



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

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

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

CALL TO ORDER

Pledge of Allegiance

Invocation David Barnes

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

PROCLAMATION

2025 Arbor Day

The Proclamation acknowledging Arbor Day on April 25, 2025, and the city's 31st year as a Tree City as designated by the National Arbor Day Foundation was read into the record by Community Services Manager Derek Barry.

CONSENT AGENDA

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

1. Resolution No. 1717 - Commute Trip Reduction Plan 2025-2029
2. Resolution No. 1719 - South Tank Seismic Retrofit - FEMA HMGP Grant Acceptance
3. Recreation and Conservation Office Certification of Applicant Match Community Outdoor Athletic Facilities - Bill Heath Sports Complex Multiuse Synthetic Turf
4. Recreation and Conservation Office Certification of Applicant Match Youth Athletic Facilities Bill Heath Sports Complex Lighting Improvements

PASSED BY VOICE VOTE.

PUBLIC HEARING

There was none scheduled.

REGULAR BUSINESS

1. Unfinished Business

There was no unfinished business.

2. Public Comment

Randall Adams, 15013 63rd Street Court East, addressed the council.

Nick Biermann, 5802 Parker Road East addressed the council.

3. New Business

a. Forestry & Parks Commission Appointment – Johnson

MOVED BY ELFERS, SECONDED BY KENNA TO APPOINT NICHOLAS JOHNSON TO THE FORESTRY AND PARKS COMMISSION TO A TERM ENDING IN 2029.

Community Services Manager Derek Barry addressed the topic to the council and introduced Mr. Johnson.

Mr. Johnson thanked the Council for the opportunity.

There were no comments from the Council or the public.

PASSED BY A ROLL CALL VOTE.

b. Planning Commission Appointment - Malcolm

MOVED BY KENNA, SECONDED BY REINKE TO APPOINT MARK MALCOLM TO THE PLANNING COMMISSION TO A TERM ENDING IN 2029.

Economic & Community Development Director Ryan Windish addressed the Council.

Mr. Malcolm was in attendance.

There were no comments from the Council or the public.

PASSED BY A ROLL CALL VOTE.

c. Lodging Tax Advisory Committee Appointment – Hendricks

MOVED BY ELFERS, SECONDED BY KENNA TO APPOINT NICHOLAS JOHNSON TO THE FORESTRY AND PARKS COMMISSION TO A TERM ENDING IN 2029.

Communications Director Carmen Palmer spoke to the item introduced Mr. Hendricks.

Mr. Hendricks addressed the Council.

There were no comments from the council or the public.

PASSED BY A ROLL CALL VOTE.

d. Ordinance No. 2925 – Amending Sumer Municipal Code Chapter 16.06 – Commute Trip Reduction

MOVED BY COLE, SECONDED BY ELFERS TO APPROVE ORDINANCE NO. 2925 – AMENDING SUMNER MUNICIPAL CODE CHAPTER 16.06 – COMMUTE TRIP REDUCTION.

Economics & Community Development Director Ryan Windish addressed the council.

Councilmember Elfers asked clarifying questions.

No other comments from the Council or the public.

PASSED BY A ROLL CALL VOTE.

4. Reports

a. **Council**

Deputy Mayor Bowman spoke about the Ryan House.

Councilmember Bitetto spoke about the Ryan House.

Councilmember Cole spoke about the Ryan House.

Councilmember Kenna thanked the newly appointed and reappointed commissioners and commented on the Ryan House.

Councilmember Reinke spoke about the Ryan House.

Councilmember Clerget also thanked the commissioners and commented on the Ryan House.

Councilmember Elfers also commented on the Ryan House.

b. **City Administrator**

City Administrator Jason Wilson addressed the following during his report:

Upcoming Policy Issues:

- April 28, 2025 – Study Session
 - 2024 Financial Report
 - PW Operations Facility Bond Sale Update
- May 5, 2025 – Regular Council Meeting
 - Proclamation for Police Week and Peace Officer Memorial
 - Proclamation for Washington Association of Building Official
 - Public Hearing on 142nd Ave E Partial ROW Vacation

Personnel Issues:

- Tomorrow our agency will celebrate the graduation of Cody Leighton from the Basic Law Enforcement Academy. Cody will begin his three month field training program. When complete, Sumner will be at 2024 full staffing levels. We are currently recruiting to fill the two 2025 vacancies, and hope to fill them by mid-year.

c. **Mayor**

Mayor Hayden recalled her professional experience of being a small business owner in Sumner. In her opinion, Sumner is a ton better than it's ever been.

