



CITY COUNCIL MEETING MINUTES

City Hall – 1104 Maple Street,

August 19, 2024 6:00 PM

Staff present: Marquez, Johnstone, Moericke, Palmer, Steffens, Beagle and Converse

CALL TO ORDER

Mayor Hayden called the meeting to order at 6pm.

Pledge of Allegiance

Invocation – Pastor David Varnes, New Self Ministries

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

CONSENT AGENDA

**MOVED BY COLE, SECONDED BY BOWMAN TO APPROVE THE CONSENT AGENDA
CONSISTING OF:**

1. First Amendment to the Greenwater North LLC, Six Kilns Apartments LLC Settlement Agreement
2. Resolution 1695 - Council Rules of Procedure
3. Kondratyuk Property Acquisition Purchase and Sale Agreement Approval
4. Sumner Texaco Heritage Park Remediation - Dept of Ecology Voluntary Cleanup Program Agreement
5. Services Agreement for Senior Center Management with Stafford Suites
6. Resolution No. 1696 - City Hall Solar Panel Grant Acceptance
7. Stewart Road Pond Repair - Construction Contract Award
8. Approval of the minutes from the August 5, 2024, regular council meeting and the August 12, 2024 study session.
9. Approval of checks and electronic payments in the amount of \$2,375,808.01.

**COUNCILMEMBER ELFERS CALLED FOR A POINT OF ORDER AND REMOVED ITEM
#2, RESOLUTION NO. 1695 – COUNCIL RULES OF PROCEDURE,**

**MAYOR HAYDEN THEN CALLED FOR A VOTE OF THE CONSENT AGENDA, ITEMS 1,
3, 4, 5, 6, 7, 8 AND 9.**

PASSED BY ROLL CALL VOTE.

City Attorney Marquez addressed the topic.

Discussion ensued.

2 members of the public, spoke to the item.

**MAYOR HAYDEN THEN CALLED FOR A MOTION. COUNCILMEMBER ELFERS
MOVED TO APPROVE RESOLUTION NO. 1695 – COUNCIL RULES OF PROCEDURE.
COUNCILMEMBER BITETTO SECONDED.**

PASSED BY ROLL CALL VOTE.

PUBLIC HEARING

There was none tonight.

REGULAR BUSINESS

1. Unfinished Business

2. Public Comment

Randall Adams, 15013 63rd Street Court; Sumner, WA 98390

3. New Business

a. Ordinance No. 2894 –Amending Sumner Municipal Code 5.08 - Utilities

MOVED BY BITETTO SECONDED BY ELFERS TO ADOPT ORDINANCE NO. 2896
AMENDING SUMNER MUNICIPAL CODE 5.08, UTILITIES

Administrative Services Director Jeff Steffens addressed the Council.

Discussion ensued.

COUNCILMEMBER ELFERS MOTIONED TO POSTPONE THIS ITEM TO A DATE
CERTAIN (SEPTEMBER 16, 2024) COUNCILMEMBER BOWMAN SECONDED.

PASSED BY ROLL CALL VOTE.

PASSED 6-1 WITH COUNCILMEMBER BITETTO VOTING NO.

4. Reports

a. Council

Councilmembers Reinke, Clerget, Brown and Deputy Mayor Cole had nothing to report tonight. had nothing to report tonight.

Councilmember Bitetto passed out backpacks on Thursday, August 15, 2024, in coordination with the Sumner Family Center.

Councilmember Elfers began his comments by thanking the members of the public for their feedback on Resolution No. 1695. He attended the Chalk Art Festival. It was very well done, and he hopes that everyone has an opportunity to attend these events, they are really well done. He ended his comments by thanking the non-profits for their presentations the week prior. There will be some tough decisions that will have to be made when considering funding.

Councilmember Bowman stopped at the Chalk Art Festival and the Sip and Stroll. She appreciated the conversations tonight and will keep in mind, “Clarity in the message”.

b. City Administrator

City Attorney Andrea Marquez, filling in for City Administrator Jason Wilson, shared the following:

Upcoming Policy Issues:

- August 26th – Study Session @ 5pm
 - Park System Tours, the first tour in the budget tours planned. Please meet at City Hall at 5pm
 - Rainier View Covered Court Ribbon Cutting has been delayed. We’ll be sure to provide the updated day and time as soon as possible.
- TUESDAY September 3rd – Regular Council Meeting
 - Interlocal agreement between the City and County Sheriff’s Dept for specialized services
 - Presentation reviewing the Community Survey Results
 - Ordinance approving the Occupancy Tax Committee Allocations
- September 3rd – Special Study Session
 - Public Works Operations Facility Financing
 - Community Partner Fund Discussion

Personnel Issues: The City is actively recruiting for a City Planner position and continues to recruit for open police officer positions.

