

**CITY OF SUMNER
Council Meeting
Minutes – June 21, 2021**

CALL TO ORDER

The Sumner City Council met in regular session at 6:01pm, 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, City Attorney Andrea Marquez, Communications Director Carmen Palmer, Community Development Director Ryan Windish, Public Works Director Mike Dahlem, Development Services Director Doug Beagle, Administrative Services Director Jeff Steffens, Chief Financial Officer Kassandra Raymond, and City Clerk Michelle Converse.

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

MOVED BY HAYDEN, SECONDED BY BITETTO TO EXCUSE COUNCILMEMBER HOCHSTATTER FROM THE JUNE 21, 2021, MEETING.

PASSED BY VOICE VOTE.

CONSENT AGENDA

1. Electronic payments and checks in the amount of \$3,116,482.63
2. Resolution No. 1586 – DUI and Traffic Safety Task Force Interlocal Agreement
3. Approval of the minutes from the regular council meeting of June 7, 2021 and June 14, 2021 study session.

MOVED BY HAYDEN SECONDED BY HAMILTON TO APPROVE THE CONSENT AGENDA AS PRESENTED.

PASSED BY VOICE VOTE.

PUBLIC HEARING

One was not scheduled tonight.

UNFINISHED BUSINESS

Ordinance No. 2782 – Development Agreement with Sumner-Bonney Lake School District

MOVED BY HAYDEN, SECONDED BY REED TO ADOPT ORDINANCE NO. 2782 APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SUMNER AND THE SUMNER-BONNEY LAKE SCHOOL DISTRICT AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME IN A FORM AS APPROVED BY THE CITY ATTORNEY.

City Attorney Andrea Marquez addressed the Council.

The Sumner-Bonney Lake School District is undertaking an extensive, and phased, project to modernize and replace the current Sumner High School facility. The project required the District to re-apply for a conditional use permit (CUP) due to the major modifications to the project since the District received its 2018 CUP permit. To ensure some level of certainty related to the rules, regulations and fees that will govern the phased modernization project, the District requested a development agreement (DA) to enable it to vest to certain zoning and development regulations, including impact fees, currently in place. The term of the agreement is 10 years. Pursuant to the process outlined in SMC 18.20.040(B)(1), the City's hearing examiner heard from both the City and the District regarding the development agreement during the same hearing he was presented with the CUP application. The Hearing Examiner reviewed and considered the terms of the Development Agreement, and on May 13, 2021, he issued a recommendation that the City Council approve the DA with the District. Upon approval of the Development Agreement, the Hearing Examiner can issue his decision on the Conditional Use Permit.

Development Agreements are specifically authorized by RCW 36.70B.170-210 and SMC 18.20 as a proper exercise of a City's police power.

The City Council discussed this item at the May 24, 2021, study session and held a public hearing on June 7, 2021.

PASSED BY ROLL CALL VOTE.

PUBLIC COMMENT

Dr. Dent from the Sumner Bonney Lake School District. New Deputy Superintendent Dr. Thu Ament was introduced to the Council. The Council welcomed him to Sumner and are looking forward to working with him.

NEW BUSINESS

166th Widening Federal Grant Acceptance (FHWA)

MOVED BY NEUMAN, SECONDED BY REED TO APPROVE THE ACCEPTANCE OF \$1,219,650 IN GRANT FUNDS FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR USE IN THE 166TH WIDENING AND INTERSECTION IMPROVEMENT PROJECT (CIP 13-11), AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCEPT THE FUNDS, SUBSTANTIALLY IN A FORM AS APPROVED BY THE CITY ATTORNEY.

City Engineer Michael Kosa addressed the Council.

166th Avenue East (Sumner-Tapps Highway) and the SR 410 westbound off-ramp experience severe traffic congestion at the SR 410 interchange and the intersection to the north at 64th Street East.

Additionally, an undersized and failing corrugated metal pipe culvert that carries Salmon creek runs diagonally underneath the intersection, creating an unsuitable environment for ESA-listed salmon species to thrive and spawn.

This project submitted for federal funding through the Federal Highway Administration Surface Transportation Program. Funds became available earlier this year. The project was awarded \$1,219,650, which is available to begin spending in 2021. These funds will enable the City to complete the project design while significantly reducing the need to spend local funds committed in the current city budget.

The City needs to provide a 13.5% local match for the federal funds, which is within the current budget. The project and associated federal funding has been programmed into the State Transportation Improvement Program

Discussion ensued.

PASSED BY VOICE VOTE.

Ordinance No. 2784 – Amending Sumner Municipal Code 2.100.500 – Retirement Benefits

MOVED BY REED, SECONDED BY NEUMAN TO ADOPT ORDINANCE NO. 2784 – AMENDING SECTION 2.100.500 OF THE SUMNER MUNICIPAL CODE REGARDING RETIREMENT BENEFITS.

Administrative Services Director Jeff Steffens addressed the Council.

Ordinance 2784 will amend Sumner Municipal Code regarding employer retirement contributions. In some circumstances, an employee may not be eligible for Washington State's Public Employee Retirement System (PERS). This code change will allow the City to make a retirement contribution of no more than 8% of base salary to another pre-tax benefit account.

PASSED BY VOICE VOTE.

Ordinance No. 2783 – Amending 2021 Compensation Schedule

MOVED BY HAYDEN, SECONDED BY REED TO ADOPT ORDINANCE NO. 2783 – AMENDING THE 2021 COMPENSATION SCHEDULE FOR POLICE GUILD SPECIAL COMMISSIONED AND NON-COMMISSIONED EMPLOYEES.

Administrative Services Director Jeff Steffens addressed the Council.

