



CITY OF
SUMNER
WASHINGTON

SPECIAL CITY COUNCIL MEETING MINUTES
City Hall – 1104 Maple Street
January 6, 2025 6:00pm

Staff present: Wilson, Marquez, Windish, Moericke, Palmer, Steffens, Kosa and Converse

CALL TO ORDER

Mayor Hayden called the meeting to order at 6pm.

Pledge of Allegiance

Invocation – David Barnes, New Self Ministries

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

CONSENT AGENDA

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

1. Approval of the special Council meeting minutes from December 9, 2024 regular meeting, and special study session.
2. Approval of the checks and electronic payments in the amount of \$2,183,920.75

PASSED BY VOICE VOTE.

PUBLIC HEARING

There was not one this meeting.

REGULAR BUSINESS

1. Unfinished Business

- a. **Ordinance No. 2906 - 2024 Comprehensive Plan Volume I, Draft Environmental Impact Statement Volume II, Transportation Plan and Capital Facilities Plan**

MOVED BY ELFERS, SECONDED BY KENNA TO APPROVE ORDINANCE NO. 2906 - 2024
COMPREHENSIVE PLAN VOLUME I, DRAFT ENVIRONMENTAL IMPACT STATEMENT
VOLUME II, TRANSPORTATION PLAN AND CAPITAL FACILITIES PLAN

Economic and Community Development Director addressed the Council.

Since this item had a Public Hearing on December 2, 2024, no comments were taken from the public.

PASSED BY ROLL CALL VOTE.

- b. **Ordinance No. 2907 – Zoning Code Text Amendments on Housing and Land Use Regulations**

MOVED BY KENNA, SECONDED BY CLERGET TO APPROVE ORDINANCE NO. 2907 –
ZONING CODE TEXT AMENDMENTS ON HOUSING AND LAND USE REGULATIONS

Economic and Community Development Director Ryan Windish addressed the Council.

Since this item had a Public Hearing on December 2, 2024, no comments from the public were taken

PASSED BY ROLL CALL VOTE.

c. Ordinance No. 2908 – Zoning Code Text Amendments on Historic and Cultural Preservation Regulations

MOVED BY BOWMAN, SECONDED BY ELFERS TO APPROVE ORDINANCE NO. 2908 – ZONING CODE TEXT AMENDMENTS ON HISTORIC AND CULTURAL PRESERVATION REGULATIONS

Economic and Community Development Director Ryan Windish addressed the Council.

Since this item had a Public Hearing on December 2, 2024, no comments were taken from the public.

PASSED BY ROLL CALL VOTE.

d. Ordinance No. 2909 – Critical Areas Regulations Amendments

MOVED BY REINKE, SECONDED BY BOWMAN TO APPROVE ORDINANCE NO. 2909 – CRITICAL AREAS REGULATIONS AMENDMENTS

Economic and Community Development Director Ryan Windish addressed the Council.

Since this item had a Public Hearing on December 2, 2024, no comments were taken from the public.

PASSED BY ROLL CALL VOTE.

e. Ordinance No. 2915 – Library Development Agreement

MOVED BY BITETTO, SECONDED BY KENNA TO APPROVE ORDINANCE NO. 2915 – LIBRARY DEVELOPMENT AGREEMENT

City Attorney Andrea Marquez addressed the Council.

Since this item had a Public Hearing on December 2, no comments were taken from the public.

PASSED BY ROLL CALL VOTE.

2. Public Comment

Tina Burnett, 228 Sumner Avenue. Spoke about the Ryan House.

Randall Adams, 15013 63rd St Ct E. Spoke about the Ryan House.

Nick Biermann, 5802 Parker Road East. Spoke about the Ryan House.

Donna Hardtke, 1620 Main Street. Resigned her position on the Cultural Arts Commission

Jerry Yoder, 910 Traffic Avenue. Spoke about electric cars and park benches.

3. New Business

a. Election of a Deputy Mayor

MOVED BY BITETTO SECONDED BY ELFERS TO HOLD THE ELECTION FOR DEPUTY MAYOR.

City Administrator Jason Wilson spoke to the topic.

MAYOR HAYDEN ASKED FOR NOMINATIONS. COUNCILMEMBER BITETTO NOMINATED CARLA BOWMAN. COUNCILMEMBER ELFERS MOTIONED TO CLOSE THE NOMINATIONS, SECONDED BY COLE.

