

**CITY OF SUMNER
Council Meeting
Minutes – February 16, 2021**

CALL TO ORDER

The Sumner City Council met in regular session at 6:02pm. City Hall remains closed during Governor Inslee’s “Healthy Washington – Roadmap to Recovery” order, a consequence of the Covid-19 pandemic. The Mayor, Council and staff members attended through ZOOM either telephonically or through their computer. The public was allowed to attend via ZOOM, PCTV livestream and by telephone.

Staff present via electronic device: Public Works Director Mike Dahlem, Assistant City Attorney Christy Palmer, City Attorney Andrea Marquez, Communications Director Carmen Palmer, Community Development Director Ryan Windish, Development Services Director Doug Beagle, Police Chief Brad Moericke, Administrative Services Director Jeff Steffens, Chief Financial Officer Kassandra Raymond and City Clerk Michelle Converse.

Mayor and Councilmembers present via electronic device: Mayor Pugh, Councilmembers Bitetto, Brown, Hamilton, Hayden, Hochstatter, Neuman and Reed.

PRESENTATION

Nigel Turner, RS, MPH, Vice Chair, Division Director Communicable Disease, Pierce County Health Department. He spoke about the status the County’s response to the pandemic, vaccinations and testing.

Mr. Turner took questions from the Council.

CONSENT AGENDA

MOVED BY HAYDEN, SECONDED BY HOCHSTATTER TO APPROVE THE CONSENT AGENDA WHICH CONSISTED OF THE FOLLOWING:

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| 1. Approval of the minutes from the regular council meeting of February 1, 2021 and the February 8, 2021. |
| 2. Approval of the electronic payments and checks in the amount of \$2,592,719.79 |
| 3. 2021-2022 On-Call Consultant Services Contracts Awards. |
| 4. State Route 167 Washington State Department of Transportation Detour Agreement |
| 5. Academy Street Bicycle Lanes – Consultant Supplement for Final Design |

PASSED BY VOICE VOTE.

PUBLIC HEARING

2020 Comprehensive Plan Update

Associate Planner Ann Siegenthaler addressed the Council.

The 2020 Comprehensive Plan Update includes amendments to the Comprehensive Plan, the Comprehensive Plan Map/Zoning Map, Zoning Code regulations, the East Sumner Neighborhood Plan and adoption of an Environmental Impact Statement. The 2020 Update has gone through extensive review by the Planning Commission with numerous opportunities for public involvement and comments via virtual public open houses, surveys, mailings, and Sumner Connects project website.

City Council and Planning Commission review has included the following steps:

- In May 2020, the Planning Commission approved the docket/list of proposals for consideration.
- In Summer-Fall 2020, the Planning Commission had several study sessions regarding the proposals.
- A public hearing was held with the Planning Commission on December 3, 2020.
- On January 7, 2021, the Planning Commission recommended approval as proposed.
- February 8, 2021, the City Council reviewed the recommendations at a Study Session.
- February 16, 2021, the City Council will hold a public hearing on the proposals.

There were two written comments submitted, which were forwarded to Councilmembers for their review.

Mayor Pugh opened the Public Hearing at 6:34pm.

The following addressed the council:

Al Esquaria

John Troupe

Mary Urback, representing the Sumner Bonney Lake School District

Clay Mccan

Whitney Bort

With no additional comments, Mayor Pugh closed the Hearing at 6:54pm.

UNFINISHED BUSINESS

There was none.

PUBLIC COMMENT

There were no Public Comment tonight.

NEW BUSINESS

3a. Ordinance No. 2762 - Budget Amendment (Park Development)

MOVED BY REED, SECONDED BY BITETTO TO APPROVE ORDINANCE NO. 2762 AMENDING THE 2021/2022 BIENNIAL BUDGET.

Community Services Manager Derek Barry addressed the Council.

The property located at 4811 E Valley Hwy was recently purchased for a future park with funding assistance from Pierce County Conservation Futures. The next steps include asbestos and lead testing and abatement, demolishing the small building, clearing the site, vegetation removal, environmental work and hiring a consultant to complete a master plan.

The proposed Ordinance amends the adopted 2021/2022 biennial budget to transfer \$135,000 from Fund 605 (Development Impact Fee Fund) to Fund 310 (Parks Capital Improvement Fund) and appropriate \$135,000 for use in Fund 310 for park development.

Discussion ensued.

PASSED BY ROLL CALL VOTE.

