

**CITY OF SUMNER
Council Meeting
Minutes – December 6, 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 6:01pm, with Mayor William L. Pugh presiding.

Staff present via electronic device: City Administrator Jason Wilson, City Attorney Andrea Marquez, Community Development Director Ryan Windish, Administrative Services Director Jeff Steffens, Communications Director Carmen Palmer, Chief Financial Officer Kassandra Raymond, Associate City Engineer Joe Fessler, City Engineer Michael Kosa, and City Clerk Michelle Converse

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

RECOGNITION

Judge Jenkins, Hearing Examiner Stephen Causseaux, Councilmember Josh Hamilton were presented with plaques recognizing their retirement and service to the City.

CONSENT AGENDA

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

1. Approval of the minutes from the regular council meeting of November 15, 2021 and the November 22, 2021, study session
2. Approval of electronic checks and payments in the amount of \$1,617,301.99.
3. Bushore/Eagle Asphalt Asbestos Abatement Change Order
4. Resolution No. 1603 - Interagency Agreement for the Housing of Inmates in the Puyallup City Jail
5. Resolution No. 1606 - Justice Assistance Grant Acceptance

PASSED BY VOICE VOTE

PUBLIC HEARING

None tonight.

UNFINISHED BUSINESS

Ordinance No. 2802 - Mid-Biennial Budget Amendment

MOVED BY REED SECONDED BY HOCHSTATTER TO ADOPT ORDINANCE NO. 2802 – MID-BIENNIAL BUDGET AMENDMENT

Chief Financial Officer Kassandra Raymond addressed the council.

City Council adopted the 2021/2022 Biennial Budget by Ordinance #2758 on December 7, 2020. Per RCW 35.34.130, cities adopting a biennial budget are required to provide by ordinance a mid-biennial review no later than the conclusion of the first year of the fiscal biennium. This review provides staff the opportunity to review revenue and expenditure trends, capital programs, and make adjustments as necessary. The mid-biennial budget amendment was reviewed by the Finance & Personnel Committee on

November 3, 2021, and in City Council Study Session on November 8, 2021. This public hearing provides the community opportunity to comment on the proposed amendments. City Council action is scheduled December 6, 2021. This 2021/2022 Mid-Biennial Budget Amendment makes changes as follows:

- General Fund (001): Recognizes one-time criminal justice revenue distribution. Includes amendments for a variety of operational adjustments, including legal prosecution services, and changes to events.
- Tourism Tax Fund (106): Amendments for the recommended 2021/2022 work plan.
- Sidewalk Capital Fund (302): Amendments to support 2022 sidewalk program administration.
- Parks Capital Fund (310): Includes support for Heritage Park Design funded by Tourism Fund.
- Street Capital Fund (320): Recognizes new grant funding and expenditures for Maple Street Pedestrian Signal and Stewart Road Bridge.
- Facilities Capital Fund (325): Includes expenditure amendments for Public Works Operations Facility design of the north property. Also includes support for Ryan House improvements funded by the Tourism Fund (106).
- Water Fund (401): Includes amendments to support purchase of water meters, and various capital projects.
- Sewer Fund (402): Includes amendments to support lift station improvements. Also includes amendments to support capital projects at the Wastewater Treatment Facility, with support from the City of Bonney Lake.
- Stormwater Fund (408): Amendment to support paving and planting of Decant facility.
- Cemetery Development Fund (415): Recognizes revenues and amends expenditure for Green Burial development.
- Animal Control Fund (440): Re-appropriates funding from 2020 for the office remodel (funded by a bequest).
- Information Technology Fund (551): Amends budget for 2021 unanticipated expenditures and corresponding assessments to user funds.
- Development Impact Fee Fund (605): Amend expenditure to support the Stewart Road Bridge project.
- All funds: Recognizes 2021 labor changes from non-representated staff salary survey (Ordinance No. 2799)