5. Executive Session

AT 7:06, MAYOR HAYDEN ADJOURNED INTO EXECUTIVE SESSION FOR THE PURPOSES OF DISCUSSING WITH LEGAL COUNCIL PENDING OR THREATENED LITIGATION PER RCW 42.30.110(1)(i), FOR A PERIOD OF 30-MINUTES. THERE WILL BE NO ACTION TO FOLLOW.

6. Adjournment

MAYOR HAYDEN RECONVENED THE REGULAR MEETING AT 7:36PM. WITH NO OTHER BUSINESS BEFORE THE COUNCIL, MAYOR HAYDEN ADJOURNED THE MEETING AT 7:36PM.

ATTEST:

Michelle Converse, CMC, City Clerk

Kathy Hayden, Mayor

From: radams15013@yahoo.com
To: [Michelle Converse](#); [Matthew Kenna](#); [Pat Cole](#); [Pat Clerget](#); [Carla Bowman](#); [Greg Reinke](#); [Barbara Bitetto](#); [Andy Elfers](#)
Subject: Comments for 4-21-2025 Council Meeting
Date: Monday, April 21, 2025 3:08:56 PM
Attachments: [4-21-25 comments to Council.docx](#)
[Exhibit-A-Funding-Engagement-Recap-highlighted.docx](#)
[SEPA Reply 4-15-25.docx](#)
[Deed \(1\).pdf](#)
[Deed-2_1979.pdf](#)

****EXTERNAL EMAIL****

Michelle,

Attached are my comments for tonight's Council meeting & supporting documents. On the interpretation of the Deeds by city staff, they obviously have not heard of Paul Harvey, because the city rarely tells the rest of the story.

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

A couple of weeks ago I received 2 emails from the city that listed the documents that had been sent to me over a year ago regarding an inquiry I had made. There was a long list of documents, 90% of which could not be opened in the original emails. Of the 10% that could, ½ were common knowledge docs of the city and the other ½ were the redacted complaints filed regarding a high-profile case that shook this community. That surprised me so I spoke to our daughter who had recused herself from that case as our grandson/her nephew played on a little league baseball team coached by the defendant. I guess the reason for the new email is the city lining up your defense if I sue you. Not sure the Court would either like those redacted complaints being sent to someone who did not ask for them nor the other 90% of files that could not be opened. Yes, I understand that at age 70 there are others who are smarter on a computer, so I had other tech savvy coworkers try to open those files and they could not do so. Thought you might want to know that in advance so if we do square off in court, don't embarrass yourself going down that bad rabbit trail.

The city constantly states you want citizens to join your various committees that work for free as a precursor to actions taken by the city and council. Nicholas Biermann has twice applied to be placed on committees over the last year. He was asked if The Ryan House is the only thing he is interested in or not given an interview at all. The city would rather not fill committees than to include someone who may ask questions. What you only want is yes people, ones that don't ask questions and do whatever you want. In the last 18 months that I have been attending Council Meetings, there have only been 4/5 NO votes total from council on anything, otherwise all approved @ 7-0. Remember, City staff hide behind you yet claims all decisions, positive or negative, are because of your votes and staff has NO ramifications for the inaccuracy of what is presented to you to vote on.

In the SEPA Review reply sent to me, it states all my questions have been answered yet mainly I complain. I am still waiting for any questions to be answered though now I know if you are asked a simple why question, that is considered as a complaint. Regarding your treatment of Nick Biermann, you can put this in the complaint column. Your behavior to him has shown your true colors and you should be ashamed of yourselves.

If you want to see how wrong staff can be, read the attached proposed resolution 1716 MOU to allow the city to accept \$5,800 and compare that to the actual Deeds. It is like Jefferson Airplane's "White Rabbit" depicting Alice in Wonderland on an acid trip vs what the Deeds say. Some have suggested that the proposed MOU was the city wanting folks to pay for the rope to hang themselves with. That is what a complaint sounds like.

RYAN HOUSE PROJECT

HISTORY OF CREATIVE MITIGATION/FUNDING ENGAGEMENT

See project page at <https://connects.sumnerwa.gov/ryan-house> for more information about engagement and funding during the rehabilitation project 2019-2023. This history covers only the engagement with outside groups once the severity of the structural issues was discovered.

