

**CITY OF SUMNER
Council Meeting
Minutes – April 5, 2021**

CALL TO ORDER

The Sumner City Council met in regular session at 6:00pm, with Mayor William L. Pugh presiding. 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: City Administrator Jason Wilson, Public Works Director Mike Dahlem, Assistant City Attorney Christy Palmer, Police Chief Brad Moericke, City Attorney Andrea Marquez, Communications Director Carmen Palmer, Development Services Director Doug Beagle, Assistant City Engineer Michael Kosa, Administrative Services Director Jeff Steffens, Community Development Manager Derek Barry, Associate Planner Ann Siegenthaler and City Clerk Michelle Converse.

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

MOVED BY HAYDEN SECONDED BY NEUMAN TO EXCUSE COUNCILMEMBER HAMILTON FROM THE REGULAR COUNCIL MEETING OF APRIL 5, 2021.

PASSED BY VOICE VOTE.

PROCLAMATION

Animal Care & Control Officers Week Mayor Pugh read the proclamation into the record declaring the second week of April each year as Animal Care and Control Officers' Appreciation Week. He called on Police Chief Moericke who thanked staff and recognized Support Services Manager Mark Creley and Animal Control Supervisor Nikki Thwash.

Arbor Day Mayor Pugh read the proclamation into the record declaring April 14, 2021 as Arbor Day in the City of Sumner. He introduced Community Development Director Derek Barry who shared information regarding this year's tree plantings which will be scaled down due to Covid-19 precautions.

CONSENT AGENDA

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

1. Approval of the minutes from March 15, 2021 regular council meeting, March 15, 2021, special study session and the March 22, 2021 study session.
2. COVID-19 Emergency Declaration – Confirmation of Rules and Regulations
3. Approval of the checks and electronic payments in the amount of \$1,652,739.49

PASSED BY VOICE VOTE.

PUBLIC HEARING

One was not scheduled tonight.

UNFINISHED BUSINESS

Resolution No 1576 – 2022-2027 Six-Year Transportation Improvement Program Annual Update.

MOVED BY HOCHSTATTER, SECONDED BY BITETTO TO ADOPT RESOLUTION NO.: 1576; SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM ANNUAL UPDATE.

Assistant City Engineer Michael Kosa addressed the Council.

RCW 35.77.010 and RCW 36.81.121 require that each city and county update its Transportation Improvement Plan (TIP) annually and file a copy of the adopted program with the State Department of Transportation. The Six-Year TIP establishes and prioritizes the City's streets, sidewalk and trail projects for the next six years.

Below are some proposed TIP projects of interest: The last phase on the Stewart Road corridor is the replacement and widening of the White River Bridge and connection to the Interurban Trail. Design, environmental permitting, and right-of-way acquisition is ongoing and is expected to be completed in 2022. The project will be ready to bid for construction in 2023 or 2024, if funds are available. The 166th Ave Widening and Intersection Improvements project is in the planning phase and is seeking funds to complete design and right-of-way phases. Funding for the design phase is being provided by City Transportation Impact Fees. The Main Street and Wood Avenue Intersection Improvements project is wrapping up design and right-of-way acquisition phases in 2021. The project will be constructed in Spring 2022 primarily using City funds. The City is still actively seeking grants to defray construction costs.

PASSED BY VOICE VOTE.

PUBLIC COMMENT

There were no Public Comment tonight.

NEW BUSINESS

Reappoint to the Sumner Civil Service Commission – Brian Anderson

MOVED BY BITETTO, SECONDED BY BROWN TO AUTHORIZE THE MAYOR TO RE-APPOINT MR. BRIAN ANDERSON TO THE CIVIL SERVICE COMMISSION WITH A TERM EXPIRING MARCH 31, 2023.

Administrative Services Director Jeff Steffens addressed the Council.

PASSED BY VOICE VOTE.

Appointment to the Sumner Lodging Tax Advisory Committee –Starks

MOVED BY REED SECONDED BY BITETTO TO CONFIRM THE APPOINTMENT OF JILL STARKS TO THE SUMNER LODGING TAX ADVISORY COMMITTEE FOR A TERM OF ONE-YEAR.

Communications Director Carmen Palmer addressed the Council on this item and the three other reappointments to the Sumner Lodging Tax Committee.

PASSED BY VOICE VOTE.

Reappointment to the Sumner Lodging Tax Advisory Committee – Straight

MOVED BY REED SECONDED BY NEUMAN TO CONFIRM THE REAPPOINTMENT OF KIM STRAIGHT TO THE SUMNER LODGING TAX ADVISORY COMMITTEE FOR A TERM OF ONE-YEAR.

PASSED BY VOICE VOTE.

