



CITY COUNCIL MEETING AGENDA
City Hall – 1104 Maple Street
May 6, 2024 6:00 PM

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

Staff present: Wilson, Marquez, O'Haver-Ayala, Windish, Johnstone, Moericke, Palmer, Raymond, Beagle, Barry, Kosa, Hannegan, Steffens and Converse

THE REGULAR MEETING OF THE SUMNER CITY COUNCIL WAS CALLED TO ORDER BY
MAYOR HAYDEN AT 6:01PM.

CALL TO ORDER

Pledge of Allegiance

Invocation

Roll Call: Bitetto, Bowman, Brown, Clerget, Cole, and Elfers

COUNCILMEMBER BITETTO WAS ABSENT. MOVED BY ELFERS SECONDED BY BOWMAN TO
EXCUSE BITETTO. PASSED BY VOICE VOTE.

OATH OF OFFICE

Mayor Kathy Hayden administered the Oath of Office to Mr. Greg Reinke, who was appointed by the council on April 22, 2024, to fill the vacancy left by Councilmember Stuard.

Councilmember Reinke then took his seat on the Dias.

PROCLAMATION

Peace Officers Memorial Week Proclamation, was read into the record by Police Chief Brad Moericke. Chief Moericke invited Council and the Public to the law Enforcement Memorial Service on May 9, 2024, at Bethany Baptist Church in Puyallup, Washington.

CONSENT AGENDA

MOVED BY DEPUTY MAYOR COLE SECONDED BY BOWMAN TO APPROVE THE CONSENT
AGENDA CONSISTING OF:

1. Approval of the checks and electronic payments in the amount of \$2,279,227.35.
2. Resolution No. 1681 - Interlocal Agreement with Rainier Communication Commission
3. Approval of the minutes from the regular council meeting of April 15th, the special council meeting and study session of April 22, 2024.

PASSED BY VOICE VOTE.

PUBLIC HEARING

1. 2024-2030 Parks & Trails Plan – Public Hearing

Mayor Hayden called the Public Hearing to Order at 6:10pm. Community Services manager Derek Barry addressed the Council.

Julie Norris, Sumner, spoke in favor of the plan.

Nick Biermann (Sumner), Randall Adams (Sumner, (comments attached)) Melissa Fox (Spanaway) and Tina Burnett (Sumner) all spoke in favor of the Ryan House.

There were two other comments sent in by email, both attached which spoke in favor of the Ryan House.

REGULAR BUSINESS

1. Unfinished Business

There was no unfinished business.

2. Public Comment

Trucks in the Industrial Area (Egress)

Josh Fox, Puyallup

Ryan House:

Randall Adams, Sumner

Nick Biermann, Sumner

3. New Business

a. Ordinance No. 2885 - Transportation Impact Fees

MOVED BY CLERGET, SECONDED BY ELFERS TO APPROVE ORDINANCE NO. 2885 – TRANSPORTATION IMPACT FEE.

Public Works Director Michael Kosa addressed the Council.

Discussion ensued.

PASSED BY ROLL CALL VOTE.

b. Ordinance No. 2886 - Amending Sumner Municipal Code Chapter 2.100 Personnel Policies

MOVED BY COLE, SECONDED BY BOWMAN TO APPROVE ORDINANCE NO. 2886 – AMENDING SUMNER MUNICIPAL CODE CHAPTER 2.100 PERSONNEL POLICIES.

Administrative Services Director Jeff Steffens spoke to the Council.

PASSED BY ROLL CALL VOTE.

c. Ordinance No. 2839 – Amending Sumner Municipal Code Chapters 13.16 and 13.18 – Pretreatment Regulations

MOVED BY ELFERS, SECONDED BY BOWMAN TO APPROVE ORDINANCE NO. 2839 – AMENDING SUMNER MUNICIPAL CODE CHAPTERS 13.16 AND 13.18 PRETREATMENT REGULATIONS.

Pretreatment Coordinator Andrea Hannegan addressed the Council.

Discussion followed.

PASSED BY ROLL CALL VOTE.

4. Reports

a. Council

Councilmember Clerget welcomed Councilmember Reinke.

Councilmember Bowman also welcomed Councilmember Reinke. She thought the Council Budget Retreat was very educational.

Councilmember Elfers reported on the Pierce County Regional Council April meeting. He also welcomed the new Councilmember.

Councilmember Cole gave an update on the April Finance & Personnel Committee meeting where she was chosen as the Chair. She too welcomed Councilmember Reinke.