NOMINATIONS WERE CLOSED BY VOICE VOTE. WHEN THE CLERK CALLED THE COUNCILMEMBERS NAMES, THEY ANNOUNCED THEIR CHOICE.

COUNCILMEMBER BOWMAN WILL SERVE IN THE ROLL OF DEPUTY MAYOR OF 2025.

4. Reports

a. Council

Councilmember Bitetto is looking forward to new year! She congratulated the new Deputy Mayor.

Deputy Mayor Bowman thanked Ryan Windish for the work on the Comprehensive Plan.

Councilmember Clerget congratulated the new Deputy Mayor and thanked the previous Deputy Mayor.

Councilmember Cole had a great time in hew role of Deputy Mayor. It's going to be a good year.

Councilmember Elfers thanked the Cultural Arts Commissioner for their time on the commission and reminded her of the state mandates and yet we want to represent the community.

Councilmember Kenna thanked both the current and previous Deputy Mayor. Thanked the staff for putting together that comp plan and ended his comments by thanking the public for their engagement.

Councilmember Reinke enjoyed the football team parade. He thanked the previous and the current Deputy Mayor and Commissioner Hardtke for their service. Happy New year!

b. City Administrator

Upcoming Policy Issues:

- January 13, 2025 – Study Session
 - Battery Energy Storage Systems Information
 - 2025 Comprehensive Annual Amendments
 - Park Impact Fees
- January 21, 2025 (Tuesday) – Regular Council Meeting
 - Resolution Setting Hearing Date for MFTE Area
 - Resolution Accepting a grant from Pierce County Lodging Tax Commission
 - Resolution Accepting a Grant for public defense services
 - Resolution regarding the City Hall Energy Audit Certificate of Assurance
 - Ordinance adopting updated Park Impact Fees

c. Mayor

Mayor Hayden thanked Commissioner Hardtke for her service. She also shared that Sue Larson had also resigned from the commission. It's a lot of work and we truly value our commissioners.

5. Executive Session

There was no Executive Session tonight.

Adjournment

With no additional business before the Council, Deputy Mayor Cole adjourned the regular meeting at 6:49pm. Councilmembers concurred.

ATTEST:

DocuSigned by:

9BA22D8678104P1
Michelle Converse, CMC City Clerk

Signed by:

M3420A071F5201FD
Mayor Kathy Hayden

During the 12-7-24 Study Session, City Attorney Marquez stated:

“What State law says under the Growth Management Act that all budgetary decisions have to be consistent with your Comp Plan... So the Judge determined that the city had not been consistent, invalidated the demolition permit, and instructed the city to go back through the Comprehensive Plan update process, receive input from the public and amend those provisions that are inconsistent with demolition before moving forward”

Since the Comp Plan stated the city was renovating the Ryan House, to make any financial decision otherwise was to not comply with the law. Therefore, YES, the city acted illegally, starting with Resolution 1663 which went over 4 financial options for the council to choose from and option 4 was approved. For you to suggest that 1663 is “Tolled”, meaning on hold, is to continue with an illegal financial decision per the Comp Plan in 2023.

Included in Comp Plan

Pg 628: All costs and other budgetary decisions are made by the City Council... “not just regarding the Ryan House... highlighting added”

Regarding a new City Hall...

Pg 1462- “General Government-Expansion of City Hall, senior center, or library”

Pg 1463- General government facilities are mainly housed in City Hall at 1104 Maple Street (Figure 3-1). City Hall houses offices for the Administration, Finance, Community Development, Development Services, City Attorney, Human Resources, and Public Works Departments. The City Hall building area housing these services is 14,577 square feet (this does not include the Police Department that is also in the same building; see Police Facilities below).

Pg 1525- “Future Needs and Recommendations There is expected to be a deficit of 6,537 square feet of general government buildings by 2044 based on the updated LOS and city population (see Table 5-1)”

General government facilities are mainly housed in City Hall at 1104 Maple Street (Figure 3-1). City Hall houses offices for the Administration, Finance, Community Development, Development Services, City Attorney, Human Resources, and Public Works Departments. The City Hall building area housing these services is 14,577 square feet (this does not include the Police Department that is also in the same building; see Police Facilities below).

Pg 1525- "Future Needs and Recommendations There is expected to be a deficit of 6,537 square feet of general government buildings by 2044 based on the updated LOS and city population (see Table 5-1)"

Pg 1532- "The City will be considering options for increasing general government capacity that include expansion of existing facilities, acquiring land and building new facilities, or locating offices within other city facilities such as the planned Operations Facility or new events building at Heritage Park. These options need to be evaluated in a detailed facilities needs analysis that considers staffing demands, etc. Finally, funding plans for additional general government facilities will need to be considered based on the preferred options. There is not enough detail in the capital facilities plan to assess those details."