3b. Operations Facility - Consultant Contract Amendment

MOVED BY HOCHSTATTER, SECONDED BY NEUMAN TO AUTHORIZE THE MAYOR TO

EXECUTE AN AMENDMENT TO TCF ARCHITECTURE'S CONSULTANT SERVICES CONTRACT FOR THE OPERATIONS FACILITY PROJECT (CIP 17-13), INCREASING THE CONTRACT AMOUNT BY \$3,682,814.00 TO A TOTAL AUTHORIZED AMOUNT NOT-TO-EXCEED \$3,995,631.00, SUBSTANTIALLY IN A FORM AS APPROVED BY THE CITY ATTORNEY.

Development Services Director Doug Beagle addressed the Council.

The City of Sumner has completed a needs assessment and has purchased the land needed to construct the new Operations Facility. The City selected a consulting firm to design the facility.

A Request for Qualification (RFQ) was advertised and eleven firms responded. The City interviewed the top five consulting firms. The selection committee unanimously selected TCF Architecture as the most qualified firm to provide design services for the new Operations Facility.

The contract for the design services with TCF Architecture was broken up into phases. The first phase was a preliminary design for a site layout that fulfills the requirements of our needs assessment. The second phase is for final design and construction management.

A scope and fee were negotiated with TCF for the first phase of the design. The contract amount for Phase 1 is \$312,817.00.

A scope and fee were negotiated with TCF for the second phase of the design and construction management. The amendment amount for Phase 2 is \$3,682,814.00. For a total contract amount of \$3,995,631.00.

PASSED BY ROLL CALL VOTE.

3c. Ordinance No. 2761 - Parking Code Text Amendments

MOVED BY HAYDEN, SECONDED BY BROWN TO MOVE TO APPROVE ORDINANCE NO. 2761 AMENDING THE PARKING CODE.

Community Development Director Ryan Windish spoke to the topic.

Ordinance No. 2761 would amend the City of Sumner Parking Code and will: 1) change the 8-hour public parking lots to 4-hours in the downtown to discourage commuter parking and make enforcement easier; 2) change 2-hour on-street parking in the downtown to a 3-hour parking limit; 3) add additional 3-hour parking limits on the south side of North Street; 4) remove loading zones on Main Street; and 5) prohibit parking on the west side of McMillan Ave between 16th Street and Everett Street. There are also some minor clean-ups to the code. These changes are based on two public parking surveys and coordination with the Sumner Main Street Association.

PASSED BY ROLL CALL VOTE.

3d. Amazon Donation

MOVED BY REED, SECONDED BY NEUMAN TO PASS A MOTION ACCEPTING THE \$10,000.00 DONATION FROM AMAZON FOR THE TOY BOX PROGRAM.

Police Chief Brad Moericke addressed the Council.

Every year the City of Sumner Police Department in partnership with the Sumner Bonney Lake Family Center hosts a holiday giving program known as the "Sumner Toy Box". The program provides toys and essentials for families with students in the Sumner schools. This program relies entirely on the generous donations of toys and funds from local businesses and individuals. In December 2020 Amazon notified the Sumner Police Department of their intent to donate \$10,000.00 dollars to our program. Sumner Municipal Code requires that all donations over \$5,000 be accepted by the Council by motion or resolution. If accepted, Amazon will wire the donation to the City on February 20, 2021, and the funds will be used for future Toy Box purchases/expenses.

Discussion ensued.

PASSED BY ROLL CALL VOTE.

COUNCIL REPORTS

Councilmember Bitetto was thankful the recent snow happened over the President's weekend. She ended her comments by thanking Amazon for their generous donation!

Councilmember Brown seconded Councilmember Bitetto.

Councilmember Hamilton also thanked Amazon. The Sumner Toy Box is a great program that his family participates in every year. It's a great program.

Deputy Mayor Hayden thanked Associate Planner Ann Siegenthaler for her incredible work on the 2020 Comprehensive Plan.

Councilmembers Hochstatter and Neuman had no reports.

Councilmember Reed wanted to be part of the collective thank yous to Amazon. He ended his comments by thanking staff for their work on the 2020 Comprehensive Plan.

CITY ADMINISTRATOR

This week's City Administrator Report was given by Community Development Director Ryan Windish, who was filling in for City Administrator for Jason Wilson. He shared the following:

Upcoming Policy Issues:

- Next Week's Study Session
 - Street Tree Code Amendments
 - Sidewalk Code Amendments
 - Council Rules of Procedure Amendments including remote meeting attendance and council vacancy process
- Next Regular Council Meeting on March 1st
 - Ordinance amending our Street Tree Code
 - Ordinance amending our Sidewalks Code

- Ordinance amending the purpose of the Arts Commission

Commission Updates:

- Arts Commission continues to work on their 2021 work plan including murals and utility box artistic wraps.
- Parks and Forestry Commission reviewed and provided input on the proposed changes to the Street Tree Code.

