

**CITY OF RUSTON
REGULAR COUNCIL MEETING**

Tuesday, May 21, 2024

MEETING CALLED TO ORDER

At 7:00PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Hedrick, Councilmember Syler, Councilmember Huson and Councilmember Jensen. 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 May 7, 2024, 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 –

Ryan Morris – His concerns about the Unicorn continue. He also has concerns about the proposed 4 plex that is potentially going in on 49th and Orchard. He would like to see it in line with our community in the overall improvements.

BUSINESS

ORD 1579 – Establishing new reduced speed limits to 20 miles per hour on specific city streets. 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 a 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.

Councilmember Hedrick moved to approve Ordinance No. 1579, with a second from Councilmember Syler. Councilmember Hedrick appreciates the research from Chief Bautista and supports the Ordinance. Councilmember Syler opposes the Ordinance as written and would like to see a discussion in a two-step process. Councilmember Jensen agrees and supports lowering the speed limit in the residential areas and would like to amend the Ordinance to exclude 51st and Baltimore and Ruston Way remaining 25 mph. A vote was taken with Councilmember Hedrick and Councilmember Huson voting in favor and councilmember Syler and councilmember Jensen voting opposed. Mayor Hopkins, being the deciding vote, was in favor of Ordinance 1579. Ordinance 1579 passed by a 3-2 vote.

ORD 1580 –Charges for sanitary sewer services within the City of Ruston, amending section 20.02.020 of the Ruston Municipal Code. Under state law (Chapter 35.67 RCW) the City is authorized to provide stormwater services to properties within the City. Under RCW 35.67.020, the City has the authority to establish charges for the stormwater facilities and under RCW 35.67.190, the City has the authority to fix the rates for stormwater services. Ruston has not increased its stormwater rates since 2005 while the costs of delivering stormwater services is increasing and additional revenue is needed to sustain the City's stormwater utility.

The proposed Ordinance No. 1580 updates the stormwater rate from \$5.00 per lot to \$12.00 per lot in order to keep up with the increased costs of the stormwater program. This is called the “Stormwater Fixed Fee” That change would take effect on June 1, 2024. In addition, since all lots do not produce the same level of stormwater, a variable rate will also apply starting April 1, 2025 which will take into account the size and use of the lot. This is called the “Stormwater Rate.” Many cities vary the stormwater charges in this matter, including the City of Tacoma. This way, customers that create more stormwater runoff pay more than customers that create less stormwater runoff. The Stormwater Rate is established per every 500 square feet of property on the lot and classification is based on the range of overall parcel runoff.

BASIC CATEGORIES OF DEVELOPMENT	RANGE OF OVERALL PARCEL RUNOFF FACTORS	STORMWATER RATE PER 500 SQUARE FEET
(a) Undeveloped	0 to 0.22	\$0.3192 for one acre or less; if over one acre, additional area is charged \$0.0706
(b) Moderate	0.23 to 0.56	\$1.4142
(c) Heavy	0.57 to 1.0	\$2.0765

Single family homes and duplexes would typically be moderate, whereas triplex, more dense residential, and commercial would be heavy. In addition to establishing the new rate and rate structure in RMC 20.02.020, two new code sections are recommended. These are 20.02.024 and 20.02.026. RMC 20.02.024 allows owners to request a City review of the rates if the owner believes that the rates are incorrect based on the lot density, classification, or runoff rate. RMC 20.02.026 provides that stormwater fees are not levied on the City’s roads, streets, alleys, or right of way when the City is accepting the runoff from those roads into the City’s stormwater system.

Councilmember Hedrick moved to adopt Ordinance 1580, seconded by Councilmember Syler. Mayor Hopkins asked Council to postpone this vote on Ordinance 1580 as he would like to analyze and clearly define the rates for further discussion. Councilmember Hedrick moved to withdraw and table this Ordinance to the first meeting in June, with a second from Councilmember Syler. Councilmember Huson asked Mayor Hopkins if he would have enough time to complete by the first meeting in June or would the second meeting in June work better. Mayor Hopkins suggested the first meeting in July. Councilmember Hedrick moved to amend his previous motion to withdraw the adoption of Ordinance 1580 and table to the first meeting in July, with a second from Councilmember Syler, passed 4-0.

ORD 1581 – Amending section 16.03.0509(e) to allow parking on certain city streets.

The Planning Director and Mayor recommend that the City update RMC 16.03.050(e) to delete the following parking restrictions:

- East side of Baltimore Street between North 49th Street and the south city limits; and
- South side of Park Avenue between Pearl Street and Bennett Street

In addition, RMC 16.03.050(e)(4) has been updated to remove the reference to Gallagher Street and change the reference to N. Bennett Street. This is because Gallagher Street has been vacated and no longer exists. With no discussion, Councilmember Hedrick moved to approve Ordinance 1581, with a second from Councilmember Syler, passed 4-0.

ORD 1582 – Relating to Billing for Basic Life Support (BLS).

City Ordinance 1577 was passed January 2, 2024, and created a new title 3 “Fire Department” in the Ruston Municipal Code (RMC). Over the past couple of decades medical response has increased significantly for the Ruston Fire Department (RFD). Medical response now makes up a significant portion of the RFD’s calls for service. When a person is ill or injured, they may be transported to a hospital. While Advance Life Support (ALS) transports are performed by a contractor for the City, the Basic Life Support (BLS) transports may be performed by RFD. RMC 13.06.010(f) defines “BLS transport” as transportation by ground ambulance vehicle and the provision of medically necessary supplies and services, including BLS ambulance services as defined by the state (RCW Chapter 18.73). Like many area agencies, the City charges for BLS transport fees in order to recover costs for providing this service. RMC 13.06.010 “BLS transport user fee imposed” was enacted January 2, 2024, to support the recovery of costs. Although, insurance, Medicare, and Medicaid will reimburse the City for transport fees, the City does not have the capacity nor expertise to handle this work, along with billing, within current staffing resources, and it is in the best interests of the City to contract with a professional ambulance billing service that can provide the City with a high level of customer service for all. In accordance with City Resolution No. 784; the City entered into an agreement with System Design West, LLC as a vendor/contractor that performs all of the administrative tasks for billing such as BLS transport fees to insurance, obtaining insurance information from patients, and remitting the fees to the City. A new code, section RMC 13.06.030 “Billing for BLS Transport User Fee” is needed to authorize the City to contract with professional ambulance billing services when needed. Additionally, there is a need to amend RMC 13.06.010 to strike language of a fee waiver as there is no mechanism allowed for this overly broad waiver, and amend a scrivener’s error in RMC 13.06.020 Medicare and Medicaid.

Councilmember Jensen would like clarification from the City Attorney on language in paragraph (h) as discussed prior in December to protect the uninsured and to provide them a waiver. Mayor Hopkins asked her to forward the information to the attorney to review.

RES 789 – Contract with JWMA for TIB Consultant Services from 52nd Street to Park Ave Overlay Project. The City has a grant from TIB for the City of Ruston N. Highland Street and N. Shirley Street, from 52nd Street to Park Avenue Pavement Overlay Project (“Project”). There will be civil engineering work needed to complete this Project and the City’s on-call engineer Jerome W. Morrisette & Associates, Inc. P.S. “JWM&A” is available to do the work. The Consultant Agreement is on the form required by TIB and meets their standards. With no discussion, Councilmember Hedrick moved to approve Resolution 789, with a second from Councilmember Syler, passed 4-0

CLAIMS/PAYROLL – Councilmember Hedrick moved to approve Claims for May 21, 2024, and Payroll for May 20, 2024, with a second from Councilmember Syler, passed 4-0.

MAYOR’S TIME – Mayor Hopkins talked about the potential 4-plex public hearing tomorrow and how HB1110 passed by the legislature, requires increasing middle housing in areas traditionally dedicated to single-family detached housing. The EIS communication responses are being prepared and we will post them on our website once completed. The City of Tacoma will be sending a letter to us opting out of the planning inter-local agreement.


Councilmember Hedrick – He mentioned the 4-plex concerns and feels it will be a good product within the city as the developer lives within the city. He thanked Officer Hansen for his marvelous work and thanked Chief Bautista for the great hires within the department and also his appreciation for the Fire Department staff.


Councilmember Syler – Nothing at this time

Councilmember Huson – Nothing at this time

Councilmember Jensen – The planning commission meeting will be on June 5, 2024. The potential 4-plex will need to install the mandatory electrical undergrounding. She thanked all the volunteers who helped with the blood drive.

MEETING AJOURNED – At 7:44PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Syler, passed 4-0.


Mayor Hopkins

ATTEST:

Laurie Cassell