

**CITY OF SUMNER
Council Meeting
Minutes – October 18, 2021**

The Covid-19 pandemic continues to impact the health and safety of our community. In an effort to be diligent, the city is continuing to conduct all public meetings virtually, using the ZOOM platform. Access information can be located on the city's website, and on each meeting agenda. As the pandemic evolves, and when it is safe to do so, we look forward to welcoming everyone back to City Hall for in-person and hybrid meetings in our newly renovated council chambers.

CALL TO ORDER

The Sumner City Council met in regular session at 6:00pm, with Mayor William L. Pugh presiding.

Staff present via electronic device: City Administrator Jason Wilson, City Attorney Andrea Marquez, Community Development Director Ryan Windish, Public Works Director Mike Dahlem, Administrative Services Director Jeff Steffens, Police Chief Brad Moericke, Deputy City Attorney Maili Barber, Human Resources Manager Adrienne McNeilly, Chief Financial Officer Kassandra Raymond, Development Services Director Doug Beagle, Assistant Planner Ann Siegenthaler, Community Development Manager Derek Barry and City Clerk Michelle Converse

Mayor and Councilmembers present via electronic device: Mayor Bill Pugh, Councilmembers Bitetto, Brown, Hamilton, Hayden and Hochstatter.

Councilmembers Neuman and Reed were absent.

MOVED BY HAYDEN, SECONDED BY BITETTO TO EXCUSE COUNCILMEMBERS NEUMAN AND REED.

CONSENT AGENDA

MOVED BY HAYDEN, SECONDED BY HOCHSTATTER TO APPROVE THE CONSENT AGENDA CONSISTING OF:

1. Checks and electronic payments in the amount of \$1,429,189.04.
2. Minutes from the regular council meeting of October 4, 2021 and the October 11, 2021 study session.
3. 166th Avenue Widening Improvements – Design Agreement Supplement
4. Pierce County for Specialized Recreation Services Agreement
5. 2021-2023 Collective Bargaining Agreement Police Guild representing Commissioned Employees
6. Rainier View Covered Court – Consultant Design Contract

PUBLIC HEARING

Sumner High School Modernization Project Rights of Way Vacation

Mayor Pugh opened the Public Hearing at 6:06pm and called on City Attorney Andrea Marquez to address the council.

As part of the Sumner High School Modernization Project, the Sumner-Bonney Lake School District entered into a Development Agreement with the City. The Development Agreement required the SBLSD to petition to vacate four separate sections of right of way within the project footprint, and the City agreed to process the petition consistent with code and state law. On July 15, 2021, the SBLSD submitted the complete petition package. There are four sections of right of way proposed to be vacated: (1) the alley adjacent to Washington Street; (2) the Mason Street Alley; (3) The West Main Street Triangle ROW and (4) the East Main Street Triangle ROW. All are shown in blue on the site map attached. The City does not currently utilize or maintain these areas of right of way, however there are public utilities lying on or beneath three of the sections that the City will require easements for prior to the effective date of any future vacation. The City proposes vacating all requested right of way sections free of charge, in consideration of the fact that the City has not incurred costs related to acquisition or maintenance of the right of way areas. On September 20, 2021, Council passed Resolution 1595 setting tonight's public hearing, after which time staff published notice. Tonight's public hearing is in compliance with RCW 35.79.020 and is an opportunity to hear from the public regarding the School District's right of way petition.

In addition to tonight's public hearing, as of October 18, the following citizens contacted the City with comments:

1. Jerry, owner of 1423 Mason Street. He called to ask whether any of this impacted the north side of Mason Street, where he lives. It was explained that the ROW areas are not on the north part of Mason, except the Washington Street alleyway that is currently adjacent to the school property. He also shared that he does not want the school campus to continue to overtake the entire city. He was informed that his comments would be provided to the City Council.
2. Randy Hynek, owner of apartments on Washington Street. Expressed concern about school busses using the Washington Street Alley to exit from Mason Street to Washington Street. He is worried about diesel exhaust and motor noise. The planning and legal departments explained the fencing and landscape buffers are required as part of the project, and also explained that busses will be required to have their motors off while picking up and dropping off students along Mason Street. Mr Hynek was provided with the District's plans related to the bus route area.
3. Dan McClung, the owner of the Subway property immediately east of the high school property, called to question the easterly boundary of the East Main triangle ROW line. The survey drawings and legal description were provided, and the District followed up with the surveyor to work to better identify that easterly line for Mr. McClung. Mr. McClung also questioned why the proposal is to vacate the East Main Triangle solely to the District, and staff explained to Mr. McClung that the entirety of the ROW came originally from the school district's property, thus it is not vacated back 50/50 to abutting property owners.

