



CITY COUNCIL MEETING MINUTES
City Hall – 1104 Maple Street
May 19, 2025 6:00 PM

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

Staff present: Wilson, Marquez, Windish, Kosa, Johnstone, McCurdy, Steffens, Palmer, Beagle, Littrell, Moe, Jorgenson

THE 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

1. National Public Works Week

Public Works Director Michael Kosa and Economic & Community Development Director Ryan Windish introduced two members of the Public Works Department: Cemetery Field Supervisor Kevin Jorgenson and Public Works Operator II Lyle Moe. They then read the proclamation into the record.

PRESENTATION

1. Main and Wood – American Public Works Association Project of the Year Award

Tina Nelson, Chair of the American Public Works Association Projects Committee, spoke about the project and the criteria used to select the award winner. She congratulated the City2. Public Works Director Michael Kosa, Public Works Deputy Director Alisa O’Haver-Ayala, and Engineering Specialist Courtney Littrell on the successful project.

2. South Sound Housing Affordability Partners

Economic & Community Development Director Ryan Windish introduced Jason Guither, Manager for South Sound Housing Affordability Partners. Mr. Guither gave Council an overview of the Capital Fund Project.

CONSENT AGENDA

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

1. Contract Amendment for Senior Center Services
2. Consultant Contract Award - Safe Built
3. Heritage Park Remediation - Consultant Services Amendment
4. Puget Sound Energy Agreement for Operations Facility Power Service
5. Puget Sound Energy Agreement for 29th Street East Street Lighting
6. Resolution No. 1720 - Puget Sound Energy Conservation Grant Agreement Years 4-6
7. Phase 2 Cemetery Irrigation Improvements - Construction Contract Award
8. Approval of the minutes from the May 5th, 2025, regular council meeting and the Mayr 12th, 2025 study session.

PASSED BY VOICE VOTE.

PUBLIC HEARING

There was no Public Hearing tonight.

REGULAR BUSINESS

1. Unfinished Business

a. Ordinance No. 2926 – Partial Right-of-Way Vacation – Highland Street / 142nd Avenue East

MOVED BY CLERGET SECONDED BY ELFERS TO APPROVE ORDINANCE NO. 2926 - PARTIAL RIGHT-of-WAY VACATION – HIGHLAND STREET / 142ND AVENUE EAST.

Deputy City Attorney Doug Ruth addressed the council. Since this item had been brought before the Council in the form of a Public Hearing on May 5, 2025, there were no public comments taken by the Mayor.

PASSED BY ROLL CALL VOTE.

2. Public Comment

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

Melissa Fox, 16913 8th Avenue East, Spanaway. Spoke about Heritage Park.

Randall Adams, 15013 63rd Street Court East, Sumner. Spoke about the Ryan House.

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

Julie Norris, Chervenka Avenue. Spoke about the Ryan House.

3. New Business

a. Planning Commission Appointment – Hou

MOVED BY ELFERS SECONDED BY KENNA TO APPROVE AMY HOU TO A PLANNING COMMISSION APPOINTMENT TO A TERM BEGINNING IN MAY 2025 AND EXPIRING IN APRIL 2026. SECONDED BY KENNA.

Economic & Community Development Director Ryan Windish spoke to the topic. Ms. Hou was in the audience and was introduced to Council.

PASSED BY ROLL CALL VOTE.

4. Reports

a. Council

Councilmember Reinke shared that he had the honor of attending the Law Enforcement Memorial service, describing it as an emotional event. He noted 65 law enforcement officers have been killed in the line of duty in Pierce County. With Memorial Day approaching, he wished everyone a safe and enjoyable long weekend.

Deputy Mayor Bowman echoed comments regarding the upcoming Memorial Day weekend and shared her anticipation for summer and warmer weather. On May 9, 2025, she and Economic and Community Development Director Ryan Windish attended a Pierce County Economic Development Board meeting and provided an update to the public and Council. She also noted that the Sumner Main

Street Association is looking for volunteers for Rhubarb Days, June 21 and 22. If you are interested more information is on the Sumner Main Street Association website.

Councilmember Kenna thanked Lyle and Kevin for attending the meeting and extended congratulations to the City on the award for the intersection project at Main Street and Wood Avenue.

Councilmember Cole thanked Lyle and Kevin for their work in the City and shared her appreciation for seeing the goats in the Rivergrove neighborhood. She reported attending the Pierce County Regional Council meeting on behalf of Councilmember Elfers.

