONTACT: Derek Barry, Community Services Manager

SUMMARY BACKGROUND:

Mayor Hayden is seeking the confirmation of Scott Haines to serve on the Parks & Forestry Commission for a period of four-years.

Mr. Haines is a principal in the Kent School District and has lived in Sumner for the past 17 years. He has over 1000 hours of volunteering over the years and has coordinated many community-wide events for the betterment of our neighborhoods, community and city.

The Parks & Forestry Commission is made up of 12 volunteers who meet monthly.

COUNCIL COMMITTEE/STUDY SESSION:
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MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Approval the Mayoral Appointment of Mr. Haines to serve on the Parks and Forestry Commission for a period of 4 years, with a term expiring in April of 2027.



COMMISSION APPLICATION

Thank you for your interest in serving on a City of Sumner commission. We value the contributions that volunteers make in keeping Sumner a great place. This application will help us better understand your background. **Please fill out electronically or print clearly.**

I am interested in serving on the following:

☐ **ARTS & CULTURE** ☐ **CIVIL SERVICE** ☐ **DESIGN** ☐ **LODGING TAX** ☒ **PARKS/FORESTRY** ☐ **PLANNING**

Name: Scott Haines Contact Phone: [REDACTED]

Address: [REDACTED], Sumner, WA 98390

Email: [REDACTED]

Occupation (if retired, please indicate former occupation or profession):

Principal of Middle School in Kent, WA

Education: Masters in Educational Leadership, BS in Community Health Promotion Programs

Professional and / or Community Involvement:

Mountain View Homeowners Association President, 2019-2022 (presently serving). Cascade Regional Blood Services Blood Drive Coordinator. Served in Advancing Leadership for City of Federal Way.

Why are you interested in serving on this commission?

I have always been involved in service oriented roles, including 9 year in the Army, school teacher, and school administrator roles. I have over 1000 hours of volunteering over the years and have coordinated many community-wide events for the betterment of neighborhoods, community and city. As a school principal of a Title 1 school, I have coordinated with over 10 different Community-Based Organizations (CBO's). Bottomline, I want to serve, have a voice and help with the vision of the Sumner Parks and Forestry planning, I have now lived in Sumner for over 17 years. Thank you for your consideration.

Have you previously served on a City commission? ☐ **Yes** ☒ **No**

If yes, which one(s):

Please note that all information on this form becomes public information when submitted.

Return completed form to City of Sumner, 1104 Maple Street, Sumner, WA 98390

OR email: michellec@sumnerwa.gov

SUBJECT: Resolution No. 1646 - 2023 Refuse and Recycle Rate Increase

CATEGORY: Resolution

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Resolution No. 1646 - 2023 Refuse and Recycle Rate Increase

STAFF CONTACT: Jeff Steffens, Administrative Services Director

SUMMARY BACKGROUND:

The City's contract with Murrey's Disposal stipulates that rates will be adjusted annually based on two factors. The first factor is the change in landfill/disposal costs. In March 2023, Pierce County will be increasing the landfill rate from \$166.45 per ton to \$171.23 per ton. The second factor allows Murrey's an annual inflation increase equal to 80% of the Consumer Price Index for the Seattle-Tacoma-Bellevue area for the period of October to October of the previous year. Eighty percent of the CPI change for this period is 7.15%. In total, the average residential rate increase is 8.1% and the average commercial rate increase is 8.54%. A detailed list of the proposed 2023 rates is attached to Resolution No. 1646 as Exhibit A. The public was provided a forty-five (45) day notice of the proposed rate increase, which is scheduled to go into effect March 1, 2023.

District Manager Josh Metcalf from Murrey's Disposal will be available to answer additional questions.

COUNCIL COMMITTEE/STUDY SESSION: Study Session

MEETING/STUDY SESSION DATE: 1/23/2023

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Approve Resolution No. 1646 establishing the 2023 Refuse and Recycle Rates.

RESOLUTION NO. 1646
CITY OF SUMNER, WASHINGTON

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON,
ADOPTING THE 2023 MURREY’S DISPOSAL COMPANY RATE INCREASE.**

WHEREAS, the City of Sumner’s contract with Murrey’s Disposal Company stipulates that the rates will be adjusted each year for the increase in landfill tipping fees; and

WHEREAS, the contract also stipulates an annual inflationary rate increase equal to 80% of the October to October CPI for the Seattle, Tacoma Bellevue area as calculated by the U.S. Department of Labor; and

WHEREAS, the City of Sumner provided the public with a 45-day notice of the proposed rate increase.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AS FOLLOWS:

Section 1. That the Sumner City Council adopts the 2023 Murrey’s Disposal Company rate increase, attached hereto as Exhibit A and adopted by reference.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this resolution, including but not limited to the correction of clerical errors; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 3. Upon passage and approval of this Resolution, it shall take effect March 1, 2023.