With no additional comments from the public, the Public Hearing was closed at 6:12pm.

UNFINISHED BUSINESS

There was none tonight.

PUBLIC COMMENT

There was no public comment tonight.

NEW BUSINESS

Planning Commissioner Appointment – Sharon Fochtman

MOVED BY HAYDEN, SECONDED BY HAMILTON CONFIRM THE APPOINTMENT OF SHARON FOCHTMAN TO THE SUMNER PLANNING COMMISSION FOR A TERM BEGINNING IN NOVEMBER 2021 AND EXPIRING IN APRIL 2024.

Community Development Director Ryan Windish addressed the council.

The Sumner Planning Commission serves in an advisory capacity to the City Council. The Commission's main purpose is to assist in the implementation of the vision and policies in the Sumner Comprehensive Plan, including reviewing and making recommendations on various City plans, goals, and policies, and the Sumner Zoning Code and development regulations.

The Planning Commission currently has 5 members who are appointed by the Mayor and confirmed by the City Council. A majority of the members must be residents of the City of Sumner, while two members may be nonresidents who have a demonstrated interest in the City of Sumner. The members of the Planning Commission are to be selected without respect to political affiliations and shall serve without compensation. Members are appointed for 4-year terms.

Ms. Fochtman is a retired educator and business administrator and has lived in Sumner since 1985. She recognizes and appreciates the special character of Sumner's different neighborhoods. Ms. Fochtman has a keen interest in maintaining the quality of life in Sumner for all ages and, in particular, for seniors, as the community grows.

Ms. Fochtman addressed the council. She is very excited to be involved and can't wait to work with them to keep the community unique and special.

Councilmembers Hayden and Hamilton thanked Ms. Fochtman volunteering and certainly appreciate it.

PASSED BY ROLL CALL VOTE.

Forestry & Parks Commission Appointment – Marty Child

MOVED BY HAYDEN, SECONDED BY HAMILTON TO CONFIRM THE APPOINTMENT OF MARTY CHILD TO THE PARKS & FORESTRY COMMISSION FOR A TERM EXPIRING APRIL 30, 2025.

Community Development Manager Derek Barry addressed the council.

The Sumner Forestry & Parks Commission consists of up to twelve (12) members who are appointed by the Mayor and confirmed by the City Council. The members are to be selected without respect to political affiliations and shall serve a four-year (4) term without compensation.

He and his wife recently moved to Sumner to be closer to family. Marty has a background in landscape architecture and has helped design many parks and multiuse trails.

Deputy Mayor Hayden thanked Mr. Child. Councilmember Hochstatter asked about the expansion to the duties of the commission. Mr. Barry explained to Councilmember Hochstatter the commission has a varied background they will be able to take on additional items.

Mr. Child thanked the Council for this opportunity and is looking forward to it.

PASSED BY VOICE VOTE.

Ordinance No. 2796 – Updating the International Building Code and International Fire Code to 2018.

MOVED BY HAYDEN, SECONDED BY HAMILTON TO MOVE TO APPROVE ORDINANCE NO. 2796 AMENDING AND UPDATING THE INTERNATIONAL BUILDING AND INTERNATIONAL FIRE CODES TO THE 2018 EDITION FOR THE CITY OF SUMNER.

Community Development Director Ryan Windish addressed the Council.

Ordinance No. 2796 would adopt the latest version of the International Building and Fire Codes. The current codes are the 2015 editions. The ordinance before the Council tonight, Ordinance 2796, updates each code to the 2018 editions. Each of the codes is adopted by a separate section of Sumner Municipal Code as reflected in the ordinance.

The codes are crafted by the National Building Code Council, amended and adopted by the State Building Code Council and passed on to local jurisdictions for final adoption. The codes as handed down from the State Council are minimum standards. The Washington State Building Code Council adopted changes and updates in February 2021. Local governments may adopt more stringent, but cannot adopt lesser, standards.

The 2018 Updates are minor adjustments to the regulations with no broad reaching impacts to the building industry or business. Staff recommends that the City Council adopt all the amendments as approved by the State with no changes.

Discussion ensued.

PASSED BY VOICE VOTE.