Councilmember Clerget announced the Public Safety Committee meeting for May 7th is cancelled. He also acknowledged the Public Works Department.

Councilmember Elfers shared his recent experience attending a graduation ceremony. He spoke on several current topics, including parking concerns raised during the Community Development Committee meeting, community use of parks, trails, and reservations, and how the state budget is affecting local businesses and impact fees. He shared his appreciation for the public's input and emphasized the value of respectful dialogue.

Councilmember Bitetto thanked the Public Works Department. She shared a personal story to emphasize the importance of contacting the City specifically Public Works first if a homeowner has a sewer issue. She expressed appreciation to Daron Uphaus and his team.

b. City Administrator

City Administrator Jason Wilson shared the following:

Upcoming Policy Issues:

- May 26, 2025 – Study Session Cancelled due to Memorial Day
- June 2, 2025 – Special Council Meeting
 - Kenmore Hangar tour and discussion, leaving city hall at 3:30 anticipate arrival in Kenmore by 5:30.
- The City was recently awarded the GFOA distinguished budget award.

GFOA (Government Financial Officers Association) established the Distinguished Budget Presentation Awards Program in 1984 to encourage and assist state and local governments to prepare budget documents of the very highest quality that reflect both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA's best practices on budgeting and then to recognize individual governments that succeed in achieving that goal. Approximately 1,800 governments, including states, cities, counties, special districts, school districts, and more have been recognized for transparency in budgeting. To earn recognition, budget documents must meet program criteria and excel as a policy document, financial plan, operations guide, and communication too

Sumner is one of approximately 50 to receive such recognition in Washington State, and this is our 12th award.

c. **Mayor**

Mayor Hyden would like to remind everyone of the upcoming Memorial Day Holiday. The local Veterans of Foreign Wars will be placing flags at the cemetery on Thursday, May 8th, starting at 4:00 PM. If you're interested in helping, please feel free to stop by and participate. The formal Memorial Day service will be held on Monday, May 26th at 10:00 AM, also at the cemetery. We extend our deepest gratitude to the families who have lost loved ones in combat. We will never forget their sacrifice.

5. Executive Session

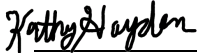
At 7:32pm, Mayor Hayden adjourned the regular meeting into Executive Session for the purposes of discussing with legal counsel pending or threatened litigation per RCW 42.30.110(1)(i) for a period of 15 minutes, there will be no action to follow.

6. Adjournment

With no additional business before the council, Mayor Hayden adjourned the meeting at 7:45pm. Councilmembers concurred.

ATTEST:

Signed by:



Kathy Hayden, Mayor

DocuSigned by:



Michelle Converse, CMC, City Clerk

From: [MELISSA FOX](#)
To: [Carla Bowman](#); bbittetto@sumnerwa.gov; [Pat Clerget](#); [Andy Elfers](#); [Greg Reinke](#); [Matthew Kenna](#); [Pat Cole](#); [Michelle Converse](#)
Cc: [Tina Burnett](#); [Nicholas Biermann](#); [Randall Adams](#); [Amanda](#)
Subject: Public Comments 2025-05-19 - Fox
Date: Monday, May 19, 2025 1:39:28 PM
Attachments: [2024 04 08 Findings and Conclusions Signed \(1\)\(1\).pdf](#)

External: Use caution with links/attachments.

May 19, 2025

Council Members and City Clerk:

I begin with the question: When does MEANINGFUL PUBLIC DIALOGUE with the City Council take place? Not at City Council meetings that limit "public comments" to 3 minutes per person and specifically states that there will be no back and forth with the Council.

As for Committee meetings, the public can OBSERVE but NOT COMMENT OR PROVIDE INPUT during the meeting. The City Council states that their doors are open to meet with people, but when those meetings have taken place, they aren't documented or shown on the City's website. How do the residents of Sumner even know questions are being asked and what the Council's responses are? There are always more than one side to a story and the only side being told is that of the City attorney, staff and council. Spreading of disinformation and a pattern of omission are effective strategies used by the Sumner City Council to suppress a fair and balanced portrayal of events.

