

**CITY OF RUSTON
REGULAR COUNCIL MEETING
Tuesday, January 16, 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, Lynn Syler and Bradley Huson. 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 5-0.

MINUTES

Councilmember Hedrick moved to approve the minutes for the Regular Council meeting of January 2, 2018. Councilmember Huson moved to amend page 1, under Mayors Time, line 11 to replace the word amount to among. As amended, with a second from Councilmember Hardin, passed 5-0.

STAFF REPORT –

Ruston Police – Chief Estes – See attached.

Ruston Fire – Chief Torbet – See attached.

GENERAL PUBLIC COMMENTS –

Tom Poole – Asked Mayor Hopkins for an update on annexation.

Beth Torbet – Thanked the Mayor and Council for all the work against annexation.

BUSINESS –

Ruston-Point Defiance Business District – Joe Atkinson, President provided an overview on current business and announced that a new Italian restaurant will be opening soon in the City of Ruston and is working with Point Ruston on their open-air food market. The Business District is planning a new community event and will keep City of Ruston updated. Mr. Atkinson will be out of town for the next council meeting and will try to have someone available to give a Business District report.

Resolution 669 – Century Link Pole Lease Agreement – In 2005, the City of Ruston entered into a one-year pole lease agreement with Qwest for placement of communications equipment on the City's utilities poles. CenturyLink is the subsequent entity of Qwest. Although the 2005 pole agreement was only for one year, Qwest, then CenturyLink has continued to utilize the utility pole space and pay annual rent to the City. The City has been engaged in renegotiating and updating the pole lease agreement for quite some time. The parties finally reached agreement last year and CenturyLink has executed the Agreement and it is ready for approval by the City Council. The annual rate for the pole lease has been increased to \$17.88 per pole in use. CenturyLink currently is using 121 of the City's 149 poles, so the annual rent for the first year (2018) shall be \$2,163.48. The rent will increase annually in an amount equal to CPI-U for Seattle, Tacoma, Bremerton or 3 percent, whichever is greater. In addition, CenturyLink is required to pay the City \$2,500 to reimburse a portion of the costs of negotiating this Agreement. The City must receive the \$2,500 reimbursement prior to executing the Agreement. Resolution #669 includes this requirement.

The Agreement is for a period of 10 years. The Agreement can be terminated for default that remains uncured after notice from the City. The Agreement also includes requirements to underground or remove equipment if the City is removing all poles from an area. The Agreement contains an indemnification provision whereby CenturyLink indemnifies the City. CenturyLink is required to have insurance of \$1 million (\$2 million aggregate). The City will receive annual rent for the use of the poles in the amount outlined above (\$2,163.48 for Year 1) as well as a one-time \$2,500 as partial reimbursement for the negotiation costs of preparing and negotiating the Agreement. Councilmember Hedrick moved to approve Resolution 669, with a second from Councilmember Hardin passed 5-0.

Resolution 670 – Pierce County Jail Service Agreement – The Interlocal Cooperation Act authorizes the City is to contract with other governmental agencies to provide services that the City is authorized to perform. The City has contracted with several entities for jail services, including Pierce County, SCORE and the Cities of Forks and Puyallup. The contract with Pierce County has been in existence since 2005. Pierce County has changed rates and is requiring contracting cities to adopt the updated agreement.

The rates have changed as follows, with several being reduced:

Fee Type	Prior Fee	New Fee	Change
Booking Fee	\$253.25 (previously included medical fee)	\$53.90	(\$199.35)
Daily Bed Rate	\$103.55	\$78.90	(\$24.65)
Escort Fee	\$126.70	\$129.30	+\$2.60
Mental Health Fee	\$213.30	\$218.50	+\$5.20
Special Identification Process	\$189.10	\$180.40	(\$8.70)
Major Medical Costs	Included in Booking	Contract Agency Paid	City will pay actual costs of “extraordinary medical costs”

All fees listed above are subject to “annual cost of living expenses” which will take effect each January. The County shall provide notice of the increases in writing. If these increases exceed 3.5 percent, then such increase is subject to mediation at the request of either party. All invoices are required to be paid within 30 days from receipt. The Agreement is not exclusive and Ruston may contract with other jails for services. Either party may terminate the Agreement with 90 days’ writing notice prior to the start of a new contract year (i.e. 90 days prior to January 1st). The Agreement does not require a minimum obligation for inmate beds and may be utilized as needed by the City.

For comparison, the rates charged by other jail facilities with who the City contracts are:

- SCORE \$135 per day, additional \$50 per day for inmates with special Housing needs
- Forks \$40-45 per day depending on the length of stay
- Fife \$20 booking fee plus \$65 per day
- Puyallup \$20 booking fee plus \$70 per day

The agreement contains mutual indemnity provisions whereby each party indemnifies each other for its own acts or omissions that occur when each has custody of the inmate. So the City indemnifies the County for acts that occur prior to the Jail's acceptance of the inmate, whereas the County indemnifies the City for acts that occur after the Jail accepts the inmate. The City utilized \$20,364.60 in jail services from Pierce County in 2017 (monthly average \$1,697.05). Councilmember Hedrick moved to approve Resolution 670, with a second from Councilmember Hardin passed 5-0.

