

**CITY OF RUSTON
REGULAR COUNCIL MEETING**

Tuesday, July 2, 2024

MEETING CALLED TO ORDER

At 7:02PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Hedrick, Councilmember Syler, Councilmember Jensen and Councilmember Holland. Councilmember Huson joined at 7:10PM. Following the flag salute, Councilmember Hedrick moved to approve the agenda, with a second from Councilmember Syler, passed 4-0.

MINUTES - Councilmember Hedrick moved to approve the minutes for the regular Council Meeting of June 18, 2024, with a second from Councilmember Syler, passed 4-0.

STAFF REPORT – Nothing at this time.

GENERAL PUBLIC COMMENTS –

Maryanne Bell – See attached.

BUSINESS –

ORD 1579 – 20 MPH Speed Limit (3rd reading) - One May 21, 2024, the City Council held Second Reading on Ordinance No. 1579. At that time the Council only had four members due to a vacancy. When voting for Ordinance No. 1579, the City Council tied and therefore Mayor Hopkins cast a tie-breaking vote. While mayors of towns may have the authority to break this type of tie, mayors of code cities may not break ties with regard to the passage of ordinances. RCW 35A.12.100. Therefore, this ordinance is now being brought back for third reading to the full five-member council for action. The information that was included in the Council Packet on May 21st is reprinted below.

Under Chapter 16.06 of the Ruston Municipal Code (RMC), Ruston adopted the Washington Model Traffic Ordinance (Ch. 46.90 RCW and Chapter 308-330 WAC). Under RCW 46.61.415(3) and WAC 308-330-270, the City Council may change the speed limit to 20 miles per hour (“MPH”). Given that Ruston is becoming more dense with increasing pedestrian traffic, the Mayor’s office requested that an ordinance to reduce speed limits on most Ruston streets be brought forward. Lower speed limits support and encourage motor vehicle travel at lower and more appropriate travel speeds and lower travel speeds for motor vehicles lead to reduced risk of motor vehicle crashes, reduced severity of injuries for crashes that do occur, and a reduced risk that such crashes will result in fatal injury for all road users. In addition, crashes involving pedestrians are more survivable the lower the speed of the traveling vehicle. In order to reduce speed limits, RMC 16.01.020 which establishes a speed limit within the City needs to be amended to reduce speed limits on certain streets.

Currently, the city-wide speed limit is 25 MPH with 30 MPH on Pearl Street (a State highway), 15 MPH in the former Ruston Tunnel and in alleys, and 20 MPH on Commercial Street between Winnifred and Baltimore. If approved, Ordinance No. 1579 would remove the redundant reference to the Ruston Tunnel, clean up language to change “town” to “city” and would set 20 MPH as the speed limit on the following streets:

1. N. 49th Street;
2. N. 50th Street;
3. N. 51st Street;
4. N. 52nd Street;
5. N. 53rd Street;
6. N. Baltimore Street;
7. N. Highland Street;
8. N. Shirley Street;
9. N. Winnifred Street;
10. Park Avenue;
11. N. Commercial Street;
12. N. Court Street; and
13. Ruston Way.

The above list should capture all streets in Ruston *except* all alleys would remain at 15 MPH limits and Pearl Street (a State highway) which would remain at 30 MPH. The City cannot change the speed limit on state highways without the approval of the Washington State Secretary of Transportation. After discussion, Councilmember Hedrick moved to approve Ordinance 1579 for the regular Council Meeting of July 2, 2024, with Councilmember Hedrick, Councilmember Huson and Councilmember Holland in favor and Councilmember Syler and Councilmember Jensen not in favor, Ordinance 1579, passed 3-2.