A good example of omission, on March 17, 2025, I submitted a TNT article with my public comments and requested it be incorporated into the Council meeting minutes. To date, under "Public Comment" in the on-line minutes, it states "No Attachments". I also find it amazing how funds can be "reallocated" from one project to another. Heritage Park is 1/3 cement. With the water feature and gazebo gone... why is the name still "Heritage" Park - nothing related to Sumner's heritage remains in that area. By the way, the City still hasn't released a replacement honoring the early families who lived in Sumner. I posted my question about this and here is the response: "There's no design yet for how all the names will go back into the park. Just to clarify, the names returning will include all the donor names that were in the park, including on the brick pavers, not just the fountain names." More history and recognition of the past gone without a firm commitment to restore it.

Additionally, I am submitting a copy of the Stipulated Proposed Findings of Fact and Conclusions of Law filed in Pierce County Superior Court on 4/8/2024, for inclusion on the City's website. Currently, the only representation of the 2023 lawsuit outcome is a "Summary" filing that does not state the City's violations which required a judge's ruling to enforce. The City of Sumner brought this on themselves by failing to comply under the appropriate process including public comment and illegally issuing a demolition permit.

The latest lawsuit represents an appeal to the City's SEPA process. The petitioners are filing to ensure the City is compliant with their own process.

The City has and is allowing the public to believe the Save Ryan House and Nancy Ryan Dressel are creating frivolous litigation. In reality, a lawsuit is holding the City to the court ordered process. The City is spinning a story of tax payer monies being

spent to defend against this lawsuit. In truth, the City, itself, this on by disregarding the legal process. By way of omission, the City's website fails to reflect the complete narrative. There are two sides to this story and only one is being told through the City's official website.

Melissa E. Fox

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Melissa Fox



4/10/2024

11:05 0126

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR PIERCE COUNTY

SAVE OUR SUMNER COMMITTEE;
and NANCY RYAN DRESSEL,

Petitioners,

v.

CITY OF SUMNER and DREW
McCARTY,

Respondents.

NO. 23-2-10815-4

STIPULATED PROPOSED
FINDINGS OF FACT AND
CONCLUSIONS OF LAW

FINDINGS OF FACT

1. This case involves the City of Sumner's approval of a demolition permit issued for the demolition of the historic Ryan House (permit number BLDR-2023-0400.) The permit was issued by Allison Judge, Development Services Specialist for the City of Sumner.

2. In 1926, heirs of Lucy V. Ryan donated 1228 Main Street to the City of Sumner, the location of the historic Ryan House.

3. The Ryan House is on the National Register of Historic Places. The Ryan House was built as a one-room cedar pioneer cabin in the 1860s. It is believed to be one of the oldest structures in Sumner. The house was an early location for a small post office with Lucy Ryan as the postmaster. George Ryan was the first mayor of Sumner.

PARTIES' STIPULATED FINDINGS OF FACT
AND CONCLUSIONS OF LAW - 1

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4/10/2024 11:05 0127

1 4. The city's Comprehensive Plan and the Town Center Subarea Plan include numerous
2 provisions to preserve and enhance the Ryan House and public access to it:

- 3 • "[P]reserve . . . the historic . . . cultural resources of Sumner."¹
- 4 • "[C]ontinue to support the Sumner Historical Society by providing the use of the Ryan
5 House."²
- 6 • "[I]mprove the Ryan House and public access to the museum and consider other public
7 uses such as converting to a visitor's center."³
- 8 • "Recognize the heart and historic meaning of Downtown."⁴
- 9 • "Improve the Ryan House."⁵
- 10 • "Make improvements to Ryan House."⁶

11 5. The Ryan House was enlarged and eventually deeded to the city in 1926. It has been
12 owned by the city ever since and used as the town's library and museum.
13

14 6. The conveyance deed (Deed) outlines the grantors' wishes for the Ryan House to
15 include ensuring the City uses it "for the use of the public forever as and for a public park and site
16 for a public library."
17

18 7. Petitioner Nancy Ryan Dressel is a direct descendent of the original owners of the
19 Ryan House and of the Ryans who deeded the property to the city in 1926. She seeks to assure that
20
21
22

23
24 ¹ Comprehensive Plan, The Historic and Cultural Resources Sub-Element, Goals,
Policies, and Objectives (GPO) 1.

25 ² *Id.*, GPO 1.3.1.

26 ³ *Id.*, GPO 3.3.

⁴ Town Center Plan, Goal TC 3.

⁵ Town Center Plan, Policy TC 3.3.

⁶ *Id.*, Parks and Recreation Element, Implementation Project I-9.