YET, CITY ALREADY HAS BLUEPRINTS AND A PERMIT TO MOVE FORWARD WITH MULTIPLE CITY OFFICES AND A LARGER COUNCIL CHAMBERS IN THE EVENT CENTER.... TAKING UP MORE THAN HALF OF THE ENTIRE BUILDING!

Pg 707: 393K for WJE design

Pg 708: 290K reduction in available cash for planning & Design

So city is allocating a total of 683K for Design & Planning in a 2.2M project

Grants Received

2018 - Pierce County Lodging Grant	\$100,000
2019 - Pierce County Lodging Grant	25,000
2022 - Port of Tacoma	7,500
2022 - Sumner LTAC	125,000
2023 - County LTAC	400,000
2023 - State Heritage Capital Projects	304,000
2023 - County LTAC additional \$	750,000
2023 - Sumner LTAC	<u>40,000</u>
Total Funds received	\$1,751,500
Funds city says are available 9-18-23(304K+798k)	1,104,000
LTAC Grant not included; LTAC said could be extended	<u>400,000</u>
Funds available 9-18-23	<u>\$1,504,000</u>
Presumed Expenses up to 9-18-23: Not itemized for Council to see!	\$247,000

Additional Grant Available not pursued by City: State Heritage Capital Projects

(up to a total of 1/3 of cost of project or easier to show as 1/2 of all funds available not from State Heritage Capital Projects (SHCP), which could go as high as \$700,000 (1/3 of total to be spent was the limit of available funds), an additional \$396,000, which would have brought the total grants available for the Ryan House up to **\$1,900,000**. For this to happen, the city would have had to have separate funding up to \$1,400,000; LTAC (750,000 + 400,000) + \$40,000 local LTAC funds refused + 48,000 included in the total of 1,104,000 leaving a balance of 1,198,000 separately funded; leaving a balance of **\$202,000** needed to qualify for the full \$700,000 from SHCP. The city has spent \$60,000 for atty's to demo & has allocated \$310,000 toward demo & more, bringing a total commitment from the city up to \$370,000. This far surpasses the needed \$202,000 needed for the full \$700K from SHCP and brings the total funds available/allocated up to **\$2,270,000**.... Above the high guesstimate of \$2.2M the city says it needs to renovate the Ryan House. Pg 1537- Lucy V Ryan Park: 2025 Master Plan & Demo-\$210,000; Updated to \$260,000 2026 - Development \$100,000; Updated to \$109,000 ; TOTAL UPDATED COSTS \$369,000

FINANCE COMMITTEE MEETINGS SUMMER OF 2023

5-3-23 Finance Committee--Discussion – Ryan House Condition Assessment: CA Wilson reviewed the status of the Ryan House project, discussing new information relating to building condition. This item will continue at the next Finance & Personnel Committee meeting. With Committee consensus, the June 7, 2023 meeting will be rescheduled to May 31, 2023 and will include a tour of the Ryan House. Note: CD Palmer left at the conclusion of this item.

5-31-23 Finance Committee ++-Discussion – Ryan House Condition Assessment: CA Wilson, CD Palmer, and ES McCarty reviewed the status of the Ryan House project, discussing new information relating to grant funding. The Committee members and staff continued the meeting at the Ryan House to review items of consideration in person. The group returned to City Hall at approximately 6:40 PM. Note: Mayor Hayden, CA Wilson, CD Palmer, CE Kosa, and ES McCarty left at the conclusion of this

6-7-23 Finance Committee - **NO PUBLISHED MEETING FILES**

7-5-23 Finance Committee - **NO PUBLISHED MEETING FILES**

8-15-23 Finance Committee-Discussion – Ryan House Condition Assessment: ES McCarty reviewed the status of the Ryan House project, discussing new information relating to structural condition and reviewing options to proceed. After discussion, the Committee recommended forwarding to Study Session with a Committee recommendation of Option 3 or 4. Note: CD Palmer and ES McCarty left at the conclusion of this item. (Forward to Study Session, September 11, 2023)

STUDY SESSION 9-11-23 MEETING MINUTES

9-11-23 Study Session-Agenda: In 2019 with the assistance of ARG, the City conducted a feasibility study and planning effort to restore the Ryan House. In 2022 the Sumner Historical Society vacated the house so that restoration work could begin. In late 2022 the city selected WJE to complete the final design documents necessary for construction of the vision established in the 2019 plan. Now that the house is vacant, WJE has been able to complete a more thorough structural assessment. Staff will be discussing the results with the committee and proposing a decision path forward.