Ordinance No. 2798 – Interchange Commercial Zone Regulations Update

MOVED BY HAYDEN, SECONDED BY HOCHSTATTER TO ADOPT ORDINANCE NO. 2798 - INTERCHANGE COMMERCIAL ZONE REGULATIONS UPDATE.

Associate Planner Ann Siegenthaler addressed the Council.

The proposal is for an update to the Zoning Code to allow: 1) limited automotive collision services in the Interchange Commercial (IC) and Industrial zones; and 2) boat sales as an outright permitted use in the IC zone, including performance standards to address potential impacts. If passed, the ordinance will expand allowable uses and business opportunities in the IC zone. No project is proposed at this time.

In June 2021, the City received a request from a property owner in the IC zone to allow these uses as outright permitted uses in the IC zone. The Planning Commission held a study session and a public hearing on the proposal, and recommended approval.

PASSED BY VOICE VOTE.

Ordinance No. 2797 – 2021/2022 Biennial Budget Amendment

MOVED BY BITETTO, SECONDED BY BROWN TO ADOPT ORDINANCE NO. 2797 AMENDING THE 2021/2022 BIENNIAL BUDGET.

Chief Financial Officer Kassandra Raymond addressed the Council.

Staff is presenting the 3rd quarter amendment to the 2021/2022 Biennial Budget for consideration. This amendment:

- Amends Fund 001 (General Fund) to recognize labor impacts of the bargained contract with the Police Guild;
- Amends Fund 001 (General Fund) to recognize increased reimbursable overtime in the Police Department, offsetting increased law enforcement service revenue;
- Amends Fund 440 (Metro Animal Services) to incorporate 2022 rate increases as well as increase staffing (reclassifying a part-time kennel technician to a full-time shelter assistant) to assist with coverage requirements;
- Amends Funds 550 (Information Technology), 001 (General Fund), and 402 (Sewer Fund) to increase a contract with StoneShare for SharePoint implementation;
- Amends Funds 550 (Information Technology) to recognize a Justice Assistance Grant for acquisition of police-related software, and increases the software expense appropriation;
- Amends Fund 402 (Sewer Fund) to recognize a grant from Puget Sound Energy and the related expenditures.

Ord No. 2797		
BA 10/18/2021		
	<i>Revenues</i>	<i>Expenditures</i>
General Fund	\$ 25,000	44,705
Reserve Funds	-	-
Special Revenue Funds	-	-
Debt Service Funds	-	-
Capital Funds	-	-
Utility Funds	9,644	24,975
Other Enterprise Funds	121,184	91,425
Internal Service Funds	48,600	48,600
Fiduciary Funds	-	-
	\$ 204,428	\$ 209,705

PASSED BY VOICE VOTE.

Ordinance No. 2799 – Amendment to the 2021 Compensation Schedule and Adoption of the 2022 Compensation Schedule.

MOVED BY HAYDEN, SECONDED BY HAMILTON TO APPROVE ORDINANCE 2799 AMENDING THE 2021 COMPENSATION SCHEDULE AND ADOPTING THE 2022 COMPENSATION SCHEDULE.

Administrative Services Director Jeff Steffens addressed the council.

The City has recently agreed to a Collective Bargaining Agreement with the Sumner Police Guild representing Commissioned Employees. The approval of this CBA requires two amendments to the 2021 Compensation schedule, one that is effective January 1st and a second amendment effective July 1st.

At the request of the Mayor, the City recently completed a Salary Study of its 53 Non-Represented employees. The City of Sumner is committed to providing fair and competitive compensation that will attract, motivate, reward, and retain highly qualified employees at all levels who will best carry out the City's mission, vision, and values. We believe that it is in the best interest of the City to compensate our workforce fairly for the value of the work provided, within our financial ability to do so. It is our intention to use a competitive system to determine the current market value of a position based on the skills, knowledge, and abilities required to complete the job with above average proficiency. This Salary Study included a comprehensive review of city job descriptions and compared our compensation to nine comparable cities in the local labor market. The key objectives of the study were Competitiveness, Internal Equity, Transparency and Compression. Our Compensation Philosophy was to align city salaries to approximately 95% of the average of top 3 highest salaries in comparable cities. The results of the study found that some positions in Sumner were well behind similar positions in our comparable cities. The recommended changes from this study are included in Exhibit C of this Ordinance with an effective date of November 1, 2021.

Sumner is also required to adopt an annual Compensation Schedule. This Ordinance will set the 2022 Salaries for represented employees in the Police Guild, for both Commissioned and Non/Special Commissioned bargaining groups, the International Union of Operating Engineers Local 302 as well as Sumner's Non-represented employees.