Miscellaneous:

- Friday, August 23rd Sumner Night Market 5-8 at Heritage Park.
- Heritage Park plaques – Finance committee surplused these items at last week's Finance Committee meeting and directed staff to fairly distribute them. Staff have planned September 9th from 8-10am and 5-6pm right here in Council Chambers for those who wish to pick up a plaque. Only one plaque per person, on a first come first served basis. Additional details will be distributed in the coming weeks.
- Sumner-Bonney Lake School District Convocation is next Monday, August 26th at 8am at Sunset Stadium. If you plan to attend, please contact Michelle Converse if you haven't already.
- Councilmember Brown notified his fellow councilmembers and City leadership today that he will be vacating his council position, effective end of August. I want to express our sincere gratitude to Mr. Brown for his decades of excellent policy making, contribution and leadership to this community. Details about the council vacancy process will be forthcoming.

c. Mayor

Mayor Hayden commented on the following items:

Pet adoption – it's the perfect time to think about adopting a dog or a cat. We have a lot of pets who need good homes. Visit www.metroanimalservices.org to take a look.

Back to School Dive – We're still collecting crayons and Kleenex to help out the school district, you can drop off donations at the Police department.

5. Executive Session

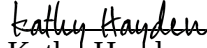
There was none tonight.

6. Adjournment

With no additional business before the Council, Mayor Hayden adjourned the regular meeting at 6:41pm. Councilmembers concurred.

ATTEST:

Signed by:


Kathy Hayden, Mayor

DocuSigned by:


Michelle Converse, CMC City Clerk

To: Michelle Converse; Barbara Bitetto; Curt Brown; Greg Reinke; Pat Cole; Andy Elfers; Carla Bowman; Pat Clerget;Kathy Hayden

Subject: Re: Comments for Council Members regarding Meeting 8-19-24

Date: Monday, August 19, 2024 3:38:57 PM

****EXTERNAL EMAIL****

On Monday, August 19, 2024 at 01:00:42 PM PDT, Randall Adams <radams15013@yahoo.com> wrote:

Sumner City Clerk Michelle Converse,
Please enter the attached pdf into the record for tonight's City Council Meeting. I have also copied the Mayor and City Council Members individually so you shouldn't have to also send a copy to each of them.

Thank you kindly,
Randall Adams 15013 63rd St Ct E, Sumner WA 98390

I)CA Wilson 7-22-24 stated: “ We plan on taking your feedback tonight, getting the redline version updated & bringing it back to you for review before you consider”

Council Metting 8-19-24 CONSENT AGENDA: 2) Resolution 1695 – Council Rules of Procedure w/o opportunity to review in public before being asked to consider accepting and precluding public comment

II) 2.1 Consent Agenda: “Any Councilmember may remove any item(s) from the Consent Agenda for separate discussion and action; a second is not required”

Have you had discussions regarding the redline version between 7-22-24 and now or did the city staff put you in the position to request 1695 be removed from the Consent Agenda to hold them to their word in order for you to go over the redline version before being asked to consider it’s approval? Or are you simply being played by staff w/o wanting to hear your final discussion/clarification as to what changes are to be made? Or is this version accomplishing the agenda of staff and now let’s move on?

.....
III) 2.1 Agenda: Public Comment;

“Public comment is for the benefit of the Councilmembers, and is not provided as an opportunity for the speaker to inform or educate the community

Isn’t the purpose of the Zoom Meetings an opportunity to inform or educate the community by all speakers, including city staff, Council Members and when public comments are made to the Council? OR is the city saying any comments made by the public cannot have any value for the community at all! If so, then those public comments by definition cannot inform

or educate the Council either and therefore will be a waste of everyone's time! OR is this simply the perception of the quality of any comments from tax payers by the City Staff & they are doing everything they can to stop the comments, incl. those highlighting Staff's own illegal actions & continued non compliance with the decision the city helped to compose after losing the Ryan House lawsuit? You need to void 1663 instead of tolling it for later usage.

*****IIIV) Section 7: Comments, Concerns and Testimony to Council;

Persons may provide public comment to the City Council in writing, in person and virtually. addressing the Council (in person or virtually), who are not specifically scheduled on the agenda, Any member of the public providing comments to the City Council in person during the meeting will be requested to sign in using their full name and address on the public comment sheet provided. Public attending the meeting virtually who wish to comment will be required to turn on their camera and state their full name and address before beginning their comments. Comments are to be given at the podium area and limited to Members of the public may comment on matters over which the City Council has jurisdiction or are relevant to City business. Each commenter speaking in-person or virtually will have no more than three (3) minutes to speak. No speaker may cede all or any portion of their time three minutes to another speaker. Any violation of this rule and subsection 2.1 can result in suspension of that individual's right to provide public comment during the meeting in which the violation occurred. AS this reads, citizens who speak in person are to sign in with their name & full address and are not to be required to state either when speaking....that is required only for those who participate virtually; THANK YOU!!