ADOPTED AND APPROVED this 6th day of February 2023.

Mayor Kathy Hayden

ATTEST:

Michelle Converse, City Clerk

APPROVED AS TO FORM:

City Attorney Andrea Marquez

Resolution No. 1646 -- Exhibit A

Cart Service:				New Rate	Current Rate	Increase
10 Gallon Cart				20.56	19.08	1.48
20 Gallon Cart				28.12	26.05	2.07
32 Gallon Cart				35.10	32.47	2.63
65 Gallon Cart				49.04	45.19	3.85
95 Gallon Cart				64.59	59.41	5.18
50' maximum walk-in / drive in fee (per cart)				29.09	13.57	15.52
Occasional extra				6.65	6.14	0.51
Return trip charge				10.18	9.50	0.68
Additional recycling cart				8.38	7.82	0.56
Recycle Plus				18.00		
Restart Fee				28.73	26.81	1.92
Container Service:						
1 yard once a week				137.74	126.96	10.78
1 yard twice a week				275.50	253.93	21.57
1.5 yard once a week				191.89	176.69	15.20
1.5 yard twice a week				383.43	353.07	30.36
1.5 yard three times a week				571.71	533.58	38.13
2 yard once a week				249.43	229.80	19.63
2 yard twice a week				498.77	459.51	39.26
2 yard three times a week				748.21	689.33	58.88
2 yard four times a week				1,009.57	930.26	79.31
4 yard once a week				471.41	434.17	37.24
4 yard twice a week				942.86	868.39	74.47
4 yard three times a week				1,414.24	1,302.53	111.71
4 yard four times a week				1,949.51	1,796.31	153.20
4 yard five times a week				2,435.19	2,243.80	191.39
6 yard once a week				666.43	614.06	52.37
6 yard twice a week				1,332.76	1,228.04	104.72
6 yard three times a week				1,999.21	1,842.11	157.10
6 yard four times a week				2,678.99	2,468.64	210.35
6 yard five times a week				3,346.29	3,083.51	262.78
4 yard compactor once a week				1,905.22	1,749.18	156.04
4 yard compactor twice a week				3,810.43	3,498.34	312.09
Connect/Reconnect once a week				77.95	72.75	5.20
1 yard extra pickup on regular route				36.74	33.93	2.81
1.5 yard extra pickup on regular route				49.53	45.68	3.85
2 yard extra pickup on regular route				63.69	58.75	4.94
4 yard extra pickup on regular route				115.60	106.56	9.04
6 yard extra pickup on regular route				164.16	151.38	12.78
4 yard compactor extra pickup on regular route				449.98	413.28	36.70
Connect/Reconnect Compactor				16.41	15.32	1.09
Loose or bulky material						
(Minimum charge on regular route)				52.10	48.26	3.84
(Minimum charge on special route)				92.32	86.16	6.16
Yard Waste				7.51	7.01	0.50
Re-delivery Fee				28.19	26.31	1.88
Return trip charge				20.42	19.06	1.36
Time Charge				118.35	110.46	7.89
Lock/Unlock				5.52	5.15	0.37
Return Check				28.19	26.31	1.88

SUBJECT: Ordinance No. 2846 - Compost Procurement Policy

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Compost Procurement Policy Presentation
2. Ordinance No. 2846 - Compost Procurement Policy

STAFF CONTACT: Jason Wilson, City Administrator

SUMMARY BACKGROUND:

In 2022 the State Legislature passed HB1799 which establishes requirements for the removal of organic materials (e.g. food scraps) from the solid waste disposal stream. It further requires cities over 25,000 people or that have organic material collection to adopt compost procurement policies that support the procurement of local compost materials for public projects. The law also requires municipalities to report biannually on the amount of organic materials diverted, and the quantities, cost and use of compost materials in public projects.

COUNCIL COMMITTEE/STUDY SESSION: Study Session
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MEETING/STUDY SESSION DATE: 1/23/2023