Reappointment to the Sumner Lodging Tax Advisory Committee – Sutton

MOVED BY REED SECONDED BY HOCHSTATTER TO CONFIRM THE REAPPOINTMENT OF TREVOR SUTTON TO THE SUMNER LODGING TAX ADVISORY COMMITTEE FOR A TERM OF ONE-YEAR.

PASSED BY VOICE VOTE.

Reappointment to the Sumner Lodging Tax Advisory Committee – Burke

MOVED BY REED SECONDED BY BITETTO TO CONFIRM THE REAPPOINTMENT OF DEAN BURKE TO THE SUMNER LODGING TAX ADVISORY COMMITTEE FOR A TERM OF ONE-YEAR.

PASSED BY VOICE VOTE.

Ordinance No. 2766 – Amending Sumner Municipal Code Sections 9.46 & 9.47: Unlawful Race Attendance / Stay Out of Areas of Racing

MOVED BITETTO SECONDED BY BROWN TO ADOPT ORDINANCE NO. 2766 – AMENDING SUMNER MUNICIPAL CODE SECTIONS 9.46 & 9.47.

Police Chief Brad Moericke addressed the Council.

Ordinance Number 2766 would amend sections 9.46 and 9.47 of the Sumner Municipal Code, by expanding the designation of "no racing" zones and updating the current definition of an "unlawful race event".

PASSED BY VOICE VOTE.

Ordinance No. 2767 – Amending Sumner Municipal Code 10.68.020: Impoundment Without Prior Notice

MOVED BY BITETTO SECONDED BY BROWN TO ADOPT ORDINANCE NO. 2767 – AMENDING SUMNER MUNICIPAL CODE 10.68.020: IMPOUNDMENT WITHOUT PRIOR NOTICE.

Police Chief Moericke addressed the Council.

This Ordinance would amend current SMC 10.68.020 and would allow police officers to impound the automobile of a driver arrested for Racing/Reckless Driving RCW 46.61.500.

Discussion/clarification ensued.

PASSED BY VOICE VOTE.

Ordinance No. 2768 – Amending Sumner Municipal Code 9.16.045: Possession or Use of Dangerous Drugs

MOVED BY BITETTO SECONDED BY BROWN TO ADOPT ORDINANCE NO. 2768 – AMENDING SUMNER MUNICIPAL CODE 9.16.045: POSSESSION OR USE OF DANGEROUS DRUGS.

Police Chief Moericke addressed the Council.

In February 2021 the Washington State Supreme Court ruled that the state's felony prohibition on the possession of controlled substances (RCW 69.50.4013) was unconstitutional. SMC 9.16.045 also prohibits the possession or use of dangerous drugs and this Ordinance would amend our current code in a manner that is consistent with and is not in conflict with the ruling in *State of Washington v. Blake* (No. 96873-0) or the regulations outlined in Chapter 69.50 RCW.

Discussion ensued.

PASSED BY VOICE VOTE 5-1, WITH COUNCILMEMBERS HOCHSTATTER, BITETTO, HAYDEN, REED AND BROWN VOTING YES. COUNCILMEMBER NEUMAN VOTED NO.

Ordinance No. 2769 -Amending Sumner Municipal Code 9.20: Drug Paraphernalia

MOVED BY BITETTO SECONDED BY REED TO ADOPT ORDINANCE NO. 2769 – AMENDING SUMNER MUNICIPAL CODE 9.20: DRUG PARAPHERNALIA

Police Chief Moericke addressed the Council.

Due to a recent WA Supreme Court case decision the City Council desires to adopt a new code section that prohibits the knowing possession of drug paraphernalia in a manner that is consistent with and is not in conflict with the ruling in *State of Washington v. Blake* (No. 96873-0) or the regulations outlined in Chapter 69.50 RCW.

Council asked clarifying questions.

PASSED BY VOICE VOTE.

Ordinance No. 2770 – Fence Regulations Update

MOVED BY HAYDEN SECONDED BY BROWN TO ADOPT ORDINANCE NO. 2770, AS RECOMMENDED BY PLANNING COMMISSION MARCH 4, 2021

Associate Planner Ann Siegenthaler

This agenda item is for an update to the City's fence regulations. In January 2021, the City received a request to relax current standards for security fencing, particularly for fence height, barbed wire, and electrified fencing. Staff has prepared a draft ordinance, which focuses on the Interchange Commercial zone and Industrial zones. The goal of the proposed regulations is to establish minimum standards for fences in order to promote safe operations and security at Sumner businesses, while protecting the safety of the general public and the aesthetic assets of the community.

The CD Committee in January 2021 recommended allowing electric fencing in Interchange Commercial and Industrial zones, and increasing allowed fence height to 10 feet. On March 4, 2021, the Planning Commission held a public hearing on the proposed regulations and, after testimony (from a fence company), recommended approval with minor changes. Staff has incorporated those minor changes in the attached draft ordinance.