July 27, 2023—Meeting with Becky Wong (WJE), Jeronimo Roldan (DAHP), Maddie Levesque (DAHP), Carmen Palmer, Alisa O'Haver-Ayala and Drew McCarty. Invited but declined attendance: Michael Houser, DAHP's National Register coordinator, and members of the Washington State Historical Society (WSHS). City/WJE emphasized difficulties of house and asked DAHP for creative ideas, advice how to save house or portion of house given costs, needs and deed restrictions. No solutions given other than simply desire to save the house.

September 2023—Meeting with Kris Arnold (formerly Sumner Historical Society), Carmen Palmer, Jason Wilson about condition of house and likely loss of structure. City requested similar meeting with Dale Loseth and current Historical Society, which request went un-answered.

September 18, 2023—City Council Meeting, open public meeting, in which Carmen Palmer outlined challenges, efforts, potential funding & what worked/didn't work, and asked for any donations of private funds or other ideas. Following meeting, Palmer reiterated request for private funds/funding options in media including *The News Tribune* and KIRO Talk Radio (Felix Banel). City received no offers.

Fall 2023—City print newsletter features the project and loss of the house in full-page article, mailed to all residents plus stakeholders (legislators, partner chambers and businesses).

Fall 2023—City accepted comments regarding proposed demolition at Open House (in person), by phone, email and Sumner Connect. Any written comments received by email were shared with the public on Sumner Connects. The written comments spoke for or against the demolition but by this date, the City did not receive any donated funds or pledges.

October 9, 2023—Carmen Palmer requested a meeting with DAHP on October 16th to discuss process for Ryan heirs removing items per the deed. Maddie Levesque declined meeting since the City was proceeding under its Planned Action Ordinance, as her role was predominately focused on commenting on SEPA.

November 2023—Email from Dan Absher (Absher Construction) to Jason Wilson, offering a walk-through and independent feasibility review of the house. Wilson replied that the City would be open to an additional review and recommended they start first with reviewing the existing documentation, including links to the ARG and WJE reports as well as the Building Official's assessment. Absher replied that they'd review the documents and follow up if they could see a way to provide constructive help. No further response received.

March 14-15, 2024—Email conversation Carmen Palmer with Chris Moore (DAHP) about statements made in court by Mr. Bricklin and Kim Foster (Save Our Sumner) that DAHP and WA Trust both have funding that the City did not access for the Ryan House project and that Mr. Moore specifically identified missing opportunities. Mr. Moore replied that DAHP is advisory only and ran through a few suggestions, which Palmer followed up on and found either that the project was not eligible, or the funds were otherwise not available. (See April 18 assessment).

March 22, 2024—Email conversation Carmen Palmer with Jeronimo Roldan (DAHP), Maddie Levesque (DAHP), Nicholas Vann (DAHP), Jason Wilson (Sumner) regarding statement by attorney Mr. Bricklin (Save

Our Sumner) that DAHP and Washington Trust both have funding that the City did not access for the Ryan House project. Mr. Roldan replied that DAHP is advisory only and did not provide any further information of such missing funding opportunities.

April 18, 2024—Meeting of Nick Biermann (Save the Ryan House) & Chris Moore (DAHP), Carmen Palmer, Jason Wilson, Kassandra Raymond—Ran through all grants obtained or identified and why they worked or did not, given the various conditions and timelines on all the grants. City asked both if they had found any further options the City was missing. No suggestions given.

May 6, 2024—City Council Study Session open public meeting, Carmen Palmer reviewed the entire project, details, efforts including all funding identified and why it was or was not available to the Ryan House project. She reiterated that anyone knowing of missing funding sources or wanting to donate should contact the city. No responses. This meeting remains available on YouTube archive.

May 20, 2024—In response to complaint that City did not clearly ask for funding support with deadlines, Councilmembers Elfers and Bowman suggested a resolution outlining the City's invitation for private funding, the amount needed for a successful project (\$2.2 million) and the deadline needed (early December 2024). Comments received from Save the Ryan House, Felix Banel, and others were negative, criticizing amount, timeline, process and even length of the resolution itself. Some threatened legal action. Council voted down the resolution unanimously believing the intent of the resolution was being lost. In media coverage in *The News Tribune* and KIRO Radio, Palmer reiterated invitation for private funding.

May 23, 2024—Meeting with Nick Biermann (Save the Ryan House), Mayor Hayden, Councilmember Bowman, Jason Wilson, Carmen Palmer addressing funding needs and reiterating City's openness to accept private funding with or without the resolution.