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

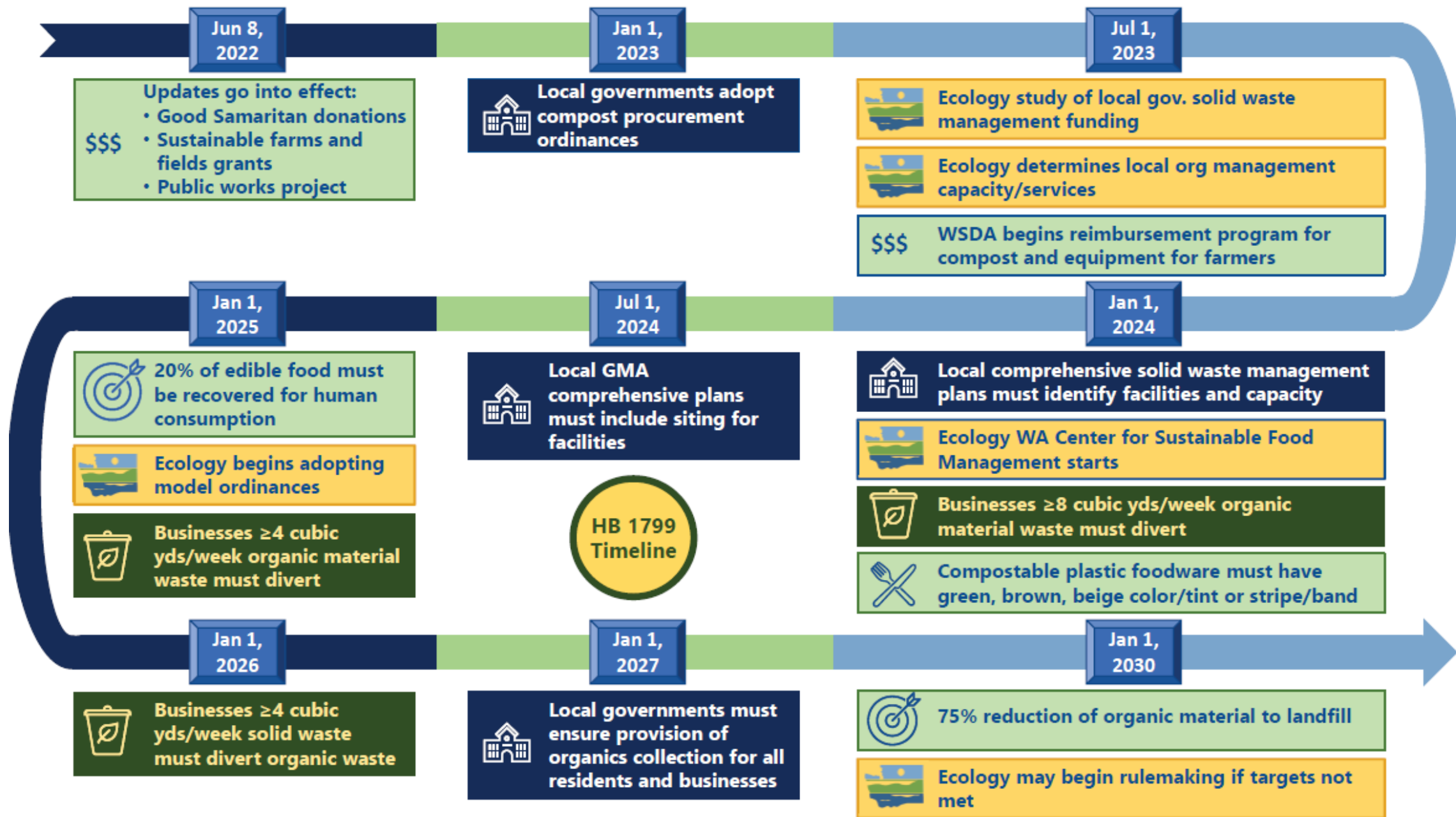
A motion to adopt Ordinance No.: 2846, creating Chapter 3.56 Compost Procurement, substantially in the form as approved by the City Attorney.

Compost Procurement Policy

Sumner City Council
January 23, 2023



CITY OF
SUMNER
WASHINGTON



Compost Use - RCW 43.19A.150(3)

In developing a compost procurement ordinance, each city and county shall plan for the use of compost in the following categories:

- (a) Landscaping projects;
- (b) Construction and postconstruction soil amendments;
- (c) Applications to prevent erosion, filter stormwater runoff, promote vegetation growth, or improve the stability and longevity of roadways; and
- (d) Low-impact development and green infrastructure to filter pollutants or keep water on-site, or both.

Project Planning - RCW 43.19A.120

When planning government-funded projects or soliciting and reviewing bids for such projects, all state agencies and local governments shall consider whether compost products can be utilized in the project.

If compost products can be utilized in the project, the state agency or local government must use compost products, except as follows:

- (i) Compost products are not available within a reasonable period of time;
- (ii) Compost products that are available do not comply with existing purchasing standards;
- (iii) Compost products that are available do not comply with federal or state health, quality, and safety standards; and
- (iv) Compost purchase prices are not reasonable or competitive;

Bi-Annual Reporting—RCW43.19A.150(5)

By December 31, 2024, and each December 31st of even-numbered years thereafter, each city...must submit a report covering the previous year's compost procurement activities to the department of ecology that contains the following information:

- (a) The total tons of organic material diverted throughout the year;
- (b) The volume and cost of compost purchased throughout the year; and
- (c) The source or sources of the compost.

