

CITY OF RUSTON
REGULAR COUNCIL MEETING
Tuesday, June 19, 2018

MEETING CALLED TO ORDER

At 7:00PM Mayor Hopkins called the Regular Council Meeting to order. Councilmembers present were: Jim Hedrick, Lyle Hardin, Deb Kristovich and Bradley Huson. Councilmember Syler was excused. Following the flag salute, Mayor Hopkins called for approval of the agenda. Councilmember Hedrick moved to approve the Agenda, with a second from Councilmember Hardin, passed 4-0.

MINUTES

Councilmember Hedrick moved to approve the minutes for the Regular Council meeting of June 5, 2018, with a second from Councilmember Hardin, passed 4-0.

STAFF REPORT –

Ruston Police – Nothing at this time.

Ruston Fire – Chief Torbet – See attached.

GENERAL PUBLIC COMMENTS – Nothing at this time.

BUSINESS --

Ruston-Point Defiance Business District – Joseph Atkinson, apologize for missing the last few meetings due to work responsibilities. Mr. Atkinson shared that the Business District will be presenting an Art, Beer and Wine Walk, to be held on October 20, 2018. It will be similar to City of Tacoma 6th Avenue Art Walk, where three hundred tickets were sold with an additional fifty tickets sold at the event. The Business District will be partnering with the Totem Yacht Club and six to seven businesses and restaurants bringing two to three hundred people into local businesses to enjoy local culture. The Business District hired an Event Coordinator who will present to Mayor and Councilmembers at a future council meeting. Mr. Atkinson was excited to see all the new restaurants and any new potential restaurants opening in the City of Ruston.

Permit Coordinator – Website and Host Presentation – See attached.

Ordinance 1504 – Lodging Tax (1st reading) - The City has had more transient rentals in recent years with more planned or under construction. In order to provide the necessary services to respond to the increased tourism and visitors, the Mayor’s office recommends adoption of a lodging tax. Chapter 67.28 RCW authorizes the City of Ruston to impose a lodging tax on all who charge to provide lodging. The lodging tax has two components. The first is a 2 percent tax that is charged by the City but does not increase the taxes paid on lodging. Rather, this money is paid by the State out of the State portion of sales tax. This is called the “transient rental tax.” In addition, cities can charge up to an additional 2 percent which is on top of the established sales tax. This is limited based on what other taxes are on the books in the County. For example, in King County cities can only charge an addition one percent. In verifying with the Department of Revenue what the maximum additional lodging tax is allowed in Pierce County, the City learned that Pierce County is grandfathered in to a prior system and this results in there being no capacity for additional lodging taxes in Pierce County cities.

Therefore, Ruston is limited in only charging the 2 percent transient rental tax that is recoupled from the State out of sales tax collections. The proposed new chapter 5.19 RMC establishes the tax as well as outlining the requirement for a specific fund, use of the funds, collection, and annual reporting. The new sections proposed are:

- 5.19.010 Imposition of tax.
- 5.19.020 Exceptions.
- 5.19.030 Credits.
- 5.19.040 Definitions.
- 5.19.050 Lodging tax fund.
- 5.19.060 Administration.
- 5.19.070 Adoption of rules.
- 5.19.080 Violator deemed principal.
- 5.19.090 Penalty.
- 5.19.100 Annual report.

The uses of these tax revenues are not unlimited but may only be used for “the purpose of paying all or any part of the cost of tourism promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities or for other purposes as authorized in RCW Chapter 67.28.” RMC 5.19.050(b). The soonest this tax may take effect is January 1, 2018.

Commercial Parking Tax – Discussion Only

1. Background on Commercial Parking Tax.

The State Legislature has provided cities with a local option commercial parking tax. RCW 82.80.030. This tax may be levied by a city within its boundaries and by a county in the unincorporated areas. There is no limit on the tax rate and many ways of assessing the tax are allowed. If the city chooses to levy it on parking businesses, it can tax gross proceeds or charge a fixed fee per stall. If the tax is assessed on the driver of a car, the tax rate can be a flat fee or a percentage amount. Rates can vary by any reasonable factor, including location of the facility, time of entry and exit, duration of parking, and type or use of vehicle. The parking business operator is responsible for collecting the tax and remitting it to the city, which must administer it. This tax is subject to a voter referendum.

2. Expenditure of Local Option Transportation Taxes.

Under RCW 82.80.070(1), local option transportation taxes must be used for “transportation purposes,” which are defined as:

Including but not limited to the following: The operation and preservation of roads, streets, and other transportation improvements; new construction, reconstruction, and expansion of city streets, county roads, and state highways and other transportation improvements; development and implementation of public transportation and high capacity transit improvements and programs; and planning, design, and acquisition of right-of-way and sites for such transportation purposes.

However, this section of the statute goes on to say: The proceeds collected from excise taxes on the sale, distribution, or use of motor vehicle fuel and special fuel under RCW 82.80.010 shall be used exclusively for “highway purposes” as that term is construed in Article II, section 40 of the state Constitution.

“Highway purposes” is defined in Article II, section 40 in the state constitution, in part, as:

- (a) The necessary operating, engineering and legal expenses connected with the administration of public highways, county roads and city streets;
- (b) The construction, reconstruction, maintenance, repair, and betterment of public highways, county roads, bridges and city streets; including the cost and expense of (1) acquisition of rights-of-way, (2) installing, maintaining and operating traffic signs and signal lights, (3) policing by the state of public highways, (4) operation of movable span bridges, (5) operation of ferries which are a part of any public highway, county road, or city street...

And these “highway purposes” are narrower than the “transportation purposes” identified in the beginning of the statute. Until this inconsistency is eliminated by the legislature or is clarified by an attorney general opinion or court decision, a conservative use of these fuel tax funds would be the narrower use. All local option transportation funds are to be spent in a manner consistent with the city’s transportation and land use plans. The revenues may also be used to pay debt service on general obligation or revenue bonds if the city issued them to raise funds for street projects.

3. Crafting a local ordinance to impose the Commercial Parking Tax.

There is a variety of ways to impose this tax, including:

- On the vehicle owner/operator
- Per stall of parking
- Taxing all parking or which a fee is paid, whether leased, including parking supplied with a lease of non-residential space
- On a per-vehicle basis
- On the gross receipts for commercial parking businesses

As stated above, the tax rate can vary with the zoning or with the location of the facility and can also vary depending on the duration of the parking, the time of entry or exit, the type or use of vehicle or other factors. The city may (but is not required to) exempt tax-exempt carpools, handicapped vehicles or government vehicles. Whatever method is chosen for the tax, the rates charged must be uniform for the same class or type of parking business. The city may also choose to have the tax remitted monthly, quarterly or annually. Most cities that impose a flat per vehicle fee require monthly remittance. The cities that impose a percentage of gross receipts require quarterly returns and payment. In analyzing this revenue source, other cities that have imposed a commercial parking tax were reviewed. Six are presented in the attach matrix for your review. There is no limit on the amount that can be charged for this tax.

4. Recommendation.

From reviewing the various codes of other cities around Washington, the easiest to administer would either be a flat per car rate (i.e. \$3.00 per car) or having a percentage of the gross proceeds be payable. The rates range from 5 percent to 30 percent of gross receipts. There is no limit to this tax, however, it is subject to referendum and the proceeds are restricted to transportation purposes.

PAYROLL – Councilmember Hedrick moved to approve Payroll, with a second from Councilmember Hardin, passed 4-0.

MAYOR'S TIME – Mayor Hopkins reminded everyone the Taste of Tacoma would be held June 22nd through June 24th. There was interest in gathering volunteers to park cars at the Ruston School, during the Taste of Tacoma, for a Rust Park children's slide fundraiser. It was determined that the cost for a children's slide was minimal, so the fundraiser was abandoned. This initiative will come before Council at a future council meeting for further discussion. Mayor Hopkins addressed the large trucks traveling and staging on N. Highland Street. Ruston required Metro Parks to apply for a street excavation permit, which was never executed. Metro Parks is now using N. Highland and these large trucks have damaged the City's roads. The City has video of large trucks using N. Highland and Ruston City Attorney Robertson is in communication with Metro Parks. Ruston Police have been made aware and will write tickets for overweight trucks traveling on City streets. Mayor Hopkins encouraged residents to call the non-emergency 911 number when they see this happen. Mayor Hopkins sent Council Point Ruston's Construction Management Plan #4 and timelines for project completion, which Point Ruston submitted to EPA. Once EPA finalizes the management plan the plan will be posted to the Ruston website. The timelines are very aggressive, and EPA noted these timelines would be strictly enforced. EPA has fined the developer for missing their latest timeline which included penalties. Mayor Hopkins also thanked Fire Chief Torbet for removing the vehicles that were stored adjacent to Rust Park. Mayor Hopkins thanked Councilmember Huson for taking time to meet with the Mayor and architect at City Hall with discussion regarding the current layout and remodel of City Hall. Mayor Hopkins hoped to bring something before Council soon.

