

**CITY OF SUMNER
Council Meeting
Minutes – September 7, 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 "Washington Ready" 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, Community Human Resources Manager Adrienne McNeilly, Community Services Manager Derek Barry, Public Works Director Mike Dahlem, Administrative Services Director Jeff Steffens, Communications Director Carmen Palmer, Public Works Director Mike Dahlem, Police Chief Brad Moericke, Chief Financial Officer Kassandra Raymond, Development Services Director Doug Beagle and City Clerk Michelle Converse.

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

MOVED BY HOCHSTATTER SECONDED BY NEUMAN TO EXCUSE
COUNCILMEMBER BROWN FROM TONIGHT'S MEETING.

PASSED BY VOICE VOTE.

CONSENT AGENDA

MOVED BY HAYDEN, SECONDED BY REED TO APPROVE THE CONSENT AGENDA AS WRITTEN.

1. Approval of checks and electronic payments in the amount of \$1,004,475.38
2. Approval of the minutes from the August 16, 2021 regular council meeting and the August 23, 2021 study session
3. Pandemic Policy Update

PASSED BY VOICE VOTE.

PUBLIC HEARING

There was none tonight.

UNFINISHED BUSINESS

Resolution No. 1590 – Authorizing the Surplus of Main Street East Properties

MOVED BY HAYDEN SECONDED BY HOCHSTATTER TO APPROVE RESOLUTION NO. 1590 SURPLUSING THE MAIN STREET EAST PROPERTIES AND AUTHORIZING THE MAYOR TO PROCEED WITH AN INTERGOVERNMENTAL TRANSFER OF THE PROPERTIES TO THE PIERCE COUNTY LIBRARY.

City Attorney Andrea Marquez addressed the council.

The City owns vacant parcels addressed 15208, 15216 and 15126 Main Street East, located directly across Main Street from the Fred Meyer shopping complex (the Main Street East Properties). The City

acquired the Main Street East Property in 2018 with the goal of working with the Pierce County Library System to relocate from its current location on Fryar Avenue (in a building owned jointly by the Library and the City) to the more centrally located and accessible Main Street East Property. The Library is a Washington public library municipal corporation and has expressed an interest in purchasing the Main Street Property for a new Sumner library branch. Prior to having the ability to sell the property, the City must surplus it. A public hearing on this surplus was held on August 16, 2021. This resolution will authorize the surplus and allow the Mayor to proceed with an intergovernmental transfer of the property to the Library on mutually-agreeable terms.

PASSED BY VOICE VOTE.

PUBLIC COMMENT

There was no public comment tonight.

NEW BUSINESS

Ordinance No. 2787 -Amending Sumner Municipal Code 12.60 Park Rules

MOTION BY BITETTO SECONDED BY HAYDEN TO APPROVE ORDINANCE NO. 2787 AMENDING PARK RULES AND SUMNER MUNICIPAL CODE 12.60

Community services manager Derek Barry addressed the council.

In recognition of several of the 2018 Parks & Trail Plan update's Themes and Guiding Principles of: Fun & Friendly, Beautiful & Clean, Safe & Comfortable, Support of Active, Healthy Lifestyles the Forestry & Parks Commission and staff recommend prohibiting smoking in our parks and trails.

PASSED BY VOICE VOTE.

Purchase and Sale Agreement Main Street East Property

MOVED BY HAYDEN SECONDED BY HOCHSTATTER TO APPROVE THE PURCHASE AND SALE AGREEMENT FOR THE SALE VIA INTERGOVERNMENTAL TRANSFER OF PARCEL NOS. 0520197015, 0520193060 AND 0520197014 TO THE PIERCE COUNTY LIBRARY DISTRICT FOR A TOTAL AMOUNT OF FIVE HUNDRED TWENTY- FIVE THOUSAND, NINE HUNDRED FOURTEEN DOLLARS AND 00/100 (\$525,914.00) AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE TRANSACTION.

City Attorney Andrea Marquez addressed the council.

In 2018, the City purchased the Main Street East properties for \$1,075,000 with the intention that the property would be used to re-locate the Sumner library branch to a more central and easily accessible location. Since purchasing the property, the City has invested approximately \$275,000 to demolish old structures, clear vegetation and begin remediation of known environmental contamination in the groundwater. The City's total interest in the Main Street Property is approximately \$1,350,914.

The City and the Library each own a 1/2 interest in the current Fryar Avenue building, where the Sumner library branch is currently located. In 2018, the building appraised for \$1,250,000 - making each party's 1/2 interest valued at \$625,000.

As consideration for the purchase of the Main Street East properties, the Library has agreed to (1) take responsibility for the remainder of the clean-up efforts through to an NFA from the Department of Ecology and (2) deed back to the City its 1/2 interest in the Fryar Avenue building, allowing it to be sold or re-developed consistent with the City's Town Center Plan. This would result in a net purchase price of the Main Street Property of \$525,914, as described in the chart below.

City Investment	\$ 1,350,914.00
Fryar Ave Building Ownership	\$ (625,000.00)
Revised Value of Main Street Property	\$ 725,914.00
Clean Up Costs	\$ (200,000.00)
Revised Purchase Price	\$ 525,914.00

Discussion ensued.