May 29, 2024 – Email conversation Carmen Palmer with Jay Baersten (WSHS) regarding rules, uses of Heritage Capital Project Grant & project update.

October 24, 2024—APWA training of public works professionals from across the State, Carmen Palmer presented Ryan House as an example of difficult projects. One attendee mentioned the construction issues were common in the 1800s and reaffirmed that they created structural problems now.

December 18, 2024—Meeting with Nick Biermann (Save the Ryan House), Dale Loseth (SHS), Mayor Hayden, Councilmembers Bowman & Elfers, Jason Wilson, Carmen Palmer, Andrea Marquez, Drew McCarty, asking for any funding available for the house even though May resolution didn't pass. Advised by Loseth and Biermann that they wanted more time, wanted to explore control of the house, wanted the house phased and challenged cost estimates. Explained by City staff and elected officials why phasing doesn't work, restrictions of the deed and sources of cost estimates. City asked again if any funding available and both made references to potential donors but declined to give names or offer amounts.

2023-2024—numerous emails from Nick Biermann and Randall Adams to City of Sumner staff and officials. Biermann asks questions which were all or mostly all answered. **Adams' questions were answered although most comments were criticisms, not inquiries.** Staff repeatedly answer questions about the deed, restrictions on use of the house, how costs identified, City construction process. Also, repeated suggestions for different groups wanting control of the house and its use, often in violation of the deed. At no time did anyone offer funding. A few references were made of potential funders, but no actual amounts/funding were offered to the City. Any funding sources mentioned were already explored and either used or did not qualify.

Edith E. Van Vechten,
 Ward E. Van Vechten, Henry
 R. Ryan, Amy J. Ryan, Lewis
 D. Ryan, Mildred E. Ryan,
 Charles A. Ryan, Constance P.
 Ryan, Warren W. Ryan and
 Muriel Ryan

DEDICATION DEED
 Consideration
 Dated Jan. 25, 1926
 Ack'd Jan. 25, 1926
 Filed Apr. 9, 1928
 at 10-14 A.M.
 (Filed Under Land
 Registration Act)

-To-

Town of Sumner, Pierce County,
 Washington

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned grantors and dedicators, to-wit:
 Edith E. Van Vechten, of Tacoma, Washington; Henry R.
 Ryan, Lewis D. Ryan, Charles A. Ryan and Warren W. Ryan,
 of Sumner, Washington, being the heirs at law and
 devisees of Lucy V. Ryan, deceased, and the owners of the
 property hereinafter described, which constituted the
 home of the said Lucy V. Ryan, deceased, being desirous
 of perpetuating her said home as a memorial to her, do
 hereby grant, convey and dedicate to the Town of Sumner
 Pierce County, Washington, and to the public forever,
 that certain tract of land, situated in the town of
 Sumner, Pierce County, State of Washington, and described
 as follows; to-wit:

The North one hundred and thirty-six (136) feet of
 Tract Twenty-seven (27) Ryan's Second Addition to the
 Town of Sumner, Pierce County, State of Washington;
 and the East Twenty-four (24) feet of Tract Twenty-
 six (26) in Ryan's First Addition to the Town of Sumner,
 Pierce County, State of Washington, reserving the
 right to remove one Holly tree, Ten Roses, and other
 small plants.

The said premises being hereby granted, conveyed
 and dedicated to the Town of Sumner for the use of
 the public forever as and for a public park and site for
 a public library, to be maintained on said premises
 by the Town of Sumner, but no building, other than
 for library purposes shall ever be erected on said
 site.

It is stipulated as follows: The old house on
 said premises shall be used as a public library as
 long as it is suitable, or at least for a period
 of five (5) years; and the same shall be kept in
 proper repair. The old building shall remain
 standing; no new library building shall be constructed
 on said premises; nor, any addition to the old building
 built within five (5) years from date herewith. The
 lawn, trees and shrubs shall be properly maintained
 and cared for and the forest and ornamental trees shall
 be kept undisturbed as long as they live, this clause
 applying particularly to the cut leaf birch on the West
 the big Holly and surrounding Rhododendrons, the

Heavlock on the West line and the butternut tree standing in the street.

When the present building is ready to be torn down, the heirs reserve the right to enter and remove any part of the old house that is desired. The heirs also reserve the right to go upon the premises at any time for the purpose of assisting in the care of the grounds, if they so desire, or for the purpose of making minor repairs on the old house.