Ordinance No. 2802		
Mid-Biennial Budget Amendment	Revenues	Expenditures
General Fund	\$41,467	\$129,808
Reserve Funds	-	-
Special Revenue Funds	25,000	318,000
Debt Service Funds	-	-
Capital Funds	2,066,700	2,047,700
Utility Funds	106,406	1,445,564
Other	40,000	50,690

Enterprise Funds		
Internal Service Funds	76,130	84,186
Fiduciary Funds	-	700,000
Totals	\$2,355,703	\$4,775,949

COUNCILMEMBER HOCHSTATTER MOTIONED TO DIVIDE THE QUESTION AND PORTION OF LINE 106 FOR LODGING TAX INVOLVING THE ALLOCATION OF \$125,000 AND CORRESPONDING TRANSFER IN AND EXPENDITURE FROM FUND 325 RELATED TO THE RYAN HOUSE LANDSCAPE IMPROVEMENT. SECONDED BY NEUMAN.

Discussion ensued.

PASSED BY ROLE CALL VOTE.

COUNCILMEMBER HOCHSTATTER MOVED TO POSTPONE THE CONSIDERATION OF \$125,000, IN SPENDING AS RECOMMENDED BY THE CITY'S LODGING TAX ADVISORY COMMITTEE TO THE FEBRUARY 7, 2022, CITY COUNCIL MEETING. SECONDED BY NEUMAN.

Discussion ensued.

PASSED BY ROLE CALL VOTE.

COUNCIL THEN VOTED ON ORDINANCE NO. 2802 AS AMENDED.

PASSED BY ROLE CALL VOTE.

PUBLIC COMMENT

Rachel Oberg acting chair Sumner Healthy Neighborhood Alliance. Spoke against the proposed 7-11 fuel station on the corner of Valley and Main.

Kathy Baerny spoke against the proposed 7-11 fuel station on the corner of Main and Valley Avenue.

NEW BUSINESS

Municipal Court Judge Appointment

MOVED BY HAYDEN SECONDED BY HAMILTON TO CONFIRM THE APPOINTMENT OF KRISTA SWAIN AS THE SUMNER MUNICIPAL COURT JUDGE.

City Administrator Jason Wilson addressed the council.

Earlier this year, the mayor was informed by Judge Jenkins that he would be retiring at the end of 2021. The Municipal Court Judge is a Mayoral appointed position subject to Council confirmation.

The city conducted a recruitment process and received eight applications. Four candidates were interviewed by the Mayor, Deputy Mayor, City Administrator and Administrative Services Director. The Mayor has appointed Krista Swain as Municipal Court Judge effective January 1, 2022 for a term ending December 31, 2025. Municipal Court Judge appointments and removals are subject to RCW Chapter 3.50. The Sumner Municipal Court Judge is considered a .40 FTE with salary and benefits commensurate with such status as prescribed by Sumner Municipal Code.

Judge Swain has been an attorney since 1996. Through private practice, she has provided prosecution and public defender services to multiple municipal governments. Since 2017, she has been the presiding Judge for Black Diamond Municipal Court and has previously served as a pro-tem Judge for our court as well as several other municipal and district courts.

Discussion ensued.

PASSED BY VOICE VOTE.

Ordinance No. 2803 - American Rescue Plan Act Budget Amendment

MOVED BY REED SECONDED BY HOCHSTATTER TO ADOPT ORDINANCE NO.: 2803, ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS AND AMENDING THE 2021-22 BIENNIAL BUDGET.

City Administrator Jason Wilson addressed the council.

The American Rescue Plan Act (ARPA) committee reviewed several possible uses of ARPA funds and has recommended allocations that address immediate needs to respond to the pandemic. The proposed ordinance would allocate \$105,000 under the following ARPA categories:

Direct Response:	\$80,000
Economic Impact:	\$25,000

The attached staff report details the expenditures and applicability to ARPA fund guidelines.

If approved, the remaining ARPA balance is \$1,743,676 for future use. The ARPA continues to meet and discuss future allocation recommendations.