Georgia Lomax, Director of the PC Library System thanked the council and city staff for being such great partners during this the project. As a sidenote, she is a resident of Sumner and as a citizen she did ask council to approve the purchase.

Ben Haines, Senior Librarian, Pierce County Library, seconded what Ms. Lomax said. The location is going to be an exciting anchor to the east side of Sumner.

PASSED BY VOICE VOTE.

Purchase and Sale Agreement Fryar Avenue Library Building

MOVED BY HAYDEN SECONDED BY NEUMAN TO APPROVE THE PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND THE PIERCE COUNTY LIBRARY FOR THE ACQUISITION OF THE LIBRARY'S HALF INTEREST IN THE FRYAR AVENUE BUILDING VALUED AT \$625,000.00 AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE TRANSACTION.

City Attorney Andrea Marquez spoke to the topic.

In 2018, the City conducted an appraisal of the Fryar Avenue Library location and valued the building at \$1,250,000. As an off-set to the purchase price for the Main Street East properties (new library location), the Library is releasing their one-half interest in the Fryar Ave building, valued at \$625,000 to the City, who after the conveyance, will own the building and underlying property in fee.

For additional background, please see the summary provided for the immediately preceding item - Purchase and Sale Agreement for the Main Street East Properties.

PASSED BY VOICE VOTE.

Restated Lease Agreement Between City and Pierce County library re: Fryar Avenue Building

MOVED BY HAYDEN SECONDED BY NEUMAN TO APPROVE THE RESTATED LEASE AGREEMENT BETWEEN THE CITY OF SUMNER AND THE PIERCE COUNTY LIBRARY ON THE TERMS AND CONDITIONS OUTLINED IN THE AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME IN A FORM AS APPROVED BY THE CITY ATTORNEY.

City Attorney Andrea Marquez spoke to the topic.

The Library operates a branch within the City of Sumner on real property located at 1116 Fryar Avenue, Sumner, WA, which is owned by the City of Sumner ("Fryar Property"). The Library's use of this property is governed by an agreement and subsequent MOU between the Parties that were executed on October 19, 1992 and September 28, 1995 respectively. Pursuant to that lease agreement and MOU, the City leases to the Library the Fryar Property, at no cost, and the City and Library each own fifty percent of the building thereon. The Library has now outgrown its space at the Fryar Property and the building, which was originally constructed in 1979 and is nearing a condition that will require substantial renovations to keep it operable, so both the City and the Library desire to relocate the Sumner branch to a new location and facility. On September 7, 2021, the City Council approved the sale of the Main Street

East Properties to the Library, a condition of which is that the Library would convey back to the City its half interest in the Fryar Avenue building. While the Library designs and constructs the new Sumner library branch upon their new property, they desire to continue to lease the entirety of the Fryar Avenue building. This arrangement requires a new and restated lease agreement between the City and the Library on the following agreed terms: 3-year term, \$1.00 annual rent (in acknowledgement of the 50-year pre-paid lease agreement from 1992), with all non-structural maintenance and insurance responsibilities being the Library's obligation. All other terms and conditions are outlined in the attached restated lease agreement.

PASSED BY VOICE VOTE.

COUNCIL REPORTS

Councilmembers Reed and Neuman had no reports tonight.

Councilmember Hochstatter wanted to draw attention to the three new murals around the city. She thanked the artists for their work and the Sumner Cultural Arts Commission for the vision. She hopes that everyone has an opportunity to stop and enjoy them.

Deputy Mayor Hayden shared her excitement for the new library.

Councilmember Hamilton visited the new brewery in Sumner, Top Down Brewing Company last week.

Councilmember Bitetto is also very excited about the new library. She reminded the audience; the county does have rental assistance available through the end of September. There is information on the back of the city newsletter. She noticed that school is back in-person so hopefully life will be getting back to normal.

CITY ADMINISTRATOR

City Administrator Jason Wilson updated the council on the following:

Upcoming Policy Issues:

- Next Week's Study Session
 - Diversity, Equity, and Inclusion Training Consultant Agreement
- Next Regular Council Meeting on September 20th
 - Resolution authorizing the Houston Road Annexation Petition to Proceed
 - Ordinance amending SMC Chapter 10.20 – Speed Limit Code Revisions
 - Ordinance adding Juneteenth as a City Holiday

Commission Updates:

- Planning Commission September 16th:
 - Public Hearing on Mandatory Emergency and Transitional Housing Zoning Code Updates
 - Public Hearing on Interchange Commercial Zoning Code Updates related to auto repair and boat sales.

MAYOR REPORT

Mayor Pugh expressed his appreciation to council ad staff for their work and vision for the library. It's a viable asset to the community and a new library is always exciting

EXECUTIVE SESSION

Mayor Pugh adjourned the regular meeting into Executive Session at 6:38pm to discuss with legal counsel potential litigation per RCW 42.30.110(1)(i) and collective bargaining matters – RCW 42.30.140(4) for a time not to exceed 15 minutes – there will be no action to follow. At 6:55pm, he extended the time by 5-minutes.

The regular meeting was reconvened at 7:00pm.

ADJOURNMENT

With no further business before the Council, the Mayor adjourned the meeting at 7:00pm. Councilmembers concurred.

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Mayor

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