The heirs desire that a space, as they may select, on the grounds be reserved for a tablet to the memory of their mother, Lucy V. Ryan, the same to be perpetually maintained by the Town of Sumner.

Should, at any time, a building be erected on these premises other than specified above, the property will revert to the heirs.

No hedge or division of any kind shall be made on the east half of the south line as long as the landscaping of the lots to the south is made to conform to the city property. And when a new building is erected it shall be of the old English residential style, following, if practical, or as nearly as possible, the contour of the old house.

Edith E. Van Vechten
Ward E. Van Vechten
Henry R. Ryan
Amy J. Ryan
Lewis D. Ryan
Mildred E. Ryan
Charles A. Ryan
Constance P. Ryan
Warren W. Ryan
Muriel Ryan

STATE OF WASHINGTON)
COUNTY OF PIERCE (SS.

Acknowledged by Henry R. Ryan and Amy Ryan, his wife, Lewis D. Ryan and Mildred E. Ryan, his wife, Charles A. Ryan and Constance Ryan, his wife, and Warren W. Ryan and Muriel Ryan, his wife, of Sumner, Washington as their free and voluntary act and deed, before

(Seal Ex. of Com) Fred Carnahan Notary Public in
(Aug. 16, 1927) and for the State of Washington,
residing at Sumner, in said County.

STATE OF WASHINGTON)
COUNTY OF PIERCE (SS.

Acknowledged Jan. 25, 1926 by Edith E. Van Vechten and Ward E. Van Vechten, her husband of Tacoma, Washington, as their free and voluntary act and deed, before

(Seal Ex. of Com) Fred Carnahan Notary Public in
(Aug. 16, 1927) and for the State of Washington,
residing at Tacoma, in said County.

Affidavit of Purchaser of Registered Land
STATE OF WASHINGTON)
COUNTY OF PIERCE (SS.

R.C.Fryar Clerk of the Town of Sumner, Wash. being first duly sworn on oath, deposes and says, the Town of Sumner the purchaser of registered land, situate in Pierce County, Washington from Edith E. Van Vechten, Ward E. Van Vechten, Henry R. Ryan, Lewis D. Ryan, Charles A. Ryan, Ann J. Ryan, Mildred E. Ryan, Constance P. Ryan, Warren W. Ryan and Muriel Ryan, the holder of Certificate No. __, that the affiant R.C.Fryar is of the age of 35 years, resides at Sumner, Wash. and is under no legal disability; that the affiant is married to __ whose age is __ years and who resides at Sumner, Wash. __

R.C.Fryar
Town Clerk

Subscribed and sworn to before me this 6th day of
Feb., A.D. 1928__

(Seal Ex. of Com)
(Aug. 16, 1931)

Fred Carnahan Notary Public in
and for the State of Washington
Residing at Sumner, Wash. County

--abet--

9612190069

BK 129 PG 2636

QUIT CLAIM DEED

ORIGINAL

The Grantors, CONSTANCE P. RYAN, a widow, and DOROTHY PETERKIN, a married woman, each dealing with their sole and separate property, for and in consideration of one (\$1.00) dollar, convey and quit claim to the City of Sumner, a municipal corporation, the following described real estate, situated in the County of Pierce, State of Washington including any interest therein which Grantors may hereafter acquire:

The north one hundred and thirty-six (136) feet of Tract Twenty-seven (27) Ryan's Second Addition to the Town of Sumner, Pierce County, State of Washington, and the East twenty-four (24) feet of Tract Twenty-six (26) in Ryan's First Addition to the Town of Sumner, Pierce County, State of Washington.

Save and except that the reservations set forth in a deed dated January 25, 1926, and recorded under Auditor's Fee No. 896573, shall be amended to read as follows:

1. The above described real property shall only be used for a library, historical museum or a park site.

2. The house located upon the above described real property shall only be used for a library, historical museum, or restored and maintained as an 1890 home.

3. The above described real property and the house located thereon shall be maintained as a national historical site, and kept open to the public to provide reasonable access and use by the public.

4. The lawn, trees and shrubs shall be properly maintained and cared for by Grantee.

5. Grantors shall have the right to select a space on the above described real property to be reserved for a tablet in memory of Lucy V. Ryan, the same to be perpetually maintained by Grantee.