9-11-23 Study Session Minutes: Resolution No. 1663 – Ryan House Demolition
Drew McCarty, Engineering Specialist

Table 6-4: 2024 Parks and Trails Plan Capital Projects

Site/Project	RCO*	2024	2025	2026	2027	2028	2029	2030
Rainier View								
Covered Court (Funded)	A, D, G, H, I	\$ 937,000						
Misc Site Improvements			\$ 100,000					
Heritage								
Alley	I, J, K		\$ 2,160,000					
Park & Playground	A, G, H, I				\$ 5,415,000			
Building	K					\$ 7,000,000		
Lucy V. Ryan								
Master Plan	A, K		\$ 25,000					
Demo			\$ 185,000					
Development	A, K			\$ 100,000				
Loyalty								
Drainage & Site Improvements	A, G, H, I		\$ 109,000					
Picnic/Shade Shelter	A, G, H, I		\$ 25,000					
Expansion & Parking	A, G, H, I		\$ 700,000					
Heath Sports								
Field	A, D, E, I			\$ 3,000,000				
Lighting	A, D, I			\$ 600,000				
Fencing	A, D, I			\$ 375,000				
Pump & Sk8	A, D, I							\$ 995,000
Picnic & Pathways	A, D, I				\$ 365,000			
Seibenthaler								
Site Improvements (phases)	A, D, F, G, H, I			\$ 3,750,000			\$ 3,750,000	\$ 2,910,529
ROW Improvements					\$ 352,700			
Bennett								
Site Improvements (phases)	A, D, F, G, H, I			\$ 2,250,000			\$ 3,575,000	\$ 2,792,317
Qunell								
Master Plan	A, D, F, G, H, I		\$ 35,000					
Site Improvements	A, D, F, G, H, I				\$ 1,090,000			
New & Expanding Parks								
Master Site Plan						\$ 200,000		
Acquisition						\$ 1,000,000		
Minimum Park Standard Investment						\$ 1,000,000		
TOTALS		\$ 937,000	\$ 3,339,000	\$ 10,075,000	\$ 7,222,700	\$ 9,200,000	\$ 7,325,000	\$ 6,697,846

#	Commenter	Date	Comment (Summarized by Staff)	Response
11-1	Adams, R.	4/18/24	Make documents available on background of legal case regarding Ryan House, clarity of funds raised, expenses estimates, and project phasing.	All comment letters and attached documents are made available with the Final EIS. All legal documents related to the Ryan House are publicly available through the Pierce County Superior Court. Numerous other records about the history of the project and the litigation are available on the City's Sumner Connects page: https://connects.sumnerwa.gov/ryan-house .
11-2	Adams, R.	4/18/24	Superior Court case Findings of Fact and Conclusions state City did not follow own comprehensive plan in moving quickly to demolish the Ryan House, proper notice was not given, and a new comprehensive plan is needed with public engagement before decisions made.	The Planning Commission does not make the decision on the future of the Ryan House - it is a budget and policy decision. Consistent with the court's holding, the City undertook extensive public engagement throughout the Comprehensive Plan update process (see EIS Appendix: Public Participation Summary), and that engagement has been ongoing since January 2023 consistent with that public participation plan.
11-3	Adams, R.	4/18/24	Comments on project costs for rehabilitating the Ryan House, question on which figure is correct for design costs, comment that enough funds are available for rehabilitation and phasing and scaling back features is an option. Please save the Ryan House, provides value to historic downtown.	The Planning Commission does not make budgetary decisions related to City parks or City facilities, or budget decisions at all. The Planning Commission is merely advisory. <u>All costs and other budgetary decisions are made by the City Council.</u>
11-4	Adams, R.	4/18/24	Attachments provided to comment letter: - Nancy Ryan Dressel v City of Sumner and Drew McCarty case findings of fact and conclusions of law (4/8/2024) - Letter from Washington Trust for Historic Preservation to Carmen Palmer (Communications Director, City of Sumner), notifying that Ryan House is now included in their list of state's Most Endangered	All comment letters and attached documents are made available with the Final EIS. The Planning Commission does not make budgetary decisions related to City parks or City facilities, or budget decisions at all. The Planning Commission is merely advisory. All costs and other budgetary decisions are made by the City Council.

