

**CITY OF RUSTON
REGULAR COUNCIL MEETING**

Tuesday, November 21, 2023

MEETING CALLED TO ORDER

At 7:01PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Kristovich, Councilmember Syler, Councilmember Huson and Councilmember Jensen. Councilmember Hedrick was excused. Following the flag salute, Councilmember Kristovich moved to approve the Agenda, with a second from Councilmember Syler, passed 4-0.

MINUTES - Councilmember Kristovich moved to approve the minutes for the regular Council Meeting of November 7, 2023, with a second from Councilmember Syler, passed 4-0.

STAFF REPORT –

Ruston Police Chief Bautista – See attached.

Ruston Fire Chief Allen – See attached.

GENERAL PUBLIC COMMENTS – Nothing at this time.

BUSINESS –

ORD 1575 – Public Hearing FY 2024 Budget – Councilmember Kristovich moved to open the Public Hearing for Ordinance 1575, with a second from Councilmember Syler, passed 4-0. There was no public comment. Councilmember Kristovich moved to close the Public Hearing for Ordinance 1575, with a second from Councilmember Syler, passed 4-0.

ORD 1575 – 2024 Budget (2nd reading) – In accordance with State law, the Mayor of the City of Ruston will complete and place on file with the City Clerk-Treasurer a proposed preliminary budget and estimate of the amount of monies required to meet the public expenses, interest, reserve funds, and expense of government of the city of Ruston for the fiscal year ending December 31, 2024. The Council is required to adopt its budget ordinance prior to January 1, 2024. On October 17, 2023 the Council held a preliminary public hearing to hear from the public about their budget priorities. The final public hearing on the budget will be held on November 21, 2023. The final public hearing must take place prior to budget adoption. The City is required to pass the budget before the end of this calendar year. The City Council Budget consideration schedule for Fiscal Year 2024 is as follows:

Mayor's Budget Message to Council:	October 3, 2023
Council discussion of revenue sources:	October 17, 2023
Public Hearing on Revenue Sources	October 17, 2023
Public Hearing on Preliminary Budget	October 17, 2023
Adoption of Tax Levy Ordinance No. 1573	November 7, 2023

CITY OF RUSTON
Regular Council Minutes
November 21, 2023

Public Hearing on Proposed Budget	November 21, 2023
Budget Discussion #1:	October 17, 2023
Budget Discussion #2:	November 7, 2023
Budget Discussion #3:	November 21, 2023
Budget Discussion #4:	December 5, 2023
Adoption of Final Annual Budget for 2024	December 5 or 19, 2023

Prior to budget adoption, the City Clerk will have fully complied with state law by publishing notice of the availability of the budget for public review and publishing notice of the required public hearings on the City's proposed tax levy and budget, including a preliminary and final budget hearing. The proposed Total Revenues forecasted are \$11,057,171, consisting of Beginning Balances in the amount of \$5,045,974, plus interfund transfers in of \$332,000, and operating revenues of \$5,679,197. The Total Expenditures proposed are \$11,057,171, consisting of operating expenses in the amount of \$5,703,787, plus Interfund transfers out of \$332,000, and Ending Balances of \$5,021,384.

The proposed budget by funds is as follows:

Fund	Name	Revenue	Expense
Fund 0001 – General Fund	General Fund	\$ 2,429,947	\$ 2,429,947
Fund 0005 – Surplus Fund	Real Estate Surplus	\$ 2,070,610	\$ 2,070,610
Fund 101 – City Street Fund	City Street Fund	\$ 949,400	\$ 949,400
Fund 102 – Reserve for Equipment	Reserve for Equipment	\$ 12,250	\$ 12,250
Fund 103 – Reserve for Streets	Reserve for Streets	\$ 108,100	\$ 108,100
Fund 301 – Capital Construction	Capital Construction Fund	\$ 130,000	\$ 130,000
Fund 401 - Electric Utility	Electric Utility Fund	\$ 1,784,300	\$ 1,784,300
Fund 402 – Electric Utility Reserve	Electric Utility Reserve Fund	\$ 381,400	\$ 381,400
Fund 403 – Sewer Utility	Sewer Utility Fund	\$ 1,668,500	\$ 1,668,500
Fund 404 – Sewer Reserve	Sewer Utility Reserve Fund	\$ 355,000	\$ 355,000

Fund 407 – Storm Sewer Utility	Storm Sewer Utility Fund	\$ 282,500	\$ 282,500
Fund 410 – Sewer Capital Projects	Sewer Debt Service Fund	\$ 375,000	\$ 375,000
Fund 411 – Electric Meter Deposit Fund	Electric Meter Deposit Fund	\$ 153,000	\$ 153,000
Fund 622 – WR Rust Playfield	WR Rust Playfield Fund	\$ 55,964	\$ 55,964
Fund 624 – School Building Fund	School Building Maintenance Fund	\$ 226,200	\$ 226,200
Fund 635 – Pt. Ruston Signage Custodial Fund	Pt. Ruston Signage Custodial Fund Custodial Funds	\$ 75,000	\$ 75,000
Transfers		\$ 332,000	\$ 332,000
TOTAL		\$ 11,057,171	\$ 11,057,171