6. Should the above described real property and the house located thereon be used for a purpose not specified herein, or should, at any time, a building be erected on said real property other than for the above specified purposes, then said real property and the house shall revert to Grantors and/or their heirs. Failure to keep the building open to the public at reasonable times shall cause the property to revert to Grantors and/or their heirs. This provision shall not apply to or prohibit the construction of buildings, to be located only on the Southwest portion of the property, to be used for or in connection with the above specified purposes.

DATED this 18th day of MAY, 1979.

Constance P. Ryan
Dorothy Peterkin

EXCISE TAX PAID
Re. No. 928405 Date 12-19-96
Pierce County

By [Signature] Auth Sta

9612190069

96 DEC 19 AM 11:28

RECORDED
CATHY PEARSON-SPIER
AUDITOR PIERCE COUNTY

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THE ORIGINAL, IT IS DUE TO THE QUALITY OF THE DOCUMENT.

9-

APR. FEE

See #666

BK 1291 PG 2637

STATE OF WASHINGTON)

9.9.

COUNTY OF PIERCE

On this day personally appeared before me Constance P. Ryan, to me known to be the individual described in and who executed the attached, within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 18th day of MAY 1979.

NOTARY PUBLIC in and for the State of
Washington, residing at Sumner.

STATE OF WASHINGTON)

) 55.

COUNTY OF PIERCE

On this day personally appeared before me Dorothy Peterkin, to me known to be the individual described in and who executed the attached, within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 18th day of MAY, 1979.

NOTARY PUBLIC in and for the State of
Washington, residing at Sumner.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THE DOCUMENT IN THE PREVIOUS FRAME, IT IS DUE TO THE QUALITY OF THE DOCUMENT.

9612190069

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SUMNER AND SAVE RYAN HOUSE
RELATED TO A DONATION OF PRIVATE FUNDING CONTRIBUTED TO THE COSTS OF THE CITY-
COMMISSIONED LEVEL II HABS REPORT FOR THE RYAN HOUSE**

THIS AGREEMENT is made this ____ day of _____, 2025, by and between the Sumner Ryan House, a Washington NonProfit Corporation, and the City of Sumner, a Washington Municipal Corporation (the "City"). Save Ryan House and the City (collectively referred to as "Parties" and individually a "Party") hereby acknowledge and agree as follows:

RECITALS

WHEREAS, the City received title to a historic home abutting the City's Main Street (the "Ryan House"), and its underlying real property (the "Property") by deed dated January 25, 1926; and

WHEREAS, the deed specifies that the property is to be used as a public park in honor of Lucy V. Ryan and allowed the house to remain for at least five years; and

WHEREAS, the Ryan House served as the City's library and as a home to the Sumner Historical Society for many decades; and

WHEREAS, over the course of the last century, the condition of the Ryan House has deteriorated to the point that it is now a dangerous building, unsafe for use by the public; and

WHEREAS, the costs to repair or restore the Ryan House to a safe condition exceed the funding authorized by the City Council; and

WHEREAS, the City applied for a demolition permit on January 24, 2025 following a duly-noticed SEPA process and determination, intends to proceed with demolition of the Ryan House and conversion of the Property into a public park for use by the public as a whole; and

WHEREAS, in an effort to honor and memorialize the Ryan House structure, the City engaged the services of Architectural Resources Group (ARG) to provide a Level II Historic American Building Survey (HABS) report, consistent with the Washington State Department of Archaeology and Historic Preservation's recommended standard, which includes a historical report, measured drawings and photographs; and

WHEREAS, Save Ryan House offered to contribute \$5,800 as a donation to the City to assist in the payment of the ARG HABS report.

NOW, THEREFORE, the Parties commit to the following:

1. Purpose. The purpose of this MOU is to formally accept a monetary donation from Save Ryan House to the City in the amount of Five Thousand, Eight Hundred Dollars (\$5,800). The funds shall be used by the City to pay for one-half of the ARG Level II HABS Report. The acceptance of the donation is based upon the following terms and conditions:

2. Term. The term of this MOU shall begin on the date executed by all Parties below, and shall automatically expire upon receipt by the Parties of the HABS Report, or on June 1, 2025, whichever occurs first.
3. City Obligations. During the Term of this agreement, the City shall:
 - a) Maintain an agreement with ARG for the commission of a Level II HABS Report; and
 - b) Provide ARG access to the Ryan House for the limited purposes necessary to accomplish the services required to complete the Level II HABS Report; and
 - c) Request that ARG acknowledge the Save Ryan House donation with the following text on the cover of the HABS Report: "Report commissioned through financial support from the Save Ryan House community group."
 - d) Provide Save Ryan House with a copy of the ARG HABS Report within one business day of receipt from ARG via email to Nicholas Biermann at nsbiermann09@gmail.com.
 - e) Provide DAHP with a copy of the ARG HABS Report within one business day of receipt from ARG.
 - f) Utilize the entirety of the Save Ryan House donation towards the invoice for ARG's services related to the HABS Report and otherwise comply with the City's Donation Acceptance Policy, including but not limited to acceptance of the donation by resolution of the Sumner City Council.
4. Save Ryan House's Obligations. During the Term of this agreement, Save Ryan House shall:
 - a) Maintain the valid nonprofit corporation status with the Washington Secretary of State and all federal rules and regulations governing 501(c)(3) organizations; and
 - b) Provide the City with the donated funds totaling \$5,800 in either cash or cashier's check, payable to the City of Sumner, no later than five business days from execution of this agreement; and
 - c) Acknowledge that ARG's contractual relationship is with the City only and refrain from communicating with ARG directly, including via telephone, email or in-person, or otherwise attempting to dictate ARG's scope of work or means, methods or approach to the HABS Report; and
 - d) Refrain from placing any conditions or restrictions, other than those specifically outlined herein, upon the City's acceptance or expenditure of the donated funds;
7. Nonrefundable. Upon acceptance of the donated funds by the City, they are nonrefundable.
8. Execution. This agreement may be executed in counterparts, all of which taken together shall constitute one document.
9. Authorization. Each person signing for an entity warrants that he or she is duly authorized to do so.
10. Entire Agreement. This MOU contains all the terms and conditions agreed to by the Parties. No other understanding, oral or otherwise, regarding the subject matter of this MOY shall be deemed to exist or to bind any of the parties hereto.

IN WITNESS WHEREOF, the Parties hereto have caused this MOU to be executed by the dates and signatures below.

SAVE RYAN HOUSE

By: Nicholas Biermann

Its: _____

Date: _____

CITY OF SUMNER

By: Jason Wilson

Its: City Administrator

Date: _____

**RESOLUTION NO. 1716
CITY OF SUMNER, WASHINGTON**

A RESOLUTION OF THE CITY OF SUMNER, WASHINGTON, ACCEPTING THE DONATION OF \$5,800.00 FROM SAVE RYAN HOUSE FOR THE PURPOSES OF COMMISSIONING A LEVEL II HABS REPORT FOR THE RYAN HOUSE.

WHEREAS, the City received title to a historic home abutting the City's Main Street (the "Ryan House"), and its underlying real property (the "Property") by deed dated January 25, 1926; and

WHEREAS, the deed specifies that the property is to be used as a public park in honor of Lucy V. Ryan and allowed the house to remain for at least five years; and

WHEREAS, the Ryan House served as the City's library and as a home to the Sumner Historical Society for many decades; and

WHEREAS, over the course of the last century, the condition of the Ryan House has deteriorated to the point that it is now a dangerous building, unsafe for use by the public; and

WHEREAS, the costs to repair or restore the Ryan House to a safe condition exceed the funding authorized by the City Council; and

WHEREAS, the City applied for a demolition permit on January 24, 2025 following a duly-noticed SEPA process and determination, intends to proceed with demolition of the Ryan House and conversion of the Property into a public park for use by the public as a whole; and

WHEREAS, in an effort to honor and memorialize the Ryan House structure, the City engaged the services of Architectural Resources Group (ARG) to provide a Level II Historic American Building Survey (HABS) report, consistent with the Washington State Department of Archaeology and Historic Preservation's recommended standard, which includes a historical report, measured drawings and photographs; and

WHEREAS, Save Ryan House offered to contribute \$5,800 as a donation to the City to assist in the payment of the ARG HABS report.

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

Section 1. The sum of \$5,800.00 donated by Save Ryan House is hereby accepted.

Section 2. The donation shall be utilized by the City in accordance with the Memorandum of Understanding between Save Ryan House and the City, executed on _____.

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 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 4. Effective Date. This resolution shall take effect and be in full force immediately upon passage by the City Council.

ADOPTED AND APPROVED this ____ day of April 2025.

Kathy Hayden, Mayor

Attest:

Approved as to form:

Michelle Converse, City Clerk

Andrea J. Marquez, City Attorney