4/10/2024 11:05 0128

1 her family's historic property is preserved and enhanced by the city as called for in the city's
2 Comprehensive Plan.

3 8. Petitioner Save Our Sumner Committee seeks to assure that the city abides by the
4 goals, policies, and objectives in its Comprehensive Plan and its Downtown Sumner subarea plan to
5 "preserve" the Ryan House for use by the public.
6

7 9. For years, Sumner acted consistently with its Comprehensive Plan and took steps to
8 use, protect and restore the Ryan House. The city's efforts were summarized in a staff presentation
9 to the Council on January 31, 2022. Highlights from the presentation include:

- 10 • The city's receipt of a \$100,000 grant in 2018 for restoration feasibility and design
11 studies.
- 12 • Ryan House renovation incorporated into the city's "Main Street Vision," part of
13 the Comprehensive Planning process.
- 14 • Architectural Resource Group (commissioned by the city) completes studies in 2019
15 and finds Ryan House in "good, strong shape," "design study outlines ways to
16 improve accessibility;" "quite unique, especially original cedar cabin;" "huge
17 opportunity."
18
- 19 • City Council accepts \$25,000 grant for design and cost estimates studies in 2020.
- 20 • Planning efforts include the city's Parks Department, the city's Forestry and Parks
21 Commission, the Sumner Historical Society, and the public.
- 22 • Ryan House lauded as "authentic and unique" (like Pike Place Market); "economic
23 benefits;" "community connections;" and "common ground."
24
25
26

4/10/2024 11:05 0129

- 1 • City Council adopts new Comprehensive Plan: "Improve the Ryan House and public
2 access to the museum [in the Ryan House] and consider other public uses such as
3 converting to a visitor center."
4
5 • A million-dollar cost estimate for preservation/restoration.
- 6 10. In 2022, the City hired an architecture/engineering firm, Wiss, Janney, Elstner
7 Association Inc. ("WJE"), specializing in historic structures to perform a conditional assessment
8 and prepare construction documents.
- 9 11. WJE's initial assessments that the house required additional work prompted the
10 City in Spring 2023 to seek an additional \$750,000 in grant funding to cover the gap, which was
11 recommended for funding in 2024.
- 12 12. WJE's June, 2023 assessment found structural failures making the load carrying
13 capacity of the attic floor and the roof and ceiling completely compromised.
- 14 13. WJE's estimated restoration and repair costs exceeded the City's available grant
15 funding.
- 16
17 14. City staff presented Council with four options to consider in the City of Sumner
18 Finance and Personnel Committee meeting on August 15, 2023, the City Council Study Session
19 on September 11, 2023, and then again at the Regular City Council meeting on September 18,
20 2023.
- 21 15. Option 1 was the complete rehabilitation of the Ryan House at a minimum cost of
22 \$2.2 million, \$1.1 million of which was secured through grant funding and \$1.1 million was
23 unfunded.
- 24 16. Option 2 was the rehabilitation of a portion of the building and demolishing the
25 structurally compromised portions at a cost of \$1.26 million, which was unfunded.
- 26

4/10/2024 11:05 0130

- 1 17. Option 3 was to demolish the entire house and develop the space as an active
2 public park at an estimated cost of \$600,000, which was unfunded because the grant funds could
3 not be used for demolition or park construction.
- 4 18. Option 4 was to demolish the entire house and to restore the site to an open grassy
5 area at a cost of \$100,000, which was unfunded.
- 6 19. On September 11, 2023, the Council held a Study Session on the Ryan House. In a
7 shift that was unexpected by most of the public, City Staff recommended Option number 4.
8
- 9 20. During that Study Session, staff and city council members acknowledged that the
10 public would be surprised by this shift. Staff acknowledged that "the last they [the public] heard
11 was this vision of rehabilitation." Sept. 11 TR at 36:09. *See also id.* at 19:30 (staff describing the
12 "beautiful vision to do a full rehabilitation"). Councilmember Reed noted that "this will be a big
13 surprise for a lot of people." *Id.* at 39:11.
- 14 21. Seven days later, following some public comment during the intervening week on
15 the proposed resolution, the Council adopted Resolution 1663 that directed City Staff to apply for
16 and process a demolition permit to demolish the Ryan House. AR 526.
- 17 22. City engineer Drew McCarty filed an application for the demolition permit the very
18 next day. AR 935–936. She also prepared an environmental checklist. AR 559–574. On October 9,
19 2023, a city planner, Ryan Windish, filed a "SEPA Notice of Consistency," asserting that the
20 demolition met all the criteria for a planned action. AR 931–932. On October 16, 2023, Allison
21 Judge issued the demolition permit. AR 937–938.
- 22 23. As a result, years of planning for preservation of the Ryan House were displaced
23 with a permit for its demolition.
- 24 24. As part of its required periodic update pursuant to the Growth Management Act, in
25
26 February 2024 the city commenced its process for reviewing and amending its Comprehensive