Councilmember Reinke thanked the Councilmembers, shared a little about his involvement in the City both personally and professionally. He is very much looking forward to serving this in capacity.

Councilmember Brown welcomed Councilmember Reinke.

b. City Administrator

City Administrator Jason Wilson shared the following:

Upcoming Policy Issues:

- May 13th – Study Session
 - 2024 Parks and Trail Plan Update
 - White River Restoration Project Update
 - Golf Course sale update
- May 20th – Regular Council Meeting
 - 4:30pm Tour of WRRP
 - Proclamation for National Public Works Week
 - Presentation regarding the 2024 Legislative Session
 - Resolution accepting the Public Works Trust Fund Loan
 - Resolution to Reject all bids for the Wayfinding Signage
 - Resolution approving the State grant for Rainier View Covered Court
 - Consultant Supplement Agreement for 166th
 - Resolution to adopt the 2024 Parks and Trail Plan Update
 - Ordinance Creating a Capital Reserve Fund

c. Mayor

Mayor Hayden reminded the Council and the public of the Special Study Session immediately following this meeting.

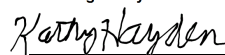
5. Executive Session

6. Adjournment

With no additional business, the meeting was adjourned at 7:07pm.

ATTEST:

DocuSigned by:



Kathy Hayden, Mayor

DocuSigned by:



Michelle Converse, CMC City Clerk

From: [Peter Condon](#)
To: [Derek Barry](#)
Subject: The Ryan House
Date: Friday, May 3, 2024 6:48:32 PM

****EXTERNAL EMAIL****

Hello Derek

:

I am in full support of "**RENOVATING THE RYAN HOUSE**" ... ! My thinking is that you have a community coming together over it, It would be a great "Bed and Breakfast", (if that were possible), and still be a museum at the same time. It is possible that it could be profitable in the end!!!! It is certainly in a great location for visitors to stay at.

I am here on a six month contract job, but would be willing to volunteer in it's renovation when that happens. I am 66 and would start taking my retirement from SSA to allow me to volunteer full time. Coming from my world... everything is fixable.

Thank you for your time and consideration

Sincerely

Peter F. Condon
954-275-9661

From: [Laurie Carter](#)
To: [Derek Barry](#)
Cc: [Barbara Bitetto](#); [Curt Brown](#); [Pat Clerget](#); [Pat Cole](#); [Andy Elfers](#); [Carla Bowman](#)
Subject: Park Plan/Saving Ryan House
Date: Monday, May 6, 2024 2:42:04 PM

****EXTERNAL EMAIL****

I have previously submitted comments and you have all received copies. This is an update based on recent events (the new sign posted on the fence at Ryan House).

While the delay in demolition of the Ryan House is appreciated, Save Ryan House, Sumner Historical Society, Save Our Sumner and the Ryans still want a seat at the table, a citizen committee to work with the City to formally change course and commit to saving Ryan House. There are no other options; attempts for Ryan House advocates to join the park board and council have been thwarted. The only alternative is continuing to attend council meetings and speaking on the record. Life isn't black and white; it is lived mostly in the gray areas. A citizen committee can explore with the City what those gray areas are. Thank you for your consideration.

Laurie Carter

I am going to highlight some of the specific portions of the Ryan House Lawsuit Settlement to bring to your attention what is states:

2. LUPA sets the standards of review this Court must apply to the challenged permit.

RCW 36.70C.130. Review is appellate review on the city’s administrative record. RCW 70C.120. The Court may rescind the permit if any of the following is true:

- ...
- (b) The land use decision is an erroneous interpretation of the law, after allowing for such deference as is due the construction of a law by a local jurisdiction with expertise;
- (c) The land use decision is not supported by evidence that is substantial when viewed in light of the whole record before the court;
- (d) The land use decision is a clearly erroneous application of the law to the facts;
- ...

ALL THREE ERRORS WERE COMMITTED BY THE CITY SO THE DEMO PERMIT WAS REVOLKED!

24. As part of its required periodic update pursuant to the Growth Management Act, in February 2024 the city commenced its process for reviewing and amending its Comprehensive Plan. Among the proposed amendments are certain amendments to the Historic and Cultural Resources Element which would eliminate specific mandates about the preservation of and improvements to the Ryan House.

THE PARK PLAN IS NOT THE HISTORIC & CULTURAL RESOURCES ELEMENT OF THE COMP PLAN!