11-4
continued

OPTION I - FULL HOUSE REHABILITATION

RYAN HOUSE COST OVERVIEW				NOTES
PHASE	ITEM	COST		
Design	W/E - Phase 1 Exterior	\$ 95,900.00	Contracted	Contracted February 2023
Design	W/E - Phase 1 (additional structural scope)	\$ 50,000.00	Estimated	2023
Construction	Phase 1 Kitchen	\$ 104,791.00	Estimated	Estimated June 2023
Construction	W/E - Phase 2 - Interior	\$ 138,000.00	Estimated	Estimated January 2023
Construction	Phase 2 - Interior	\$ 507,650.00	Estimated	From AKANA Estimate 2021. Took out \$100K for the kitchen.
Construction	W/E - Phase 3 - Landscape	\$ 30,000.00	Estimated	Estimated January 2023
Construction	Phase 3 - Landscaping	\$ 100,000.00	Estimated	M/E Estimate from 2021. added 10% contingency (\$936,800)
Construction	Construction Contingency	\$ 147,179.40	Estimated	15% contingency of Phase 1 + Phase 2 construction
Project Total		\$ 335,953.00		W/E
Construction		\$ 1,847,816.40		Phase 1 + Phase 2 + Phase 3
Project Total		\$ 2,183,769.40		Project 5 needed to date

GRANT		GRANT FUNDING		NOTES
USE BY		AMOUNT	AWARDED	
2023	Summer Lodging Tax	\$ 125,000.00	Yes	W/E Phase 1 + Abatement
2023	LTAC	\$ 400,000.00	Not Calculated	Uncertain if we will get money back - Structural + Exterior
2023	Port of Tacoma	\$ 7,500.00	Yes	Upgrades
2024	State Heritage Grant	\$ 304,000.00	Yes	ADA upgrades
2024	LTAC	\$ 750,000.00	Yes	Interior Upgrades

11-4
continued

Additional Summer Lodging Tax	\$ 40,000.00	Pending	
Planning & Design	\$ 290,000.00	WJE	333,753.18
Construction	\$ 1,061,500.00	WJE	1,061,500.00
Total Project Grant Funds	\$ 1,351,500.00	Approved	
Total Available Grant Funds	\$ 1,117,485.00		

City Funding Needed \$ 1,101,284.40

125,000 - WJE & ABATEMENT - 5%
400,000 FUNDED
7,500
304,000
750,000
40,000
1,626,500
100,000 PCLT GOVT
125,000 PCLT GOVT
+ 2018
+ 2019
1,851,500 TOTAL AVAILABLE BEFORE COSTS
DEDUCTED RE ABATEMENT + PCLT WJE

Options for Public-Private Partnership:

1. City retains ownership and covers maintenance and operation in perpetuity
2. City retains ownership and leases building to a private entity
 - Private entity operates Museum for a public purpose
 - Agreement needed for the private entity to cover cost of utilities and insurance, instead of the City
 - City maintains Park ← *Sole cost to the City, already in City Budget*
3. City transfers deed (both building and Park) to private entity for a public purpose
 - (Second Deed states the building is to be used as a Museum, but doesn't specify that the City must operate the museum)
 - Private entity maintains/operates the Museum in conjunction with SHS
 - Private entity also responsible for maintenance of the Park
4. City retains ownership for a period of time then later transfers deed to private entity (Mukai model)
 - Private entity assumes temporary stewardship of the building and Museum
 - Private entity covers building-related expenses in the interim until the deed transfer is complete
 - Private entity ultimately owns building (and park?), then leases to Museum
5. City permanently transfers ownership of the building only but City retains land
 - But City retains land and maintains/operates the Park
6. Temporary transfer of building –
 - City temporarily transfers building to private entity for restoration work
 - o Lower cost? Prevailing wage laws?
 - Private entity returns the building to the City once restoration is complete
 - o City resumes maintenance and operation cost?
 - o Private entity rents building from the City? (Tenant model)
7. City signs an interlocal agreement (ILA) with Pierce County
 - County manages building and park in conjunction with the Private entity, even though they remain city properties
 - Private entity works with County on restoration, maintenance, operation

8. City permanently transfers deed to Pierce County

- Ryan House becomes a County-owned building?
- Park is a County park?
- Private entity leases building from County?

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Mayor Kathy Hayden

City of Sumner

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City Clerk

City of Sumner

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