Next Steps

- ◆ Council adopt a Compost Procurement Ordinance - February 6th
- ◆ Develop internal policies for tracking required metrics
- ◆ Be mindful of future business impacts for waste stream diversion

Questions?

ORDINANCE NO. 2846

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, PIERCE COUNTY, WASHINGTON, ESTABLISHING A COMPOST PROCUREMENT POLICY FOR THE CITY OF SUMNER AS REQUIRED BY RCW 43.19A AND ADDING A NEW CHAPTER TO TITLE 3 OF THE SUMNER MUNICIPAL CODE.

WHEREAS, in March 2022, HB 1799 was signed into Washington law. The primary goal of the law is to increase the diversion of organic materials going to landfills in order to reduce methane emissions as landfills are a significant source of methane emissions; and

WHEREAS, as more organic materials are diverted and recycled, it is critical that the compost manufactured be procured by local jurisdictions and others to support the economic viability of these processes and programs. It is well established that compost production and use provide significant environmental benefits to our soil and food. HB 1799 requires cities that offer material collection services under RCW Chapter 70A.205 to adopt a compost procurement ordinance by January 1, 2023;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Chapter 3.56 of the Sumner Municipal Code is hereby adopted and entitled “Compost Procurement” to read as follows:

Chapter 3.56 COMPOST PROCUREMENT

3.56.010	Definitions.
3.56.020	General Policy.
3.56.030	Local Purchasing.
3.56.040	Education.
3.56.050	Reporting.

3.56.010 Intent of chapter – Definitions.

- A. The intention of this chapter is to establish a compost procurement policy for Sumner to increase the diversion of organic materials going to landfills in order to reduce methane emissions as landfills are a significant source of methane emissions consistent with RCW 43.19A.
- B. The following terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

1. “Compost” means a product created with “composted material” as defined in RCW 70A.205.015(3) as now or hereinafter amended. “Compost” includes, but is not limited to, 100% finished compost or blends that include compost as a primary ingredient. Mulch is considered a “Compost” if it contains a minimum of sixty percent composted material. Bark is not a “Compost”.
2. “Cost prohibitive” means a product purchasing cost that exceeds 10% of the cost of another product that would serve the same purpose.
3. “Local” or “locally” as to compost providers means that such provider is located within a 25-mile radius of the city limits of Sumner.

3.56.020 General Policy.

A. Sumner shall plan for compost use in the following categories:

1. Landscaping projects;
2. Construction and postconstruction soil amendments;
3. Applications to prevent erosion, filter stormwater runoff, promote vegetative growth, or improve the stability and longevity of roadways; and/or
4. Low-impact development of green infrastructure to filter pollutants or to keep water onsite, or both.

B. Compost products shall be purchased for use in City projects in which compost is an appropriate material or on City property, provided it is not cost prohibitive to acquire. Procurement costs will include the product cost and all associated transportation and delivery charges. Sumner is not required to use compost products if:

1. Compost products are not available within a reasonable period of time or distance;
2. Compost products that are available do not comply with existing purchasing standards;
3. Available compost products do not comply with federal or state health, quality, or safety standards; or
4. Compost purchase prices are not reasonable or competitive.

C. Pursuant to RCW 43.19A.130, Sumner will strive to purchase an amount of finished compost products equal or greater than fifty percent of the amount of organic materials the City delivered to the compost processor. This plan will be re-assessed each December 31st of

even-numbered years, beginning in 2024 and thereafter as part of the reporting obligations in SMC 3.56.050.

3.56.030 Local Purchasing.

Pursuant to RCW 43.19A.150 (6), Sumner will purchase finished compost products from companies producing compost locally, are certified by a nationally recognized organization, such as the US Composting Council, and produce finished compost products derived from municipal solid waste compost programs while meeting quality standards adopted by the Department of Transportation or adopted by rule by the Department of Ecology. If locally produced compost is not available, compost shall be sourced from outside the region, with preference given to products sourced as close as possible to Sumner. Proof that locally produced compost was not available at the time of purchase or was cost-prohibitive shall be documented.

3.56.040 Education.

Sumner shall conduct educational outreach to inform residents about the value of compost and how the jurisdiction uses compost in its operations each year.

3.56.050. Reporting.

By December 31, 2024, and each December 31st of even-numbered years thereafter, Sumner shall comply with required reporting to the Department of Ecology pursuant to RCW 43.19A.150(5) as now or hereinafter amended.

Section 2. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of the ordinance or the validity of its application to other person's circumstances.

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 4. Effective Date. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval, and publication, as required by law.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this 6th day of February, 2023.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

City Attorney Andrea Marquez

First Reading: **02/06/23**
Date Adopted: **02/06/23**
Date of Publication:
Effective Date: