

**CITY OF RUSTON
REGULAR COUNCIL MEETING
TUESDAY, June 7, 2016**

MEETING CALLED TO ORDER

At 7:04 PM Mayor Hopkins called the Regular Council Meeting to order. Councilmembers present were: Jim Hedrick, Jane Hunt, Lyle Hardin, Deb Kristovich and Lynn Syler. Following the flag salute, Mayor Hopkins called for approval of the agenda. Councilmember Hedrick moved to approve the agenda, with a second from Councilmember Hunt passed 5-0.

MINUTES

Councilmember Hedrick moved to approve the minutes for the Regular Council meeting of June 7, 2016, with a second from Councilmember Hunt, passed 5-0.

STAFF REPORT –

City Engineer – Jerry Morrissette – There were several Street Excavation Permits in the process one large project from Puget Sound Energy who applied to install a 6-inch gas main to be located from Baltimore to Ruston Way, to the railroad bridge and Point Ruston. Ruston staff are currently completing their review.

GENERAL PUBLIC COMMENTS –

John Schroeder – Wanted to make a statement regarding the failed retaining wall. Mr. Schroeder met with an engineer to discuss and review the failed retaining wall. The engineer recommended that Mr. Schroeder not engineer the failed retaining wall until July 1, 2016 as rules will change at that time. Mr. Schroeder went to Lowe's to shop for stone and determine cost but learned that his insurance will not cover the repair to the retaining wall. Mr. Schroeder's insurance company explained they insure him, their client, not the City of Ruston. Mr. Schroeder's insurance company has absolute prove the failed retaining wall is on city property. The insurance company had two investigators and a surveyor review the situation. Mr. Schroeder will be filing an appeal against the City of Ruston and will file suit against the surveyor from Olympia. Mr. Schroeder has spent \$15,000.00 to date.

BUSINESS

RES 631 – City of Forks Interlocal Agreement – State law requires cities to be responsible for the incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions, and referred from their respective law enforcement agencies, whether filed under state law or city ordinance. The City is required to carry out this responsibility through the use of its own courts, staff, and facilities, or by entering into contracts or interlocal agreements to provide these services. Any such contract or interlocal agreement which provides these services must take into account the anticipated costs of services as well as the anticipated and potential revenues to fund the services, including fines and fees, criminal justice funding, and state authorized sales tax funding levied for criminal justice purposes.

The Interlocal Cooperation Act authorizes the City to contract with other governmental agencies to provide services that the City is authorized to perform. The City is specifically authorized to enter into an interlocal agreement with another municipality for jail services.

The City of Forks has jail facilities with adequate space available for use by the City of Ruston for housing Ruston's prisoners. The Ruston Police Department has contracted with the City of Forks for jail services for approximately thirteen (13) years. The City of Forks has agreed to continue providing inmate services to the City of Ruston for persons committing misdemeanor or gross misdemeanor offenses within Ruston City limits. The current Agreement for jail services is expiring and the City of Forks has submitted a new three-year Agreement to the City for authorization and signature in order to continue to receive jail services. The new Agreement has an effective date of June 1, 2016.

The only modifications to the Agreement from the 2013 version are as follows:

1. Adding a definition to Section 3 of "intensive management prisoner" (inmates who pose a threat to themselves or others or the security of the jail and require intense management). Forks will give the City notice within 72 hours if they classify an inmate as an "intense management prisoner." The Agreement sets a rate at double the typical rate when an inmate meets this definition. (Section 3(B).)
2. The offering of a GED program to inmates has been deleted.
3. The transportation rate has been set at \$5.00 per prisoner.
4. The Agreement duration has been modified from a 3-Year duration to an automatically renewing agreement. (The Agreement may be terminated by either party on a minimum of 90-days' notice.)
5. The daily rate for inmate is \$46.63 (it was \$45.00 in 2013) with a reduced rate for inmates serving 364 days in the amount of \$41.45 (the rate was \$40.00 in 2013). The rate for intensive management prisoners will be double these rates (\$93.26 per day).
6. As before, the rates are adjusted annually by the amount of CPI-U.

The amount required for this contract is within the budget adopted by the Council last December.

The contract costs are \$46.63 per prisoner per day or \$41.45 per day for prisoners staying 364 days. The rate for intensive management prisoners is \$93.26 per day. This daily fee does not include medical costs by outside providers. The Agreement costs are included in the Police Department Budget. This item is under budget code 523. Councilmember Hedrick moved to approve Resolution 631, with a second from Councilmember Hunt, passed 5-0.

RES 632 – Public Hearing of Adoption of 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.

TIP Public Hearing. A Public Hearing on the proposed City of Ruston 2016-2021 TIP project list was scheduled before the City Council on June 7, 2016. The proper notices were made. Action on the updated TIP is scheduled for June 21, 2016 under Resolution #632.