COUNCIL TIME –

Councilmember Hedrick – Acknowledged the gas line project was underway on N. Baltimore Street. Councilmember Hedrick reminded everyone about the annual 4th of July Bicycle parade at 51st and Winnifred and the start time was at noon. Councilmember Hedrick will communicate with Fire Chief Torbet and Police Chief Estes in preparation for the parade. Chief Torbet let everyone know there would be a 4th of July 5K Fun Run and was concerned about the vehicle and runner traffic coming through Ruston. Chief Torbet noted that the 4th of July 5K Fun Run should be over by the time we hold the Ruston bike parade.

Councilmember Hardin – Had three items to bring forward. Councilmember Hardin was contacted by a number of residents asking the City to continue to pressure Metro Parks in making sure that Park Avenue does not become additional retail parking. Councilmember Hardin contacted Rob White who has been in communication with Metro Parks about this. Councilmember Hardin thanked the Mayor for keeping council in the loop regarding the certificate of occupancy for the parking garage at Point Ruston. Councilmember Hardin noted that the certificate of occupancy was tentatively given to Point Ruston and asked if Mayor Hopkins was confident that Pierce County would indemnify the City of Ruston as Point Ruston moves forward with the construction of the Public Market. Mayor Hopkins provided an overview of the issues that continue to exist. The City of Tacoma considers the parking garage as auxiliary use and City of Ruston had permitted it as a parking garage. Tacoma wants to allow the developer to finish the garage along with the construction of the Public Market.

Allowing construction of the Public Market to go forward, without the parking garage completed, presents life safety issues. The developer would be building without guardrails around the top floor, without elevators or stairway access and there are questions around stand pipes for fighting fires. Mayor Hopkins has reached out to Pierce County Executive Bruce Dammeier letting him know that Ruston does not agree with the issuance of the Certificate of Occupancy and that the City of Ruston would expect full indemnification. City of Ruston will document its position noting all the issues and concerns. Tacoma's argument has been that the driveways should act as ADA access, which is inaccurate. To place people with disabilities in the lane of traffic is unacceptable. We are in a difficult position and Mayor Hopkins keep everyone in the loop as things develop. Councilmember Hardin asked Mayor Hopkins to address a rumor that the OCF would or would not be used to store contaminated soil coming from other areas of the Point Ruston development. Mayor Hopkins has had discussion with the EPA. EPA is looking to open up the records and deed the property, in three or four months, to ensure the OFC would never be built upon. The only use the OCF would ever be permitted for is a future park.

Councilmember Kristovich – Nothing at this time.

Councilmember Syler – Was excused.

Councilmember Huson – Nothing at this time.

MEETING AJOURNED -

At 7:56PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Hardin, passed 4-0.



Mayor Bruce Hopkins

ATTEST:



Judy Grams



Ruston Fire Department | 5117 North Winnifred | Ruston, WA 98407

Ruston Fire Department Monthly Review for May 2018

Tuesday, June, 19th, 2018

Presented by Chief Torbet

Total Incidents: 6 (1 Fire/ Service, 5 Medical Aid)

Membership Roster (out of 25): 20 (15 FF, 5 Officers)

Recent Membership Changes: None

State of the Business:

- We sent two personnel to the WSFFA convention in Wenatchee. One for Emergency Vehicle Incident Prevention (EVIP) instructor the other Officer development – Strategy and Tactics.
- 1403 in house fire fighter class nearing completion. One re-take of final written exam. Upcoming practical skills exam JBLM to be scheduled.
- Training focus for May was Emergency Vehicle Incident Prevention (EVIP).
- Practical application of Vehicle Extrication was provided with national instructor from Gig Harbor Fire Department.
- Ongoing review and re-write of Fire Department SOP's.
- Recurring CPR training is offered quarterly for the Ruston community. As always, community members may enroll at City Hall or by emailing rustonfire@rustonwa.org.
- **Fire Station tours** are provided to the public when resources are available. Please contact rustonfire@rustonwa.org for further information.

Ruston Fire Department's Master Business Objectives for May 2018

OBJECTIVE	START DATE	TARGET COMPLETION	COMPLETE %	ACTION OWNERS
Recruitment	1/2018	<i>ongoing</i>	20 of 25	WHERRETT/MILLER
CPR Training	12/2017	<i>ongoing</i>	100%	ANDERSON
EVIP Cert	5/18/2018	7/312018	11 of 20	Torbet

Proud City: Digital Governnment Services

Chrissanda Walker • 06.19.2018

Website Performance Report



Overall

The overall score for this website.



Accessibility

How accessible the website is to mobile and disabled users.



Content

The quality and usefulness of content on this website.



Marketing

How well this website is marketed online.

City of Ruston Website 2018

Google Sites

- Easy to update
- Analytics Enabled
- Clear Urls and Content

What we are missing...