The 2024 Budget Ordinance will establish the appropriations necessary to authorize expenditures for each of the City's funds. Some numbers may change assuming the Levy Lid Lift passage is the final election result. Election certification is scheduled for November 28, 2023 at which point the election results will be final. Mayor Hopkins shared with Council the revised itemized 2024 Budget and Mayor's Overview Letter and noted these documents would be placed to the Ruston website after tonight's Council meeting. Councilmember Jensen had questions about the 2024 Budget. Mayor Hopkins addressed the balance in Revenue Fund 313.25 – Housing and Services, noting that these funds would be moved out of Fund 313.25 and moved into a custodial account. Revenue Fund 313.25 - Housing and Service currently holds a balance of \$75,000.00, which is set aside for signage throughout the City, and includes a monument welcome sign in the future. Councilmember Huson and City Planner White are currently working on a uniform signage project for the City. Mayor Hopkins spoke to the City's investment account and was confident that the interest rates will remain stable. Mayor Hopkins noted that the Fire and Police departments' request for additional items, such as a stretcher and safety vests, were included in the proposed budget. Councilmember Jensen questioned Expenditure Fund 542 – Snow and Ice Control and whether the proposed \$5,000.00 was too low. Mayor Hopkins shared that we would track costs during this winter season. The City will need to create a snow policy, identifying the need to plow, where to plow, not to plow, or to explore options with the City of Tacoma. Councilmember Jensen was happy to see funds were set aside for a Council Retreat. Ruston citizens have approached Councilmember Jensen about reinstating the library card subsidy and hoped to have conversation about this topic at the retreat in 2024.

Mayor Hopkins confirmed that Resolution 779, Increase of Legal Services, was included in the proposed 2024 budget. Councilmember Jensen moved to table Ordinance 1575 to the Council meeting of December 5, 2023, with a second from Councilmember Huson, passed 4-0.

ORD 1576 – Update of Parking Code (2nd reading) - Recently, the Ruston Police Department became aware that portions of the City’s traffic and parking code were out of date and had penalties that were below State law and surrounding jurisdictions. Police requested that the code be updated for consistency. The current code mostly dates to the mid-1990s and has had very few changes since that time. This Ordinance is a housekeeping ordinance. It makes things consistent with State law and updates language and fines. As part of this update, additional housekeeping changes were put into place, such as changing “town” to “city” and the like. The Ordinance has been reviewed by Ruston PD and they support the Council’s adoption of these measures. If passed, this Ordinance will increase fines consistent with State law and other jurisdictions. Councilmember Syler moved to approve Ordinance 1576, with a second from Councilmember Kristovich, passed 4-0.

ORD 779 – First Amendment to Legal Services Agreement – Jennifer Robertson has served as legal counsel for Ruston since 2010. When she moved her practice to Inslee Best Doezie & Ryder, P.C. in 2021, Ruston entered into a legal services agreement with Inslee Best to keep her on as the Ruston City Attorney (“Agreement”). The current Legal Services Agreement expires on December 31, 2023 but automatically renews for one-year terms. Inslee Best has increased its fees for services since the Agreement was first executed by the parties. The City Attorney’s current hourly rate for other municipal clients is \$295 per hour and \$475 per hour for private clients. Given the expiration of the Agreement, it is timely to update the rates so that the Ruston contract is the same as rates charged to other cities served by the current City Attorney (\$295 per hour for municipal clients). The attached first amendment updates the rates which will be effective January 1, 2024. By entering into this First Amendment, the City will pay a rate of \$295 per hour for most municipal legal services performed by Inslee Best Doezie & Ryder, P.C. The new rates will start in January of 2024. Councilmember Syler moved to approve Resolution 779, with a second from Councilmember Kristovich, passed 4-0.

RES 782 – Commerce Grant – Middle Housing – The Washington State Department of Commerce has approved a grant to the City of Ruston in the amount of \$35,000 for payment of a portion of professional services needed to assist the City in implementing its Comprehensive Plan Policies on middle housing into the City’s zoning code. This is in addition to the \$60,000 grant Commerce awarded Ruston for missing middle housing work under Resolution NO. 759. For the purposes of this grant program, “middle housing types” include duplexes, triplexes, fourplexes, five-plexes, six-plexes, townhouses, courtyard apartments, cottage housing, and stacked flats. The City is authorized by State law to accept “any gift or grant for any public purpose and may carry out any conditions of such gift or grant when not in conflict with state or federal law.”

Updating the City's zoning regulations, which are required by the State, falls squarely within the City's authority for use of grant funds. This grant award should be included in the City's 2023 Budget and drawn from in 2024 (\$17,500) and 2025 (\$17,500). To accept the grant, the City Council needs to formally accept the funds (by ordinance or resolution) and authorize the Mayor to execute the Grant Agreement. Resolution No. 782 accomplishes these tasks. This grant provides \$35,000 for professional services to develop actions needed to implement the Comprehensive Plan policies and amend the City's zoning code for middle housing. Councilmember Syler moved to approve Resolution 782, with a second from Councilmember Kristovich, passed 4-0.

RES 783 – Second Amendment of SCJ Alliance Agreement – Ruston entered into a Professional Services Agreement with SCJ Alliance on December 21, 2021 for on-call engineering services which was authorized by the City Council via Resolution No. 738. The Scope of Work for that Agreement was updated and expanded via Resolution No. 747 following the award of TIB funds to the City for the Park Avenue – End of Road to Bennett Street Improvement Project (SEP 22-00039) (hereinafter "Project"). The budget for the Project was set at \$73,674.00, however, due to unforeseen issues with stormwater system conflicts, additional work related to the street lighting design and undergrounding of existing electrical facilities, the current contract maximum is insufficient to complete the work. In order to complete the Project work, the new project maximum was set at \$110,542.48 via Resolution No. 777. Since that time, it was discovered that there are utilities in the right of way that need to be located by potholing in order to complete project design. The cost for this additional work is \$9,374.00. The Second Amendment authorizes the increase and the project maximum to be set at \$119,916.48 to add the potholing to the scope of work. By entering into this Agreement, the City will increase the engineering costs for this project by \$9,374.00. The City has adequate funds in the budget to cover this increase. Councilmember Syler moved to approve Resolution 783, with a second from Councilmember Kristovich, passed 4-0.

PAYROLL – Councilmember Syler moved to approve Payroll for November 20, 2023, with a second from Councilmember Kristovich, passed 4-0.

MAYOR'S TIME – Mayor Hopkins was pleased with the passage of the Levy LID Lift and thanked all that that voted. The results reflected a strong message to the Police and Fire Departments and the good work they are doing in the City. Mayor Hopkins shared that the proposed 2024 budget did not include the passage of the Levy LID Lift. Mayor Hopkins had a discussion with EPA to learn there were two parties interested in lots 14, 15 and 16 at Point Ruston. They are entertaining offers and are hoping to do all three lots at the same time. Staff held a meeting with City of Tacoma to follow up on a previous meeting Mayor Hopkins and City Planner White had with the Tacoma City Manager and Tacoma Planning Director, who ensured the City of Ruston that the EIS would be published the second week in December, with a 30-day period for public comment. After that it would become inactive. At that time, it will allow new investors to move forward and build on these parcels.

The City of Ruston and Tacoma Fire have held discussions to build a public safety building at the cooling pond located in Ruston. Tacoma Fire believes the size of the cooling pond would be too small to place a fire station and are looking at putting a fire station near Point Defiance Elementary School.

Councilmember Hedrick – Excused.

Councilmember Kristovich – Nothing at this time.

Councilmember Syler – Nothing at this time.

Councilmember Huson – Nothing at this time.

Councilmember Jensen – Nothing at this time.

MEETING AJOURNED – At 7:35PM Councilmember Syler moved to adjourn, with a second from Councilmember Kristovich, passed 4-0.



Mayor Bruce Hopkins

ATTEST:


Judy Grams



**Chief's Report
Ruston Police Department
Tuesday, November 21, 2023**

Chief of Police:

One of our officers sustained an ankle injury when a prisoner attempted to flee on foot. There is a possibility of a torn achilles tendon, and at a minimum, will be on modified duty until late December.

Additionally, one of our officers has a tentative start date of December 11th with the Pierce County Sheriff's Office. We are planning a modified schedule in which may make it unavoidable to have a short gap in coverage 2-4 days a week.

The Department is beginning to field calls about coyotes in the neighborhood as we did in 2020. As with then, we are advised by wildlife agencies to warn residents who have small pets to not allow them to be outside while attended. They coyotes will move on after their food source (rabbits, squirrels, racoon, etc) has diminished.

Two of our patrol cars (2016 model year) are nearing 100,000 miles and will likely need replacement in 2025. Three are just beyond mid-life cycle and will likely need replacing in 2026-2027.

Prepared by Nestor Bautista

Ruston Fire Department Monthly Review for October 2023

Tuesday, November 21, 2023

Presented by Chief Bruce Allen

Total Incidents (YTD) 155, September 13 (6 Fire/Service, 7 Medical Aid)

Volunteer Hours: September 1411 Hours, YTD 14,423 Hours

Membership Roster (24 out of 25): (20 Members, 4 Officers)

State of the Business

- We have surpassed last year's call volume (130) as of September 9th.
- Our annual Toy and Food pickup is set for December 16th starting at 10am.
- Annual Christmas Tree Lighting will be on December 2nd at 6pm.
- We are moving forward with billing for transports, hopefully early 2024.
- All fire tools are fully operational.