Personnel Issues:

- We are now fully staffed at the Public Works Shops. We welcome Lyle Moe who transferred from the Cemetery and Brandon Miller.
- We are fully staffed in our Police Department. Exceptional Entry Officer Joseph Perez-Resop will be starting on March 1st.
- We are currently recruiting for an Operator and Laboratory position at the Wastewater Treatment Facility. Visit our website for more information.

MAYOR REPORT

Mayor Pugh received comments from citizens about the promptness the Public Works Shop crews were in the removal of snow from the main streets and sidewalks in the parks and other City owned facilities. He also received feedback a citizen who wanted to know why the City didn't remove snow from in front of their house. Mayor Pugh also testified virtually before our state legislatures last week about the need for a streamline sales tax, which will provide mitigation regarding reduced revenue. He was very impressed by the efficiency of their virtual meeting, taking testimony, queuing participants, very seamless!

EXECUTIVE SESSION

There was none scheduled.

ADJOURNMENT

With no further business before the Council, the Mayor adjourned the 7:21pm meeting. Councilmembers concurred.

ATTEST:

DocuSigned by:

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Michelle Converse, CMC City Clerk

DocuSigned by:

65C9B3CE54AB46E...
William L. Pugh, Mayor

From: Whitney Bort
Sent: Friday, February 12, 2021 7:50AM
To: Ann Siegenthaler

Subject: 64th St E ***EXTERNAL EMAIL*** ***EXTERNAL EMAIL***

Hi Ann,
We are submitting thoughts on 64th St E again and we still want to build an extension of our salon and or use it for a greenhouse. We will be at the next meeting.

Thank you,
Whitney & Tyler Bort
Sent from Yahoo Mail for iPhone



William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

February 8, 2021

Mayor Bill Pugh
Members of Sumner City Council
1104 Maple Street
Sumner WA 98390
mayorbill@sumnerwa.gov

RE: East Sumner Zoning

Mayor Pugh and Members of City Council:

We are writing on behalf of Al Esquerra, the owner of property at 16313 64th Street in the East Sumner Neighborhood. His property has been zoned General Commercial (GC) for many years. That is why he made the investment. He objects to any proposal to change the zoning to Resource Protection (RES) as it is both unnecessary and unreasonably impairs the likely and reasonable uses of his property. It would hurt him without providing any overriding public benefit.

The northern part of the Esquerra property is impacted by wetlands and buffers. He knew that when he bought it and, after asking City staff, took into account City maps that showed the extent of that impact. The maps the City recently commissioned show vastly increased wetland impacts on the property, to the extent that the entire north half may be virtually unusable. The cause of that increase has not been established. It could be from increased runoff from nearby development, obstruction of historic drainage, or more detailed mapping, likely some combination of those. In any event the result is startling and alarming even without a proposed zone change.

Now some in the City are proposing a rezone of the north part of his property to RES, the most restrictive zone in the City. That zone effectively allows no use that would return the investment of an owner, certainly no reasonable use of property being taxed as commercial land. At some point in the East Summer review process, consideration was given to buying the RES property (from Mr. Esquerra and other affected owners) and making it a public park or a wetland mitigation area with public access. That was a key part of the City presentation in videos etc. and may well have convinced people in the area that they would be compensated for their lost rights. At that time, the RES zoning made some sense as the

Reply to:

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Gordon Thomas Honeywell^{LLP}

February 8, 2021

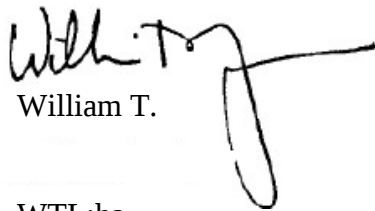
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proposed uses would have been very limited, consistent with the RES zoning. Now, the City seems to have put aside the concept of compensation for the owners, but the very restrictive zoning remains.

There is no reason for this. To the extent there are demonstrated wetlands, the existing City codes will require preservation and buffers. That is already part of the law and the RES zone is not needed to protect that resource. The RES zone will though severely limit what Mr. Esquerra can do with the part of his land that remains usable. Though most of that land is in the south, some usable area may lie north in what could be zoned RES. That is very harmful to the landowner and no legitimate public purpose is achieved by limiting uses so severely.

Frankly, the RES zoning looks like a remnant of the one-time effort to make the land a public park. Certainly, the RES zoning makes the land virtually unusable for any meaningful private use. With that restriction, compensation is appropriate. If the once-planned compensation for property rights is off the table, the dramatic limit on use rights with the RES zoning is unfair and unnecessary.

Very truly yours,

A handwritten signature in black ink, appearing to read "William T. Honeywell", with a long horizontal flourish extending to the right.

William T.

WTL:ha