Since local TIPs need not be revenue constrained, jurisdictions can include projects they would choose to implement within the timeframe, if funding were available.

In the Council Packet was last's year's adopted 2016-2021 Local TIP. Following the public hearing, the Council discussed updating this to include projects emerging from current or recent transportation planning and analysis work performed by the City Engineer.

There is no direct fiscal impact of adopting the 2017-2022 Transportation Improvement Program. However, the projects listed on the TIP become eligible for federal and state grant funding.

Mayor Hopkins opened Public Hearing for Public Comment:

Ken Brown – Wanted to confirm the Pearl Street Green Way would include sidewalks on both the City of Tacoma and City of Ruston sides. Mr. Brown also commented that it would be nice that street lights would match on both sides of the street. Mayor Hopkins responded the sidewalks would be on both sides if grants are approved. Mr. Brown also noted the need to repave the two alleys left remaining that are currently gravel, between Baltimore and Bennett and Baltimore and Orchard.

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Kevin Moser – Would also like to see the two gravel alleys that remain and creates a lot of dust get paved.

With no further comment, Councilmember Hedrick moved to close the Public Hearing on Resolution 632, with a second from Councilmember Hunt, passed 5-0.

At 7:22 PM Mayor Hopkins closed Public Hearing.

RES 632 – Adoption of 6 Year TIP – City Engineer Jerry Morrissette and Council discussed changes to the 6 Year TIP. Adoption of 6 Year Tip held over to the July 21, 2016 Council meeting.

RES 633 – Coinage and Bill Limits for Payment of Services - The City Clerk and/or the Utilities Clerk often has occasion to accept in person payments at City Hall. On occasion, a customer will attempt to pay with excessive coinage, rolled or loose. The Clerk has refused to accept coinage as payment due to the administrative burden created by the need to count loose or rolled coin and then the time to have such coins re-counted at the bank upon deposit. The City does not own a coin counting machine or a bill counting machine.

Recently, this discretion was challenged by a customer, therefore the Clerk requested that the Council formalize this policy. In addition to limiting coinage to 10 coins at any transaction, limiting bills to not more than 20 bills will also ensure that an excessive burden is not placed on the City for counting cash payments. Adopting this policy will support more efficient administrative operations and avoid excessive time being spent by the City staff to count coins or bills. Other cities in Washington and around the nation have placed limits on payments in coinage or small bills. This falls within the “reasonable administrative discretion” of the City in determining the amounts and denominations of coinage and currency it will accept in payment of charges. Councilmember Hedrick moved to approve Resolution 633, with a second from Councilmember Hunt, passed 5-0.

CLAIMS/PAYROLL – Councilmember Hedrick moved to approve Claims and Payroll, with a second from Councilmember Hunt, passed 5-0.

MAYOR’S TIME – The developer has installed electrical service at Point Ruston and plan to turn the system over to the City of Ruston in support of this electrical service. Pre-construction meetings were held with the developer. The City of Ruston was very explicit about protocol and the permit was written very succinctly however things were not followed correctly.

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The City is faced with shutting the power off on July 1, 2016. City Electrical Engineer was not comfortable with the system and the proper protocol used in logging and documenting the tension of the cable. The developer has asked for forgiveness and for the City accept the work done. The concern is the sidewalls of the cable could fail and the end result is the City could be responsible for the re pulling of the cable at a cost of \$50,000-\$60,000, in the future. Mayor Hopkins wanted to give an update to Council as the City may be perceived as uncooperative. Mayor Hopkins discussed the condition of roadways and traffic in City of Ruston with City staff and mitigating the use of City roadways with Metro Parks and development at Point Ruston.

COUNCIL TIME –

Councilmember Hedrick – Along with Mayor Hopkins, Councilmember Hedrick met with the Department of Ecology to discuss funding for the remediation of the City of Ruston storm sewer and the overage costs of the Winnifred Street Project. City of Ruston was directed to the US EPA for federal funding. Councilmember Hedrick was optimistic the City could secure funding at the federal level. Councilmember Hedrick made note there were funds in the amount of \$400,000, designated for the tunnel, and because the City is responsible for the tunnel, perhaps these funds could be used for the overage of the Winnifred Street Project. Councilmember Hedrick would like to look to State Representative Jake Fey for his support of this.

Councilmember Hunt – Nothing at this time.

Councilmember Hardin – State Representative Jake Fey is up for election this year. Because of State Representative Fey’s past interest in the City of Ruston and his interest in the annexation of a part of Ruston into City of Tacoma; perhaps State Representative Fey could use his influence to help the City find funding for some of the Ruston’s current projects.

Councilmember Kristovich – Nothing at this time.

Councilmember Syler – Nothing at this time.

MEETING AJOURNED -

At 8:09 PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Hunt, passed 5-0.

Mayor Bruce Hopkins

ATTEST:

Judy Grams