Discussion ensued.

PASSED BY VOICE VOTE

2022 Legislative Agenda

MOVED BY HAYDEN SECONDED BY HOCHSTATTER TO APPROVE THE 2022 LEGISLATIVE AGENDA FOR DISTRIBUTION TO LEGISLATORS AND PARTNERS IN PREPARATION FOR

THE 2022 STATE SESSION.

Communications Director Carmen Palmer spoke to the item.

The Legislative Agenda connects State lawmakers with Sumner, informing them how potential legislation will affect their constituents here and encouraging key items for which the City needs their support. In past sessions, these agendas have helped complete the Traffic Avenue interchange, fund the White River Restoration Habitat project and fund Rainier View Park's covered playground.

This is a "short" session with a lot of large topics anticipated, including transportation, climate change and police reform. The goal of this agenda is to affect change within this session and also lay ground work for the 2023 long session.

The attached draft reflects comments and suggestions from the Council at Study Session as well as final adjustments from our lobbyist, Bill Clarke. There was some question about whether or not to leave in the term "climate change." Mayor, staff and Bill C. all recommend this wording, balanced by salmon recovery. These are the terms used for major efforts underway at the State level. What can be more polarizing/political than the term itself are the actions proposed. Sumner's efforts, especially the White River Restoration, are more unifying than polarizing. Few projects were coordinated by such diverse interests as a railroad, environmental activist groups, Tribes, and manufacturing/industry businesses.

Discussion ensued.

PASSED BY VOICE VOTE.

Resolution No. 1605 - Main Street Visioning Plan Adoption

MOVED BY HAYDEN SECONDED BY NEUMAN TO APPROVE RESOLUTION NO. 1605 - ADOPTING THE MAIN STREET VISIONING PLAN AND IMPLEMENTATION PRIORITIES.

Community Development Director Ryan Windish addressed the council.

Resolution No. 1605 will adopt the Main Street Visioning Plan and implementation priorities. The Main Street Visioning Plan was developed in partnership with University of Washington Tacoma (UW-T). Between Fall 2020 and Spring 2021, the students in the Urban Design Studio class, in collaboration with a local Advisory Committee, created the Main Street Visioning Plan showing how the city can be enhanced, providing improvement to Main Street, between Traffic Avenue and Wood Avenue, in downtown Sumner. The goal of the project was to continue to provide for the community by creating an equitable environment, safety, increase the quality of life in the downtown, and increase economic development. The City Council was briefed on the progress of the plan in December 2020, April 2021 and June 2021.

Staff has completed a draft Main Street Visioning Plan incorporating the UW-T Final Report and a prioritization of projects to be completed which are: Heritage Park and surrounding streets, Alleys Activation, and the Main Street Corridor.

Discussion ensued.

PASSED BY VOICE VOTE.

COUNCIL REPORTS

Councilmember Bitetto thanked those who were recognized and welcomed Judge Swain. She regrets that we couldn't meet in person this year. She ended her comments by wishing Mayor Pugh well in retirement and thanking him for everything that he has done over the past four-years.

Councilmember Reed thanked those who were recognized for their time and service to the city.

Councilmember Brown thanked those who were recognized and welcomed Judge Swain.

Councilmember Neuman seconds Councilmember Brown's comments. She shared SHAPE will have a board meeting on December 6th, on the agenda is planning for the 2022.

Councilmember Hochstatter thanked those recognized. Service to the community is such a powerful thing which she hopes more can be a part of.

Deputy Mayor Hayden thanked the retirees and welcomed Judge Swain. She ended her comments by thanking staff. She is going to need everyone as she tries to fill Mayor Pugh's shoes. She is excited and ready to get to work.

Councilmember Hamilton thanked Mayor Pugh, it has been great working with him. Deputy Mayor Hayden has some big shoes to fill. He ended his comments by thanking council for the kind words and his family for their support.