RES 793 – GeoEngineers Contract - The City of Ruston is interested in obtaining professional services for geotechnical engineering and soil testing on an on-call basis. The City published a request for Statements of Qualifications (SOQ) for these services. On June 10, 2024, GeoEngineers, Inc., submitted a SOQ for consideration. The City determined that GeoEngineers, Inc., was the most qualified applicant to perform the required services. The City subsequently negotiated an agreement for on-call soil testing services with GeoEngineers, Inc. The consultant services contract is attached and includes a description of the work to be performed in Exhibit A. The work is on an on-call basis; additional work will be performed as assigned by the City and invoiced based on the compensation rates set forth in Exhibit B to the contract. The contract does not obligate the City to assign any specific work or any work to GeoEngineers. The maximum contract price is \$100,000.00 per calendar year.

This amount shall not be exceeded without prior written authorization from the City in the form of a negotiated and executed supplemental agreement. After discussion, Councilmember Hedrick moved to approve RES 793 for the regular Council Meeting of July 2, 2024, with a second from Councilmember Syler, passed 5-0.

RES 794 – Public Hearing – 6 Year TIP - The City Council held a Public Hearing on the proposed Local TIP. Following the Public Hearing, the Council adopted the updated 6-Year TIP.

RES 794 – 6 Year TIP - State law mandates all local jurisdictions to annually adopt and submit to the state a six-year program of transportation improvements, known as the Local TIP. To be eligible to seek federal and state funding, the City must comply with state law and adopt an annual TIP. **Background.** The six-year Local TIP serves as a general work plan for the development of local transportation systems and, as such, represents an important planning component under the State's Growth Management Act. The Washington State Department of Transportation (WSDOT) and Puget Sound Regional Council (PSRC) use Local TIPs as a tool for coordinating the transportation programs of local jurisdictions with those of regional agencies. PSRC monitors Local TIPs for projects of regional significance (to be modeled for air quality conformity) and projects supported by federal funds. These projects are incorporated into the Regional TIP, which is then forwarded for inclusion in the State TIP. In most instances, projects must be included on a Local TIP to be eligible for state and federal grant programs. Local TIPs need not be revenue constrained; jurisdictions can include projects they would choose to implement within the timeframe, if funding were available. The updated TIP reflects any changes since last June as well as the movement of projects which have been funded. The City issued a SEPA Determination of Non-Significance on June 14, 2024, and the comment period has now passed. The resolution adopting the 6-Year TIP may be approved following the public hearing which was held on July 2, 2024. After discussion Councilmember Hedrick moved to approve RES 794 for the regular Council Meeting of July 2, 2024, with a second from Councilmember Syler, passed 5-0.

RES 795 – Roof Contract - Project Description. **Project Description.** This project will resurface the existing roof at the Mary Joyce Community Center at 5219 N Shirley St. The City Engineer is recommending the Council award the contract to Fields Roof Service, Inc. as the lowest responsible and responsive bidder. **Public Bidding Process.** In accordance with State law, public works projects with an estimated cost less than \$350,000, the City may use a small works roster to invite bids by notifying all contractors on the applicable roster that have indicated interest in performing work in the applicable geographical area. The City invited bids via a notification to the MRSC small works roster. The City received 3 bids from Fields Roof Service, Inc., Chinook Building Envelope Services, and Roofing Solutions Northwest. The Fields Roof Service, Inc. **\$259,986.00** plus tax is the lowest responsive and responsible bid submitted. Copies of the bids submitted are attached.

The City Engineer's Office recommended awarding the Project Contract to the lowest responsible bidder who submitted a responsive bid which was Fields Roof Service, Inc., and authorized the Mayor to enter into an agreement with them. If the Council authorized this Contract award at the July 2, 2024, Council Meeting, then construction was anticipated to begin this summer and was expected to be substantially complete on or before August 31, 2024. The City received a \$360,000 appropriation from the State of Washington, sufficient to cover the costs of replacing the community center roof. After discussion, Councilmember Hedrick moved to approve RES 795 for the regular Council Meeting of July 2, 2024, with a second from Councilmember Syler, passed 5-0.