PASSED BY VOICE VOTE.

COUNCILMEMBER NEUMAN MOTIONED TO RECONSIDER ORDINANCE NO. 2767 – AMENDING SUMNER MUNICIPAL CODE 10.68.202: IMPOUNDMENT WITHOUT PRIOR NOTICE. SECONDED BY REED.

PASSED BY VOICE VOTE 5-1 WITH COUNCILMEMBERS BITETTO, HAYDEN HOCHSTATTER, BROWN AND REED VOTING YES. COUNCILMEMBER NEUMAN VOTING NO.

Ordinance No. 265 – Renaming the Arts Commission

MOVED BY HAYDEN SECONDED BY HOCHSTATTER TO APPROVE ORDINANCE NO. 2765 CHANGING THE NAME OF THE ARTS COMMISSION AND UPDATING THE PURPOSE STATEMENT.

City Administrator Jason Wilson addressed the Council.

The City of Sumner Arts Commission was created in 2000 in response to work on the Sumner Comprehensive Plan and community members asking for more artistic and cultural programming and opportunity. Staff is recommending that the Arts Commission be renamed the Sumner Cultural Arts Commission and update the purpose statement to recognize how art and culture go hand-in-hand and to encourage a greater diversity of cultures and that is reflective of Sumner's demographics and to make it clear that Sumner's events will be welcoming and inclusive to all walks of life.

PASSED BY VOICE VOTE.

COUNCIL REPORT

Deputy Mayor Hayden attended the Association of Washington Cities and Towns meeting for Mayor Pugh. One topic of discussion was regarding the 2020 Census. Washington state rated #2 for self-reporting and Pierce County rated #2 in the state for self-reporting.

Councilmember Reed thanked the Animal Control Officers for their hard workday in and day out. He continued and thanked the volunteer commissioners for all the work they do which keeps the City moving in the great direction that it is going. He also reminded the public that if they have concerns/questions/comments to attend the council meetings or reach out to the council. This week he has been noticing a lot of items flying around on social media which he as a councilmember was not aware of. The City does not monitor private groups. He ended his comments with Go ZAGS!

Councilmember Bitetto thanked the parks and police departments for the work they do monitoring the trails. She has recently begun walking on the trail and noticed not only how well-maintained it is, but how safe it is as well.

Councilmember Neuman shared two items. First, she congratulated the Sumner and Bonney Lake Food Banks on their new director Stacey Crnich and is very excited to see what direction she will take the organizations. She ended her remarks with a reminder about Covid-19 shots being available to all. She feels encouraged that we will achieve herd immunity and the freedom that will come with it.

Councilmember Brown had no reports tonight.

Councilmember Hochstatter asked Michelle Converse to have the prompt sheet printed and put in her box. She also complimented Administrative Services Director Jeff Steffens on his behind-the-scenes work keeping the meetings going. She appreciates his upbeat, positive attitude.

CITY ADMINISTRATOR

City Administrator Jason Wilson reported to Council the following:

Upcoming Policy Issues:

- Next Week's Study Session
 - South Sound Housing Affordability Partnership Agreement
 - Housing Action Plan
 - University of Washington Main Street Visioning Project
 - East Sumner Neighborhood 2020 Update
- Next Regular Council Meeting on April 19th
 - Resolution adopting an ILA with the City of Pacific for Stewart Road Funding
 - Multiple commission appointments
 - Resolution creating an American Rescue Plan Council Committee
 - Resolution adopting an ILA with the City of Bonney Lake for Fire Permit Review Services
 - Resolution amending our ILA with East Pierce Fire & Rescue
 - Ordinance for a Quarterly Budget Amendment

Personnel Issues:

- Summer Seasonal positions in parks, shops and cemetery are now open. Visit our website to apply.
- Professional internships through the SEED program are being finalized this week.

Significant Development Activity:

- Peterbilt broke ground last week.
- Triad Machinery is through the SEPA process and will have a Conditional Use Permit hearing tomorrow.
- The Kincaid Mixed Use AKA Red Apple project has submitted their SEPA paperwork.

Miscellaneous:

- There are several vaccine clinics being hosted in Sumner over the next month. Please watch the Tacoma Pierce County Health Department's website for announcements and registration.
- Per the State Guidelines City Hall remains closed. We continue to assist customers by appointment or via online services. In preparation for changing guidance, we are developing a reopening plan that will gradually increase staffing while providing limited public hours. Additional work is being done on our telework policy to expand telework options in the future.

MAYOR REPORT

Enjoys seeing Council pet appearances during the meetings. He had no additional comments.

EXECUTIVE SESSION

There was none scheduled.

ADJOURNMENT

With no further business before the Council, the Mayor adjourned the meeting at 7:15pm. Councilmembers concurred.

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Mayor

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