

**CITY OF RUSTON
REGULAR COUNCIL MEETING
TUESDAY, April 4, 2017**

MEETING CALLED TO ORDER

At 7:02PM 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 of April 4, 2017, with a second from Councilmember Hunt, passed 5-0.

MINUTES

Councilmember Hedrick moved to approve the minutes for the Regular Council meeting minutes of March 21, 2017, with a second from Councilmember Hunt, passed 5-0.

STAFF REPORT –

Ruston City Engineer – Jerry Morrisette was excused. Mayor Hopkins distributed the 51st Street Retaining Wall Project repair schedule.

GENERAL PUBLIC COMMENTS – No public comment at this time.

BUSINESS-

RES 649 – Declaration of Surplus Property – The City of Ruston owns two parcels of undeveloped real property within its borders which are currently not in use. These two parcels are:

1. Address: 5114 N. 49th Street, Ruston WA 98407
Parcel No.: 2365000700
Zoning: Residential (RES Zone)
Improvement: Vacant land – undeveloped

2. Address: 5405 N. Commercial Street, Ruston WA 98407
Parcel No.:4002050050
Zoning: Residential (RES Zone)
Improvement: Vacant land – undeveloped

The Mayor and Planning Director do not anticipate any city use for either of these parcels and recommend that the Council consider declaring both of these properties “surplus” and directing their sale on the open market for fair market value.

March 7, 2017

Under Washington law, the City has the right to sell surplus property. The process for sale of surplus real property is as follows:

1. Hold a public hearing.

The Council is required to hold a public hearing on whether the property should be declared surplus. This is required for property valued at \$50,000 or more and for any property of any value that was purchased by a city utilities department.

While not utility properties, both parcels of real estate are each valued at more than \$50,000, therefore a public hearing is required. The City has complied with the State law requirements for noticing the public hearing by publishing notice of the public hearing a minimum of 10 days (and no more than 25 days) prior to the hearing in the City's Official Newspaper. Such notice included the information required by State statute. A copy of the Public Hearing Notice is attached to this Agenda Bill. In addition to publishing notice, the City also sent press releases about the public hearing to the Tacoma News Tribune and Tacoma Weekly and posted copies of the Notice on the Announcement Board at City Hall, at the Mary Joyce Community Center and on the City of Ruston Website.

2. Consider whether the properties should be declared "surplus".

After the public hearing, the Council should consider whether the property is no longer needed by the City for governmental purposes and may be sold. If the City Council determines that the property is not needed, passage of Resolution No. 649 declaring it surplus would be the next step.

3. Consider how the property, and under what conditions, the property may be sold.

Resolution No. 649 also outlines how these properties will be sold. The Council has authority to direct the method of sale (i.e. auction, take bids, listed for sale, post on website of its availability, etc.) as well as the person whom is delegated to oversee and implement the sale. *However*, the property must be sold for "fair market value" to ensure that the price accepted does not amount to a prohibited "gift of public funds."

Resolution No. 649 directs the Mayor to (1) obtain an appraisal of the properties; (2) place the properties on the open market (including hiring a listing agent if desired); and (3) bring any offers to Council for consideration for discussion prior to acceptance.

In addition, the City Council can add provisions to the Resolution to have additional land use control over the development and that term can be part of the offering. However, any additional requirements on the property may affect its value and will need to be considered by the appraiser in informing the City as to the fair market value of the property.

The Planning Director recommends that the City put the following conditions on the sales of these parcels which will make the development more consistent with the City's vision for residential areas:

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Parcel 1: 5114 N. 49th Street, Ruston WA 98407

The City should require that any home developed on this lot have a front porch of a minimum depth of 8-feet which is at least as half as wide as the overall width of the main structure.

Parcel 2: 5405 N. Commercial Street, Ruston WA 98407

The City should require that any home developed on this lot have a front porch of a minimum depth of 8-feet which is at least as half as wide as the overall width of the main structure.

This property should also not be permitted to develop a garage in the front of the lot. Although this parcel is not a corner lot and doesn't have alley access, due to the topography and width of the lot (the lot is approximately 65' wide which is 20' wider than the code minimum of 45'), there is ample room to provide a driveway along one side of the home to a rear yard detached or attached front, or side-loaded, garage. Due to the lot sloping down from the street, it is well suited to a daylight basement level flat-roof side-loaded garage with patio space above at the main floor level.

In addition, the Council could require that the lot or lots be developed within a certain timeline, i.e. the lots shall be developed within 24 months of closing.

The Council should give direction if it desires to place these requirements onto the lots are part of the sale.

Declaring these properties surplus and selling them will take unproductive property in the City, allow it be sold and developed, and will bring revenue into the City based on both the sale, the Real Estate Excise Tax, and any tax or other revenue that is generated by the development of these parcels.

Councilmember Hedrick moved to amend Resolution 649 to strike Parcel #2 – Parcel #4002050050, with a second from Councilmember Hunt passed 5-0. Resolution 649 as amended 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 City of Ruston has signed the Department of Ecology IAA Agreement and sent the agreement onto Department of Ecology for their signature. City Engineer Jerry Morrisette was putting together the scope of work and bids for the Tunnel Fill project. Mayor Hopkins thanked Councilmember Hedrick for his hard work in securing funding for the Tunnel Fill. Thanked Councilmember Hardin for his support in the interview process for Ruston Police Chief. There was an impressive group of candidates that applied and a Police Chief will be selected next week.

COUNCIL TIME –

Councilmember Hedrick – The House Capital Budget will be on the table tomorrow afternoon. The bill is just being released and it will be June 2017 before funds will be available for the filling the tunnel. Farrelli's Pizza is a fine establishment in Ruston and was very busy the day Councilmember Hedrick went down to watch the NCAA championship game. It is great to see this new business in the City of Ruston.

Councilmember Hunt – Met the manager of Farrelli's Pizza. Farrelli's was very happy to be in Ruston. Because of the Regional Transportation Tax, sales tax has increased to 9.9%

Councilmember Hardin – Participated in the Ruston Police Chief interviews to learn the candidates had incredible work experience and they really wanted to work in Ruston.

Councilmember Kristovich – Reminded everyone about the annual Easter Egg Hunt and encourage anyone wanting to volunteer for Bunny Patrol or donate to contact the City Clerk's office.

Councilmember Syler – Dined at Farrelli's on Saturday, Sunday and Monday to support the new business in Ruston.

MEETING AJOURNED -

At 7:25PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Hunt, passed 5-0.

Mayor Bruce Hopkins

ATTEST:

Judy Grams