At the June 7, 2021, Sumner Council Meeting the Council approved the 2021-2022 Collective Bargaining Agreement (CBA) with the Police Guild representing Special Commissioned and Non-Commissioned employees. This ordinance amends the 2021 Compensation Schedule to include changes authorized in that approved CBA.

PASSED BY VOICE VOTE.

COUNCIL REPORTS

Councilmember Reed reminded everyone that with the warmer week, it is important to be mindful of pets paws when walking them. Sidewalks and other surfaces heat up very quickly.

Councilmember Neuman wished a happy belated Father's Day to all. She thanked the Public Works Department for turning back on the water fountains.

Deputy Mayor Hayden attended her grandson's graduation. Sumner High School did a great job.

Councilmember Hamilton shared his brother and family are currently staying with them while they are waiting for their house to be complete. It shows what a great place Sumner is to raise a family.

Councilmember Bitetto reminded everyone with the hot weather here, the lake is cold, and your body cannot handle it. The YMCA does offer water safety and swimming classes.

CITY ADMINISTRATOR

City Administrator Jason Wilson reported on the following:

Upcoming Policy Issues:

- Next Week's Study Session
 - Legislative Update regarding Police Reform
 - Police Body Worn Camera Implementation Update
- Next Regular Council Meeting on July 7th is canceled
- Next meeting is the July 12th Study Session

- Library Update
- City Hall Reopening Update
- Community Food Bank Presentation

Commission Updates:

•Cultural Arts Commission:

- Three artists were selected to create new murals across the city over the summer.



West side of Sugar Babies facing railroad tracks.



West side of Church/Dixies facing Food Bank



Scout Hall facing Loyalty Park

- The Chalk Art Festival will occur on July 30th. This year will be a hybrid event featuring a virtual and live component. See our website for additional details.

•Planning Commission:

- Currently reviewing the Housing Action Plan and will be providing a recommended priority list to council in July. Their next meeting is July 8th.

Personnel Issues:

- With the hiring of a lab analyst the WWTF is now fully staffed.

- Interviews for Deputy Police Chief were held, and the top candidate is currently going through the background process, with the goal of making a formal job offer by mid-July.

Miscellaneous:

- City Hall will reopen to the public on July 6th. Initially in person service will be limited to Monday through Thursday from 10-3. Remote service will continue to be offered from 7:30-5:30 Monday through Thursday and Fridays from 7:30-12:00.
- There are still several unknowns and challenges with resuming in person council meetings, however we do hope to return to at least a hybrid format later this Summer. More information will be known and discussed at the July 12th study session.

MAYOR REPORT

Mayor Pugh attended East Pierce Fire and Rescue Retirement Party for Chief Backer. He read into the record the Proclamation written to mark the Chief's special day. He wished him well, and all of the others who are retiring during this year.

EXECUTIVE SESSION

There was none scheduled.

ADJOURNMENT

With no further business before the Council, the Mayor adjourned the meeting at 6:40pm. Councilmembers concurred.

DocuSigned by:

98A22DE678404D1...
Michelle Converse, CMC City Clerk

ATTEST:
DocuSigned by:

65C9B3CE54AB46F...
William L. Pugh, Mayor

Certificate Of Completion

Envelope Id: 092EBDA7097B41E799F9BC913B5CE161

Status: Completed

Subject: Please DocuSign: 062121 RCM.doc, 062821 SS.doc, 071221 SS.doc

Source Envelope:

Document Pages: 7

Signatures: 6

Envelope Originator:

Certificate Pages: 5

Initials: 0

Michelle Converse

AutoNav: Enabled

1104 Maple St

Envelope Stamping: Enabled

Sumner, WA 98390

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

MichelleC@sumnerwa.gov

IP Address: 174.61.175.159

Record Tracking

Status: Original

Holder: Michelle Converse

Location: DocuSign

7/20/2021 1:57:55 PM

MichelleC@sumnerwa.gov

Signer Events

Michelle Converse

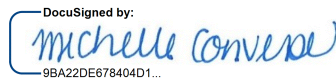
michellec@sumnerwa.gov

City Clerk

City of Sumner

Security Level: Email, Account Authentication
(None)**Signature**

DocuSigned by:



9BA22DE678404D1...

Signature Adoption: Uploaded Signature Image
Using IP Address: 174.61.175.159**Timestamp**

Sent: 7/20/2021 1:59:23 PM

Viewed: 7/20/2021 4:29:37 PM

Signed: 7/20/2021 4:29:44 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

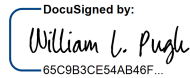
William L. Pugh

mayorbill@sumnerwa.gov

Mayor

Security Level: Email, Account Authentication
(None)

DocuSigned by:



65C9B3CE54AB46F...

Signature Adoption: Pre-selected Style
Using IP Address: 98.225.61.51

Sent: 7/20/2021 1:59:23 PM

Viewed: 7/20/2021 4:26:58 PM

Signed: 7/20/2021 4:27:13 PM

Electronic Record and Signature Disclosure:

Accepted: 7/20/2021 4:26:58 PM

ID: 3ab864cf-ce82-42aa-a099-d96e3155b295

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/20/2021 1:59:23 PM
Certified Delivered	Security Checked	7/20/2021 4:26:58 PM
Signing Complete	Security Checked	7/20/2021 4:27:13 PM

Envelope Summary Events	Status	Timestamps
Completed	Security Checked	7/20/2021 4:29:44 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Zones OBO City of Sumner (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Zones OBO City of Sumner:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: noelc@sumnerwa.gov

To advise Zones OBO City of Sumner of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at noelc@sumnerwa.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Zones OBO City of Sumner

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to noelc@sumnerwa.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Zones OBO City of Sumner

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to noelc@sumnerwa.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Zones OBO City of Sumner as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Zones OBO City of Sumner during the course of your relationship with Zones OBO City of Sumner.