MOTION – Council Retreat scheduled for September 17, 2024 – Councilmember Syler wanted to confirm the beginning and end time of the retreat. Councilmember Holland was in support of a council retreat however was not convinced that we would be spending money that we did not have. Councilmember Jensen proposed a similar timeframe as last year's council retreat and the need to confirm date and time with the facilitator. Councilmember Jensen expressed the importance of holding a council retreat and that it was a small cost to be more organized as a government leadership. After discussion, Mayor Hopkins moved to pass the motion for a Council Retreat. With Councilmember Hedrick, Councilmember Syler, Councilmember Huson and Councilmember Jensen in favor and Councilmember Holland not in favor, passed 4-1.

CLAIMS/PAYROLL – Councilmember Hedrick moved to approve Claims for July 2, 2024 and Payroll for June 20, 2024, with a second from Councilmember Syler, passed 5-0.

MAYOR'S TIME – Mayor Hopkins discussed the Master Development Plan and the impacts on growth, traffic, developer issues and what led to annexation discussions at one time. Mayor Hopkins shared that he would be meeting with the new investor, Terracotta, who was asking for the City's help in development at Point Ruston. Staff planned to meet with Pierce Transit to discuss placing a transit stop at the development just outside of what once was Owen's Meats at the Waterfront Market. Mayor Hopkins thanked City Project Manager Kevin Moser for his continued support related to public works services for Ruston.

Councilmember Hedrick – Noted the Master Development Plan predated Councilmember Hedrick, which was adopted over 20 years ago. Councilmember Hedrick invited everyone to join in on the fun and attend the Ruston Annual 4th of July Bicycle Parade on July 4th at 12PM.

Councilmember Syler – Wanted an update on speed limit signage, the cost, and when the new speed limit would take effect. Councilmember Syler recommended the City send out a schedule of when the street sweeper would provide their services so residents could be prepared to have cars off the streets and trees trimmed.

Councilmember Huson – Was pleased to know that the State of Washington was paying 90% of the Ruston School roof repair. Councilmember Huson commented on street sweeping services in the City of Ruston and strongly recommended that everyone do their part in maintaining their own property and surrounding areas. Councilmember Huson shared his displeasure with the public comments made and the use of the word psycho as it related to decisions made by the Council in years past.

Councilmember Jensen – Asked that a copy of the approved budget and the current budget be shared with each Councilmember. Residents have asked Councilmember Jensen if the City had a Code Enforcement Officer to support code enforcement issues. Mayor Hopkins noted that there was a Code Enforcement form on the City of Ruston website and directed residents to forward the form on to Associate Planner Charles McKenna for review. Councilmember Jensen was excited to participate in the annual 4th of July Bicycle Parade and thanked Mark Shingledecker for sponsoring the first annual Kickball in Rust Park event.

Councilmember Holland – Thanked Councilmembers for their support in his appointment to Council. Prior to and in preparation for the council retreat, Councilmember Holland recommended the importance of reaching out to residents for their input.

MEETING AJOURNED – At 7:57PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Syler, passed 5-0.

Mayor Hopkins

ATTEST:

Judy Grams

1. Good evening Mayor, Councilmembers – my NAME is _____ and I live at _____

First I would like to **CONGRATULATE THE NEW COUNCILMEMBER JOHN HOLLAND** – *and offer my services for any volunteer projects you may need help with – **UNLESS IT INVOLVES SPORTS – I AM ALLERGIC TO SPORTS***

*– please feel free to knock on my door as I live a few doors over from you. **Or JUST STOP BY FOR A COLD DRINK ON A HOT DAY AND PLEASE BRING YOUR LOVELY WIFE WITH YOU.***

Secondly: I have a question on the TIP and how projects are prioritized and demarcated as FUNDED VS UNFUNDED CAPITAL PROJECTS.