4/10/2024 11:05 0131

1 Plan. Among the proposed amendments are certain amendments to the Historic and Cultural
2 Resources Element which would eliminate specific mandates about the preservation of and
3 improvements to the Ryan House.

4 CONCLUSIONS OF LAW

5
6 1. The land use decision challenged here is the issuance of a demolition permit. A
7 demolition permit is a type of "land use decision," as that term is defined in the Land Use Petition
8 Act. RCW 36.70C.020(2). Judicial review of land use decisions is exclusively pursuant to LUPA.
9 RCW 36.70C.030(1). This Court has jurisdiction over challenges to this land use permit under both
10 the State Environmental Policy Act and the Growth Management Act.

11 2. LUPA sets the standards of review this Court must apply to the challenged permit.
12 See RCW 36.70C.130. Review is appellate review on the city's administrative record. RCW
13 36.70C.120. The Court may rescind the permit if any of the following is true:

- 14 ...
- 15 (b) The land use decision is an erroneous interpretation of the law, after allowing
16 for such deference as is due the construction of a law by a local jurisdiction
17 with expertise;
 - 18 (c) The land use decision is not supported by evidence that is substantial when
19 viewed in light of the whole record before the court;
 - 20 (d) The land use decision is a clearly erroneous application of the law to the
21 facts;
- 22 ...

22 RCW 36.70C.130(1).

23 3. Under the first standard, questions of law are interpreted *de novo*. RCW
24 36.70C.130(1)(b); *Families of Manito v. City of Spokane*, 172 Wn. App 727, 736 (2013); *Cingular*
25 *Wireless, LLC v. Thurston County*, 131 Wn. App. 756, 768 (2006).
26

4/10/2024 11:05 0132

1 4. Factual determinations are reviewed for “substantial evidence,” requiring a
2 sufficient quantum to persuade a fair-minded person of the truth or correctness of the finding. RCW
3 36.70C.130(1)(c); *Thornton Creek Legal Def. Fund v. City of Seattle*, 113 Wn. App. 34, 61 (2002).

4 5. The application of fact to law is reviewed under the “clearly erroneous” standard.
5 RCW 36.70C.130(1)(c). A decision is clearly erroneous when the Court is left with a definite and
6 firm conviction that a mistake was committed even if some evidence supports the decision. *Norway*
7 *Hill*, 87 Wn.2d 267, 274 (1976).
8

9 6. The Court finds that it has jurisdiction under the Growth Management Act and
10 whether the issuance of a demolition permit was consistent with provisions in the City’s
11 Comprehensive Plan.
12

13 7. The Comprehensive Plan amendment process requires “early and continuous”
14 public involvement, not just during preparation of the original comprehensive plan, but also
15 whenever amendments are being considered. Public participation is one of the GMA’s mandatory
16 planning goals. RCW 36.70A.020(11). Proposed amendments are to be “broad[ly] disseminated,
17 notice must be “effective,” and the process must allow for “open discussion.” The agency must not
18 just give “consideration” to public comment; it must also provide a “response” to public comment.
19 RCW 36.70A.140 (emphasis supplied).
20

21 8. Sumner has a detailed public participation plan for proposed comprehensive plan
22 amendments. The process includes ample public notice and public participation. It mandates notice
23 to the Department of Commerce and precludes final action until after that agency’s comments are
24 considered. The notice requirements assure the public receives ample notice early in the process
25 and throughout the process. The required notice includes publication once a week for two
26 consecutive weeks, on the same day of the week, using two electronic methods, established by the

4/10/2024

11:05 0133

1 director, and posting at public information centers and on the city's official website. SMC
2 18.56.070.