Discussion ensued.

PASSED BY VOICE VOTE 3-2.

YES - HAMILTON, BITETTO AND DEPUTY MAYOR HAYDEN

NO - HOCHSTATTER AND BROWN

Sumner Meadows Purchase and Sale Agreement Extension

MOVED BY HOCHSTATTER, SECONDED BY HAMILTON AUTHORIZE THE MAYOR TO EXECUTE AN EXTENSION TO THE NOVEMBER 13, 2018, PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND CSHV SUMNER MEADOWS, LLC SUBSTANTIALLY IN THE FORM AS ATTACHED, AND APPROVED BY THE CITY ATTORNEY.

City Attorney Andrea Marquez addressed council.

In September of 2018, the City entered into a Restated Purchase and Sale Agreement (PSA) with CSHV Sumner Meadows, LLC - the contract purchaser of the golf course. At that time, the property being sold was revised, as was the purchase price. The term of that PSA goes through May, 2022. Since entering into the PSA, there have been many delays that have been beyond the control of either the City or the Buyer. The Buyer requested an extension of the PSA, and the City staff agreed to recommend that Council authorize one final extension, for a term of 3 years. The extension contains a requirement that if the buyer is able to access and begin development on at least one full parcel, that it must close on the entire property early, granting back to the City and/or BNSF the right to use the other parcel if required as a condition of any issued Corp permit. The proposed extension also contains a clause requiring the buyer to coordinate its development with the City's environmental team to ensure that the City's White River project to the south can obtain and comply with the zero rise standards set forth by code. The terms of the extension offer benefits to the City's project (both funding and design) and is appropriate given that the delays on the transaction closing have been beyond the control of the Buyer.

Don Marcy joined the meeting in case of additional questions.

Clarifying questions were asked.

PASSED BY VOICE VOTE.

COUNCIL REPORTS

Councilmember Hochstatter was a participant in the Sumner High School Homecoming parade and how much she enjoyed it. She thanked the Sumner Bonney Lake School District for sponsoring it.

Deputy Mayor Hayden also had a wonderful time at the parade, she ended her comments by reminding people to vote.

Councilmember Hamilton also enjoyed the parade, and it was followed by a great football game

Councilmember Brown remembered Leroy Goff also known as Mr. Sumner, wonderful man and will be missed.

Councilmember Bitetto was reminded the deed for Sumner's YMCA was signed seven years ago. She also mentioned MultiCare will be at the YMCA on Monday administering COVID-19 shots. MultiCare is a great community partner.

CITY ADMINISTRATOR

City Administrator Jason Wilson updated council with the following:

Upcoming Policy Issues:

- Next Week's Study Session
 - 2022 Ad Valorem Property Tax Levy
- Next Regular Council Meeting on November 1st:
 - Public Hearing on the 2022 Ad Valorem Property Tax Levy
 - Ordinance Vacating ROW for Sumner Bonney Lake School District
 - Ordinance confirming the lodging tax expenditures
 - Resolution adopting the Main Street Visioning Plan

Personnel Issues:

- The city is currently recruiting for a Municipal Court Judge, Associate Engineer or Public Works Project Manager and Records Management Specialist.

Significant Development Activity:

- Sidewalk improvements: Visit our project page to see weekly updates on where the contractor will be working. This week work will continue on Kincaid and Cherry between Academy and Thompson Street as well as in the area of Maple Street and Wood Avenue.

Miscellaneous:

- Former Mayor and Councilmember Leroy Goff's memorial service will be held on Wednesday at 3pm at Calvary Community Church.

MAYOR REPORT

Mayor Pugh injured himself last week, he is healing but still in quite a bit of pain. He thanked all for their indulgence tonight.

EXECUTIVE SESSION

There was no Executive Session tonight.

ADJOURNMENT

With no further business before the Council, the Mayor adjourned the meeting at 7:11pm. Councilmembers concurred.

ATTEST

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William L. Pugh

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William L. Pugh, Mayor

DocuSigned by:

Michelle Converse

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Michelle Converse, CMC City Clerk

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Signer Events

Andrea Marquez

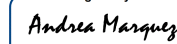
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City Attorney

City of Sumner

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William L. Pugh

mayorbill@sumnerwa.gov

Mayor

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City Clerk

City of Sumner

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Completed	Security Checked	11/3/2021 7:58:43 AM
Payment Events	Status	Timestamps
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