V) SECTION 3: Council Study Sessions;

c. "No final action may be taken at a study session; however council is specifically authorized to approve the meeting agenda and/or excuse a councilmember's absence from the meeting study session" Has the Council ever authorized or had input as to what the agenda for a meeting is to be?

d. Public testimony during study session is discouraged and shall only be heard at the discretion of the Mayor or Presiding Officer. No public comment shall be taken at a study session

Council Study Session on 8-12-24 had 12 different entities publicly testified while asking for money. Maybe you should leave well enough alone so that the Mayor or Presiding Officer has the discretion to allow these public 5 minute comments to be heard during a study session.

VI) During the 7-22-24 Study session, city staff passive/aggressively reminded anyone who stated their name during a meeting would be included on the record, a not so veiled threat that there may be repercussions if we participate. That same thought goes for all of us in a meeting, including the Council for allowing the city to not comply with the decision of the Judge by continuing to toll 1663 instead of voiding it. If it comes to that decision later, then this Council is required to be who votes on a new Resolution for demolition of the Ryan House after the Comp Plan is ratified.

.....

VII) The City Staff disagrees with the Ryan House Verdict that they broke the law, or more accurately stated, that the Council did it & is doing it now as everything Staff does is run through the Council for approval. They instead believe that the Comp Plan is only a guideline and the City does not have to follow it exact and is not the law as ruled to in Court. Confusing, since we are paying BERK \$550,000 to completely rewrite our Comp Plan so that it mirrors the desires of interests outside the city, certainly not those of the citizens of Sumner, for something we don't have to comply with?

VIII) Continuing on the Comp Plan and the requirement that everything within .5 miles of the train station must be high density housing, including the homes south of main street and between Alder and Ryan Ave. (Ryan Windish tried to work with the legislature to protect these homes suggesting it is the law, which is why you work with the Legislature). If the Comp Plan is only a guideline, then please explain specifically under what authority that the State of Washington withholds our tax monies if we do not comply with the "Guidelines" of the Comp Plan the Staff believes they do not have to follow except when it pleases them and specifically what actions cause funds to be withheld, why and how much?

THANK YOU FOR ACTUALLY READING! Since the city is focused on controlling spoken comments, emailing them to you becomes more important and certainly allows more topics to be included than can be spoken in 3 minutes. Please know these actions to restrict comments are the city trying to get ahead of the huge pushback you will be seeing once the insane Comp Plan recommendations are known by the Citizens of Sumner and they rise up to stop the destruction of the city we love and want to live in!

Certificate Of Completion

Envelope Id: BB6F89364E484FBE9D41D5D82DFF692F

Status: Sent

Subject: Complete with DocuSign: 20240826 SS Minutes.docx, Resolution No 1697 - Specialized Services Agr...

Source Envelope:

Document Pages: 22

Signatures: 12

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: 174.61.174.84

Record Tracking

Status: Original

Holder: Michelle Converse

Location: DocuSign

9/4/2024 4:11:17 PM

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:



20517410A6DD49A...

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Viewed: 9/4/2024 4:43:23 PM

Signed: 9/4/2024 4:43:39 PM

Signature Adoption: Pre-selected Style

Using IP Address: 174.215.113.162

Signed using mobile

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Kathy Hayden

khayden@sumnerwa.gov

Mayor Kathy Hayden

City of Sumner

Security Level: Email, Account Authentication
(None)

Signed by:



3420AB72F52C4FD...

Sent: 9/4/2024 4:43:42 PM

Viewed: 9/5/2024 10:23:20 AM

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Signature Adoption: Pre-selected Style

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Electronic Record and Signature Disclosure:

Accepted: 9/5/2024 10:23:20 AM

ID: 034b94a6-17c4-462b-9e3f-e2209291c427

Michelle Converse

michellec@sumnerwa.gov

City Clerk

City of Sumner

Security Level: Email, Account Authentication
(None)

DocuSigned by:



9BA22DE678404D1...

Sent: 9/5/2024 10:24:38 AM

Viewed: 9/6/2024 8:03:02 AM

Signed: 9/6/2024 8:03:12 AM

Signature Adoption: Uploaded Signature Image

Using IP Address: 174.61.174.84

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Brad Moericke

bradm@sumnerwa.gov

Chief of Police

Security Level: Email, Account Authentication
(None)

Sent: 9/6/2024 8:03:15 AM

Electronic Record and Signature Disclosure:

Accepted: 8/20/2024 4:06:49 PM

ID: c9f499f3-5992-402f-bb19-c270be02a20c

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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