7. The Comprehensive Plan amendment process requires “early and continuous”

public involvement, not just during preparation of the original comprehensive plan, but also whenever amendments are being considered. Public participation is one of the GMA’s mandatory planning goals. RCW 36.70A.020(11). Proposed amendments are to be “broad[ly] disseminated, notice must be “effective,” and the process must allow for “open discussion.” The agency must not just give “consideration” to public comment; it must also provide a “response” to public comment. RCW 36.70A.140 (emphasis supplied).

The Comp Plan amendment process requires “early & continuous” public involvement, not just during preparation of the original comp plan & Public participation is one of the GMA’s mandatory planning goals....the process must allow for “open discussion” & The agency must also provide response to public comment. It is to be done in the Historic and Cultural Resources element of the Comp Plan, not back doored through the Park Plan. What all of you did last Saturday is a great display of how all of these points can be done to comply with the Judge’s order the city signed off on.

21. Until and unless the comprehensive plan is amended to eliminate the specific provisions about preservation and restoration of the Ryan House, following compliance with the public notice and engagement provisions outlined in the GMA, SEPA, and city regulations, the City may not issue a permit for demolition of the Ryan House and may not use SEPA’s planned action process for the demolition.

Dated this 8th day of April, 2024.

How can you suggest you have complied with a court order when your process did not follow this mandated process. You finished your draft of the Park Plan a day after the City lost in Court and the Park Plan was not done per the agreed to required process. Do you actually believe that trying to put it into the Park Plan to demo it before the final Order was recorded means you do not have to comply. No it means you are out of compliance and are setting yourself up to lose again in a court of law.

What the city is trying to do is back door the elimination of the Ryan House in the Park Plan, without early and continuous public involvement and not just giving consideration to public comment in these 3 minutes, you must also provide a “response” to public comment. There has been not engagement with the public nor any “open discussion” between the city and the public. No, just edicts from the city we are demolishing it. Yet, it can only be done within the Historic and Cultural Resources Element of the Comp Plan so you have no jurisdiction to demolish it in your Park Plan. That is exactly what the Findings of Fact and Conclusions of Law that the city signed off on. You can not wiggle you nose and change what a Judge has mandated you to do. Ironical that this proposed Park Plan was signed off on the day after the city lost the Ryan House lawsuit in Superior Court and 25 days before the order agreed to by the city was entered. Regardless, you are not complying with a Settlement that the City agreed to.

Comments in the Park Plan

SPECIAL FACILITIES

In Sumner: Reuben Knobloch Heritage Park, Lucy V. Ryan Park
This classification captures a wide range of facilities designed for very specific purposes, whether a display garden, aquatic center, public plaza or community center. Depending on design and purpose, these facilities may be focused on a specific role or take on more of an event space/tourism development aspect, especially in a historical or cultural context.

Lucy V. Ryan Park, Recent Changes:
Recent Changes: 2019-2023 Anticipated house rehabilitation
2023 Major structural issues found in house, unsafe structure
2024 2025 Potential demolition of house and initial park design

Certificate Of Completion

Envelope Id: 54B478B5F9BC4A61802C275528D8C9AC

Status: Completed

Subject: Complete with DocuSign: _Regular Council Meeting Minutes - May 6, 2024.pdf, _Special Study Sess...

Source Envelope:

Document Pages: 59

Signatures: 24

Envelope Originator:

Certificate Pages: 5

Initials: 0

Michelle Converse

AutoNav: Enabled

1104 Maple St

Enveloped 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

5/21/2024 8:51:30 AM

MichelleC@sumnerwa.gov

Signer Events**Signature****Timestamp**

Andrea Marquez

andream@sumnerwa.gov

City Attorney

City of Sumner

Security Level: Email, Account Authentication
(None)

DocuSigned by:


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Signature Adoption: Pre-selected Style

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Electronic Record and Signature Disclosure:

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Kathy Hayden

khayden@sumnerwa.gov

Mayor Kathy Hayden

City of Sumner

Security Level: Email, Account Authentication
(None)

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3420AB72F52C4FD...

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Electronic Record and Signature Disclosure:

Accepted: 5/22/2024 6:13:45 AM

ID: c2a43dc5-ec1c-4445-a886-7eaa8d9c2f17

Michelle Converse

michellec@sumnerwa.gov

City Clerk

City of Sumner

Security Level: Email, Account Authentication
(None)

DocuSigned by:


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Electronic Record and Signature Disclosure:

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In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	5/22/2024 9:28:06 AM
Completed	Security Checked	5/22/2024 9:28:06 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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