For e.g. – 1) why would **one part of Highland Street (Project 04A) be funded** and another part of the **same Street unfunded Project (05A)?**

When they were paving Court St – why not just throw in the alleyway instead of just amending the budget to pave only 2 houses on the alley between Commercial and Court

2) **BTW– how did the street sweeper expenditure decision evolve, how much does it cost us annually – can't find anything in the minutes?**

3) We had a lot of interest last year from volunteers wanting to form groups to clean up streets – I think Charles McKenna's wife suggested that

– Ray kept the streets pretty clean – so JUST CURIOUS.

Thirdly, Between **2015 and 2018** – *our staff were **PUBLICLY and UNFAIRLY** criticized*

Given what's soon to happen down at the point – **and Ruston taking back control of permitting - I think we need to be more **PROACTIVE TO PROTECT OUR PERMITTING STAFF****

One **SUGGESTION I WOULD RECOMMEND IS **TO CHANGE** how the status of permits are reflected on our public website.**

WE NEED TO HAVE AN “**APPLICANT ACTION PENDING**” STATUS TO ACCURATELY INDICATE WHEN THE CITY IS WAITING ON THE APPLICANT –

RIGHT NOW THE PHRASE “**IN REVIEW**” is used LIKE A **CATCH ALL** PHRASE & MAKES IT LOOK LIKE PERMITS ARE STAGNATING WITH THE CITY **WHEN THAT IS ABSOLUTELY NOT TRUE!**

JUST A SUGGESTION TO BE MORE PROTECTIVE OF OUR STAFF IN THE FUTURE

- I HAVE MANY EXAMPLES FROM COMMERCIAL STREET ALONE -

BUT -in the interest of time – I WILL MOVE ON. (I have included it in my NOTE sheet which I can share)
(blue text below not read at meeting)

- A) There's a **permit request for a retaining wall** that looks like it's been sitting with the City for almost a year "IN REVIEW" - **doubt that's accurate**
- B) When the City was **waiting a year for me to call for an inspection** – it looked **on the website** LIKE my permit was IN REVIEW FOR OVER A YEAR – **when the ball was actually in my court.**
- C) There is an **HVAC install that's listed as IN REVIEW since 2021 – THAT CAN'T BE TRUE**
- D) The 2 new houses at the corner of Commercial and Baltimore – it LOOKS LIKE – THE utilities, building and engineering permits have been "IN REVIEW" WITH THE CITY **SINCE 2022** –

I know that's NOT THE CASE – and those are just PROJECTS ON COMMERCIAL STREET

So THE WAY STATUS IS REFLECTED NEEDS TO MORE APPROPRIATELY REFLECT WHEN THE BALL IS IN THE APPLICANT'S COURT. So we can better PROTECT STAFF from unfair complaints.

FINALLY:

REGARDING THE PROSPECT OF 1000 **NEW RESIDENTIAL UNITS** DOWN ON THE RUSTON PARCELS, POTENTIALLY **TRIPLING OUR POPULATION, tripling VEHICLE COUNT, TRAFFIC SNARLS AND EXPONENTIALLY INCREASING OUR SERVICE CALLS:**

THAT IS GOING TO BE A **MULTI BILLION DOLLAR** PROJECT.

I KNOW THE CITY MAY HAVE STAFF AND COUNCILMEMBERS WITH EXPERTISE IN FINANCE AND REAL ESTATE -

BUT **SHEPHERDING A MULTI-BILLION DOLLAR DEVELOPMENT IS A WHOLE 'NOTHER BALLGAME**

SO I hope COUNCIL USES the GIFT OF TIME available while the RECEIVERSHIP, TITLE AND LIEN SQUABBLES ARE BEING WORKED OUT

TO:

- 1) **seek RESIDENT INPUT ON OUR VISION FOR THE FUTURE OF OUR CITY;**
 - PLEASE **CONSIDER SENDING A SURVEY TO RESIDENTS AHEAD OF** the SEPTEMBER COUNCIL RETREAT –(**I'D BE HAPPY TO HELP WITH THAT. First Question might be – How do you feel about a thousand new condos down at the Point?**)
 -
 - 2) AND.....BEFORE WE GET TOO EXCITED ABOUT THE **POTENTIAL CASH INFUSION** FROM INCREASED PROPERTY TAX REVENUES
 -
 - Is Council considering contracting FINANCIAL ANALYSTS WHO CAN RUN **PROJECTIONS ON the TRUE COST OF PROVIDING SERVICES DOWN AT THE POINT AT FULL BUILDOUT.**

I ASK.....