- Accessibility
- Community Feedback
- Using Analytics and Data
- Web Forms



Digital Government Services

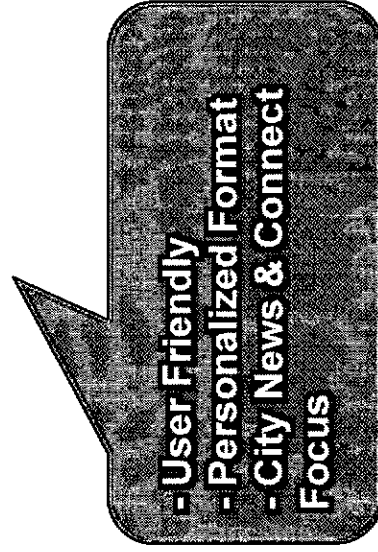
Proud City Features

- Mobile-Friendly
 - Predictive Search
 - Newsletter Integration
 - Answers (faq)
 - Calendar
 - GIS/Map
 - Search Engine Optimization
 - Accessibility
 - Translation
 - Payments/Permits
 - Online Forms
-

Proud City Customers

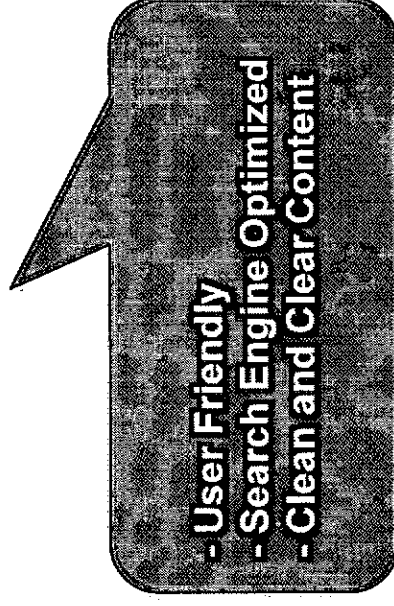
Sonoma, California

Sonoma City



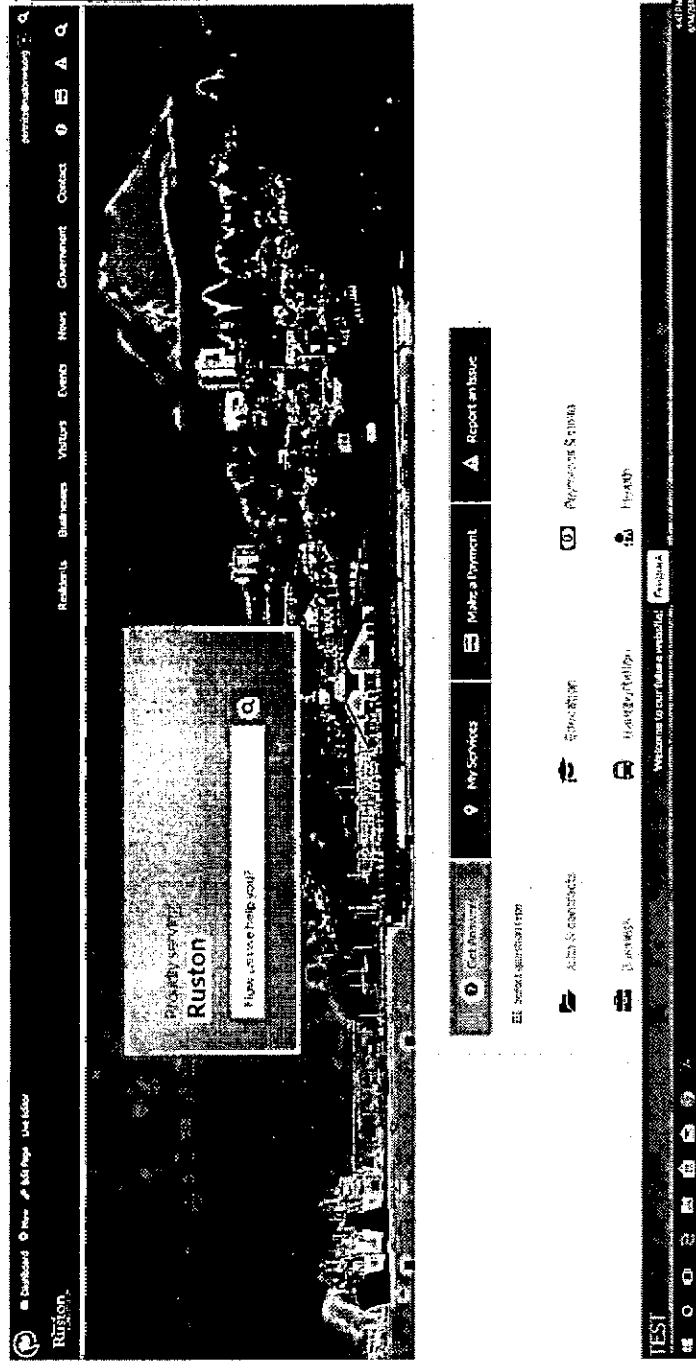
Kettering, Ohio

Kettering City



City of Ruston Beta Site

Ruston Proud

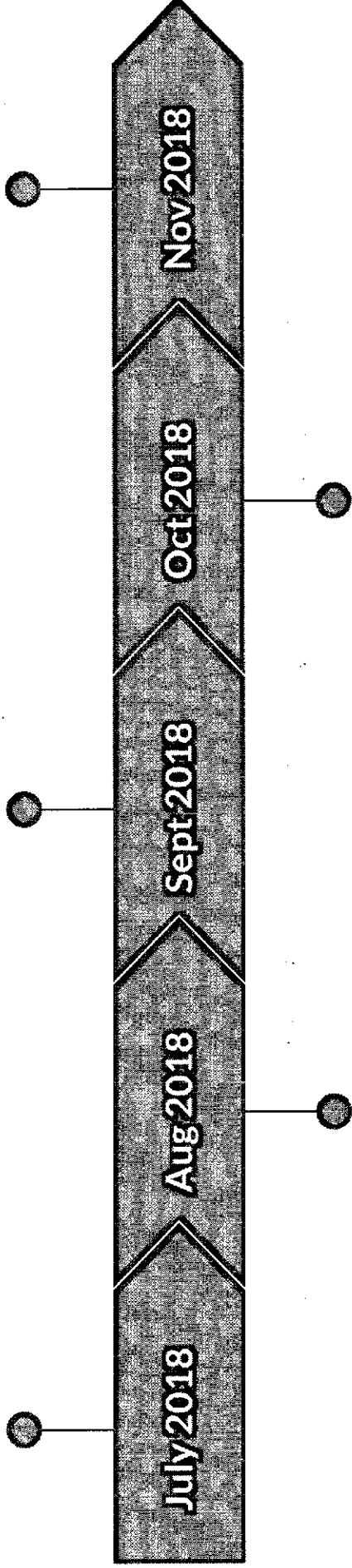


Schedule

Council Approval