3 9. The City's comprehensive plan contains specific provisions about preservation and
4 restoration of the Ryan House. The GMA precludes the city from pursuing activities that do not
5 conform with its Comprehensive Plan. The permit authorizing demolition of the Ryan House is
6 revoked.
7

8 10. Sumner has already begun the process of its periodic Comprehensive Plan update.
9 That process, as explained above, requires mandatory public engagement. The City must first
10 provide the public with notice and an opportunity for public comment and update its Comprehensive
11 Plan before processing SEPA and a demolition permit.
12

13 11. The Court finds that it has jurisdiction over SEPA and whether the City's Planned
14 Action Ordinance was followed or appropriate.

15 12. A shortened alternative to the standard SEPA process exists. If certain conditions are
16 met, an agency may evaluate environmental impacts when adopting a comprehensive plan or subarea
17 and then skip environmental review for individual projects (so-called "planned actions"). Among other
18 conditions, to qualify as a "planned action," the project must be identified as a planned action in the
19 city's planned action ordinance; it must have had its environmental impacts analyzed in an earlier EIS;
20 and the project must be consistent with the comprehensive plan. RCW 43.21C.440(1); WAC 197-11-
21 164(1)(f).
22

23 13. The statute defines a planned action by reference to seven conjunctive requirements.
24 RCW 43.21C.440(1)(a)-(g). Three are relevant here. Subparagraph (1)(a) requires that the project
25 is described as a "planned action" in the city's planned action ordinance. Subparagraph (1)(c)
26 requires that the project's impacts were adequately addressed in an EIS for the comprehensive plan

4/10/2024 11:05 0134

1 or subarea plan. Subparagraph (1)(g) requires that the project is consistent with the comprehensive
2 plan or subarea plan. RCW 43.21C.440(1).

3 14. To implement the planned action process, a county or city must adopt a planned
4 action ordinance that “define[s] the types of development included in the planned action.” RCW
5 43.21C.440(2). The planned action ordinance may include geographic and temporal limits. *Id.*
6 Thereafter, the county or city implements the planned action ordinance during the review of
7 individual projects by making a determination that the project is consistent with the planned action
8 ordinance. RCW 43.21C.440(3).

9 15. Sumner adopted its planned action ordinance in 2018. AR 575. It mirrors SEPA’s
10 requirements. Among other things, to qualify as a planned action, a project must be consistent with
11 the SEIS for the applicable subarea plan (the Town Center Plan); its environmental impacts must
12 have been adequately addressed in that SEIS; and the project must comply with all local
13 regulations. AR 579 (Sumner Ord. 2668, §III.E (1)(b), (e), & (g)).

14 16. The City’s Comprehensive Plan contains both specific provisions about restoration
15 and preservation of the Ryan House, and general provisions encouraging new parks and the
16 provision of green space. The plan mentions nothing about demolition of the Ryan House. The
17 Court finds that the specific provisions govern over the general.

18 17. SEPA’s “planned action” process cannot be used for projects that are not consistent
19 with the City’s comprehensive plan. Because of the inconsistency between the City’s current
20 Comprehensive Plan and the demolition permit, the City’s use of the planned action process as part
21 of its demolition permit process violated SEPA.

22 18. Because the city failed to comply with SEPA before approving the demolition permit,
23 the demolition permit is rescinded for this reason, too, and the matter is remanded to the City to follow
24
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4/10/2024 11:05 0135

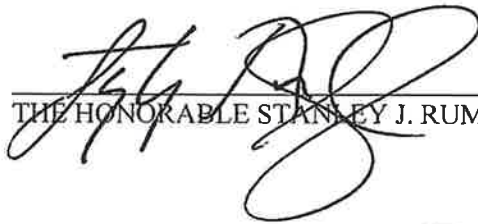
1 proper SEPA process and the Comprehensive Plan amendment process before making any decision
2 about the demolition of the Ryan House.

3 19. The GMA requires the City to “[1] perform its activities and [2] make capital budget
4 decisions in conformity with its comprehensive plan.” RCW 36.70A.120. The specific provisions in
5 the City’s current Comprehensive Plan related to the restoration of the Ryan House are not consistent
6 with issuance of a demolition permit. The demolition permit (BLDR 2023-0400) is revoked for this
7 reason, too, and the matter is remanded to the City.
8

9 20. The Court finds that the city’s public safety concerns are adequately addressed in
10 the interim by the fencing the city has installed around the Ryan House.