BECAUSE THERE SEEMS TO BE WHAT I WOULD CALL (for lack of a better term):

1. A [edited word....] **VISION OF WHO WE ARE AND WHO WE WANT TO BE BECOME IN THE NEXT 5 TO 10 YEARS.**

EVERYONE LOVES THE SMALL TOWN VIBE, of a WALKABLE CITY WITH OPEN SPACES AND RECREATION AND 20 MPH TRAFFIC ALL OVER

2. Our Planning Commission is WORKING HARD to MAINTAIN THAT VISION even with all the changes in the LAW.
3. **BUT THAT VISION SEEMS AT ODDS** with a **TRIPLING** of housing stock, population growth, 2000 MORE cars needing access, increased visitors and businesses AND SERVICE CALLS.

For a Visual of what 1000 ADDITIONAL RESIDENTIAL UNITS looks like – it is THE EQUIVALENT OF :The **COPPERLINE**, the **BAKER**, the **CENTURY**, the **RAINIER**, **GENCARE**, and ONE MORE 200 unit building.

ALL COMBINED AND SQUISHED ONTO PARCELS in RUSTON. AND THAT'S **BEFORE COMMERCIAL AND BUSINESS SPACE.**

A **MULTI BILLION DOLLAR DEVELOPMENT** THAT IS PHYSICALLY AND LOGISTICALLY GOING TO **COLLIDE HEAD ON** WITH OUR CURRENT VISION OF A SMALL, PEDESTRIAN FRIENDLY TOWN WITH LOTS OF OPEN SPACE AND NO ROOM FOR TRAFFIC SNARLS FROM 2000 MORE CARS.

SO I am RESPECTFULLY REQUESTING:

1) that COUNCIL ACTIVELY ENGAGE RESIDENTS IN A **VISION 2030** EXERCISE EARLY ON IN THE PLANNING PROCESS - **AND**

2) If you have not already done so, Council **consider HIRING A PROFESSIONAL TEAM OF EXPERTS** whether from the **The Callahan Collective or ANOTHER GROUP OF CERTIFIED Financial Analysts FOR GUIDANCE** in developing **COHESIVE** and **REALISTIC** goals **AND TO HELP US NAVIGATE** through the **CHALLENGES** of **SHEPHERDING** a multi-family, billion dollar development

STOPPED AT THIS POINT (OVER 3 minute TIME Limit)

Did not read the rest of comments.....

I HATE TO SAY THIS AND I **DO NOT** MEAN IT AS A CRITICISM **BUT AS A REALITY CHECK**

WE ARE LAMBS AMONG WOLVES IN THIS AREA

AND WE NEED TO **COLLECTIVELY DISAVOW OURSELVES** OF ANY NOTION THAT WE HAVE THE **BANDWIDTH INHOUSE TO GO IT ALONE** WITHOUT EXPERT HELP

.....BECAUSE IF WE DON'T = THEN **TERRA COTTA (or some other Develoepr) IS GOING TO EAT US FOR BREAKFAST**

.....**THEN WALK WHEN THEIR PROFITS ARE MAXED OUT & NO ONE WANTS TO SEE OUR CITY END UP WITH THE DEBT THAT TACOMA AND THE EPA ARE NOW SADDLED WITH.**

AS RESIDENTS WE WANT TO **HELP OUR LEADERSHIP** AND HAVE **INPUT ON A REIMAGINED VISION OF THE FUTURE OF OUR CITY.** THANK YOU AND I WISH EVERYONE A **HAPPY 4TH OF JULY**