CITY ADMINISTRATOR

City Administrator Wilson reported on the following-

Upcoming Policy Issues:

- No regular council meetings or study sessions left this year.
- Next Regular Council Meeting on January 3rd:
 - Resolution amending the ILA with Bonney Lake for court services
 - Deputy Mayor Selection
 - Committee Selection
 - Regional Committee Selection
 - Council Principles of Conduct
 - Ordinance amending the Special Event Permit code update

Commission Updates:

- Planning Commission:** Held a public hearing on the proposed code amendment related to senior housing. The amendment would 1) Expand where senior housing, particularly senior apartments, can be built, with a focus on independent living. 2) Provide flexibility in all Zoning Code standards (e.g. building height, density) to accommodate more sites and housing types for senior housing, while addressing potential impacts of increased density and apartments in residential zones. This will be coming before council in early 2022 for consideration.

Miscellaneous:

- Swearing in Ceremony for newly elected officials will be on December 20th at 3pm in the Council Chambers. The event will also be live streamed, with the link available on our website.

MAYOR REPORT

Mayor Pugh began his remarks by thanking everyone for their kind words. Serving as the Mayor for the last four years has truly been one of the high lights of his career. The Deputy Mayor will experience the same thing, wonderful staff but also working with a really good city council which has made his job so easy! He is looking forward to great things that will continue to make Sumner shine!

EXECUTIVE SESSION

There was no Executive Session tonight.

ADJOURNMENT

With no further business before the Council, the Mayor adjourned the meeting at 7:39pm. Councilmembers concurred.

DocuSigned by:

9BA22DE678404D1...
Michelle Converse, CMC City Clerk

ATTEST:
DocuSigned by:

3420AB72F52C4FD...
Kathy Hayden, Mayor

Certificate Of Completion

Envelope Id: 7F216A2B4665418DB59022A93BD5C6FD

Status: Completed

Subject: Please DocuSign: Ordinance No. 2805 - Special Events.doc, 120621 RCM.doc

Source Envelope:

Document Pages: 12

Signatures: 5

Envelope Originator:

Certificate Pages: 5

Initials: 0

Michelle Converse

AutoNav: Enabled

1104 Maple St

Enveloped 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

1/5/2022 12:30:00 PM

MichelleC@sumnerwa.gov

Signer Events**Signature****Timestamp**

Andrea Marquez

andream@sumnerwa.gov

City Attorney

City of Sumner

Security Level: Email, Account Authentication
(None)

DocuSigned by:



20517410A6DD49A...

Sent: 1/5/2022 12:33:38 PM

Viewed: 1/5/2022 12:34:35 PM

Signed: 1/5/2022 12:41:05 PM

Signature Adoption: Pre-selected Style

Using IP Address: 50.216.105.106

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Kathy Hayden

khyayden@sumnerwa.gov

Security Level: Email, Account Authentication
(None)

DocuSigned by:



3420AB72F52C4FD...

Sent: 1/5/2022 12:41:06 PM

Viewed: 1/5/2022 2:11:34 PM

Signed: 1/5/2022 2:12:20 PM

Signature Adoption: Pre-selected Style

Using IP Address: 97.113.195.207

Electronic Record and Signature Disclosure:

Accepted: 1/5/2022 2:11:34 PM

ID: e4c42434-c021-413d-9bb2-17931fe90d65

Michelle Converse

michellec@sumnerwa.gov

City Clerk

City of Sumner

Security Level: Email, Account Authentication
(None)

DocuSigned by:



9BA22DE678404D1...

Sent: 1/5/2022 2:12:23 PM

Viewed: 1/10/2022 8:06:06 AM

Signed: 1/10/2022 8:06:37 AM

Signature Adoption: Uploaded Signature Image

Using IP Address: 50.216.105.106

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

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	1/5/2022 12:33:38 PM
Certified Delivered	Security Checked	1/10/2022 8:06:06 AM
Signing Complete	Security Checked	1/10/2022 8:06:37 AM
Completed	Security Checked	1/10/2022 8:06:37 AM
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.