Proud City Training 60 Days

New Website and Maps



On-Boarding with Proud City

BETA Management of Website and Launch

Next Steps: Website Prep

File and Web Content Management

Continue to organize and manage current web content. Update website information as needed

Updating Permit Forms

Edit all forms. Remove Town and replace with City of Ruston. Reference up to date and current Resolutions

Design Interactive Maps

ArcGIS online interactive map.

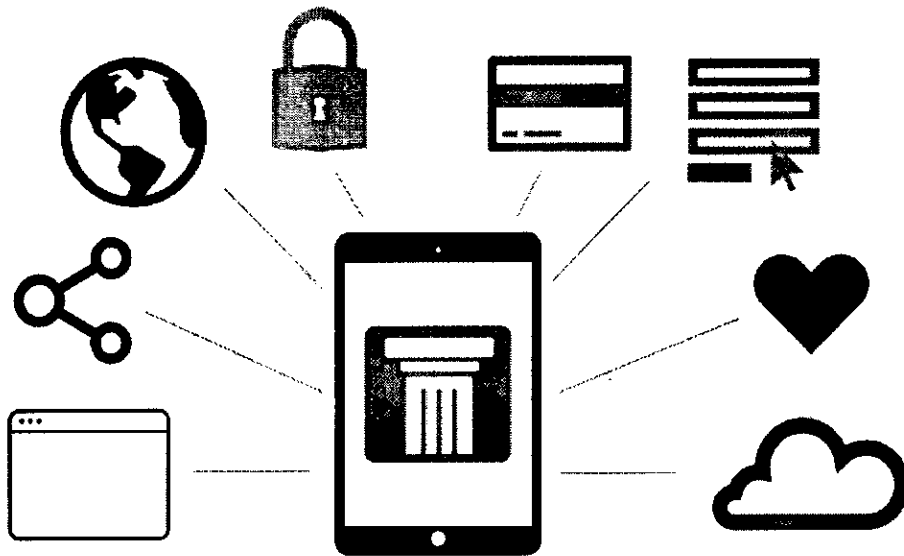
Goals

1. Accessible website
2. Online permit forms
3. Build Community



Ruston, WA

Digital Government



Proposal and Quotation

 **ProudCity**