11 21. Until and unless the comprehensive plan is amended to eliminate the specific
12 provisions about preservation and restoration of the Ryan House, following compliance with the
13 public notice and engagement provisions outlined in the GMA, SEPA, and city regulations, the City
14 may not issue a permit for demolition of the Ryan House and may not use SEPA’s planned action
15 process for the demolition.
16

17 Dated this 8th day of April, 2024.
18
19

20 
21 THE HONORABLE STANLEY J. RUMBAUGH
22



PARTIES’ STIPULATED FINDINGS OF FACT
AND CONCLUSIONS OF LAW - 10

4/10/2024 11:05 0136

1 Presented by:
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3
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9 Attorneys for Petitioner
10 Save Our Sumner and Nancy Ryan Dressel
11

12 AGREED BY:
13 CITY OF SUMNER

14 
15 By: _____

16 Andrea Marquez, WSBA No. 45670
17 City Attorney
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PARTIES' STIPULATED FINDINGS OF FACT
AND CONCLUSIONS OF LAW - 11

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I hope each of you had enough time to read the statewide magazine sent to you earlier today and handed out to you in person now with the Ryan House gracing the cover and the article inside that is a great overview of the history of Sumner and the Ryan House. These were handed out at the annual fund raiser for the Washington Trust for Historical Preservation last Friday night and are being distributed all over the state. Again, we met with many folks interested in the fate of the Ryan House, including a retired local Representative in the State House who was very supportive & gave us many pointers. All of those we meet are like us, they can't understand your actions over the last 23 month and the still unanswered question of "WHY".

We know it was not for money, because staff knew they had 1.9M available yet instead chose to represent only 1.1M to the council and no other grants were to be had. And we were told everyone who should have known about demolishing the Ryan House knew, yet we found out that was not accurate either. Instead, we have at least one council member who was mad because they believed the secret to demolish was leaked out a few days early. Yes, the council was complicit with staff in hiding the intent to demolish the Ryan House from citizens. Which all gets us back to WHY? I believe the intent the city acted illegally to demolish the Ryan House quickly was to bypass having to do an Environmental Impact Statement, for you all know that there is a high probability that historical ramifications will be verified and that may stop you from demolition and be a hindrance to your goal of having all Main Street being 4 story apartments. So, \$75K is the current price you pay on top of the 60K already spent to stay away from an EIS. As we've heard, procedures matter and now is the time for the city to start following the proper procedures & complying with the Deed stating **Library & Park!**

We know you can work with groups because the Rotary Club is raising funds specifically for the stage at Knoblauch Heritage Park. Your working with us was we will allow you to raise the unrealistic amount of 2.2M in 6 months, to then give it to the city with no strings attached and not even a commitment that all/any of it would go to the Ryan House. Tough sell to ask locals who want to support the Ryan House, telling them we don't know where the funds are going to go. Business's in town tell us they very much want to keep the Ryan House yet the city has told them do not to support Saving the Ryan House and even has had a senior executive in the city come into a business and told them to remove a flyer in a front window supporting Save the Ryan House. Just what kind of message do you think these heavy-handed efforts tell the small businesses in town about what you think of them.

Let me clarify a few statements made by Council Members last meeting:

- 1) WJE's report clearly stated that the answer to splitting 2X4's was to tuck the splintered end into a metal cap, install a wood screw to hold the splinters together and then install a sister 2X4 next to the original to support it.
- 2) Why wasn't a red tag placed on the house as soon as the council was taken through it in May of 23 instead of waiting 4 months later, during which time nothing changed, and placing a red tag the day after the quick triggered vote to demolish was approved? The red tag is either a political action taken to try & support the vote to demolish or was not done 4 months earlier to deceive the public from knowing what the city was doing.
- 3) Nobody wants to pay more taxes for anything. Be that for Council wages, be that for staff making over 140K while working 4 days a week in a city of less than 11,000 citizens, be that for your 11.5M phase 3 Knobloch Heritage Park structure for new executive offices and Council Chambers for yourselves or for high priced outside attorneys to cover your erroneous processes. Telling citizens they will have to pay more taxes for anything is the governmental fall back of using the "Fear of Loss Close", which is the weakest of closing techniques because you risk not being believed declaring the Sky is Falling all the time. Certainly not believable when you are spending 66M on the new Utility Complex and 11.5M for your phase 3 structure. No, chicken little, the sky is not falling. Yet you did pull that one off by raising taxes disguised as an increase in the utility bills. Because as we all know, nobody wants to pay more taxes.

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