Resolution 671 – Consultant Agreement – The Civic Group – There is an important emerging issue at the State Legislature which could result in the City of Tacoma being authorized to annex a portion of the City of Ruston without either the City Council or the voters/residents in Ruston approving such action. If this occurs, the viability of the City will be threatened. In order to ensure that the City's concerns and objections are included in the legislative process, the hiring of a lobbyist is critical. The Resolution authorizes the Mayor to sign an Agreement with Scott Hazelgrove dba "The Civic Group" for lobbying services on this issue. The total cost for this contract is \$24,000 to be paid half on February 1st and half on March 1st. The contract includes services through one special session, if needed. Councilmember Hedrick moved to approve Resolution 671, with a second from Councilmember Hardin passed 5-0.

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

MAYOR'S TIME – Mayor Hopkins announced a Town Hall Meeting to be held Tuesday, January 23, 2018 and invited all to attend. Mayor Hopkins provided an update on annexation. The City will hire a consultant to represent the City and has reached out to other municipalities, Fircrest, Fife, Bellevue, Redmond, Yarrow Bay, Medina, to name a few. The City was waiting for the bill to be presented in the legislature and recommended that everyone contact their representatives. There were questions surrounding the need to place a comment in the Tacoma News Tribune. Mayor Hopkins worked diligently, spending a good amount of time, providing information and educating a News Tribune reporter, who was starting to understand the City's position. Mayor Hopkins explained that the City was not holding up any permits and the Silver Cloud would be submitting an application, January 23, 2018. The Point Ruston development was to be completed in phases starting with the Tacoma side as Phase 1 and the Ruston side as Phase 2. EPA has been involved and the Master Development Plan is our road map with open space which is a very important part. One example of open space was the cooling pond which was remediated at one time and then Point Ruston filled the cooling pond with contaminated soil. There have been long discussions on the Point Defiance Roundabout project with no easy solution in avoiding the construction traffic onto Ruston streets. Metro Parks has promised that when the project is completed they will replace 53rd Street, Park Avenue, Highland Street.

During budget time there were discussions with the City of Fircrest regarding our Ruston Court system. Ruston has a budget short fall of \$80,000 in 2017. City of Fircrest was considering a consolidation of their court into the City of Lakewood to find it was not feasible. If we can come to an agreement and it makes financial sense it would help both municipalities. The City of Ruston is looking to do serious fiscal upgrades to City Hall as it is not ADA compliant nor do we have metal detectors. The face of the court system has changed with the volumes of traffic from the Point Ruston development.

COUNCIL TIME –

Councilmember Hedrick – Thanked everyone for all their hard work on the petition and going door to door and asked that they not let up. Councilmember Hedrick did not know when the bill would be presented but knew the cutoff date was February 2, 2018. Councilmember Hedrick never dreamed the City would have to hire a Lobbyist, Scott Hazlegrove, who was ready to support the City of Ruston.

Councilmember Hardin – First Councilmember Hardin wanted to recognized Patti Hardin on their 25th wedding anniversary. Councilmember Hardin thanked the Commencement, in general, and everyone else for their tireless effort and work the past three to four weeks on the petition and getting information out. Councilmember Hardin also thanked Councilmember Hedrick for all his efforts in Olympia and Councilmember Kristovich for her time spent with the Commencement. According to the News Tribune, as reported by Point Ruston, the City of Ruston was labeled either a Scrooge or the Grinch concerning the ice rink at Point Ruston development and the permitting for this event. The Permit Coordinator received an incorrect permit application and immediately responded to Point Ruston letting them know they needed to complete our permit application all the while understanding the urgency. Point Ruston did not respond. There have been questions related to the Public Market Application. Councilmember Hardin directed everyone to the Ruston website where there they could find the status of that permit. Councilmember Hardin thanked everyone for their hard work and encouraged everyone to come to the Town Hall meeting.

Councilmember Kristovich – It was thrilling to see the passion, going door to door, meeting with residents on the petition. We've done a great job and asked everyone to keep the momentum going.

Councilmember Syler – Thought the City had overcome the annexation discussion once before and wanted what was best for the citizens of Ruston. A hostile takeover is unacceptable. Councilmember Syler was looking forward to seeing everyone at the Town Hall meeting on January 23, 2018.

Councilmember Huson – Provided some history on Point Ruston and the Asarco project. When Asarco went bankrupt and Point Ruston purchased the property the City was thrilled. When Point Ruston brought their master plan forward, Councilmember Huson was not excited about the master development plan, thinking that the Asarco site would be over developed and there would not be enough open space. Today when you visit the site there are no trees, instead there are pots and a giant strip mall feel. Councilmember Huson is disappointed with the development. For the City of Ruston to continually work with the developer who constantly owe the City hundreds of thousands of dollars is outrageous.

Councilmember Huson would have completely stopped working with the developer years ago. One of the first things Point Ruston did when they started to develop Stack Hill was to sue the City for quiet title on that property. After the City had gone through the hoops of getting rid of two view corridors, which completely tore the Council apart, it was done so the developer could build two additional houses. It's the idea that the City has not worked with developer is hogwash. The newspaper quotes and the flyer in the mail are lies and a complete misrepresentation of what the Council did 10 years ago and what we want to do now. If the developer came to the City with an amended master plan the City would have to make more concessions. Councilmember Huson wanted to thank the Police and Fire Departments for their quick response time and all their care for an incident that happened to a neighbor who was attached by a dog and her dog was killed.

MEETING AJOURNED -

At 7:47PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Hardin, passed 5-0.

Mayor Bruce Hopkins

ATTEST:

Judy Grams



**Chief's Report
Ruston Police Department
December 2017**

Chief of Police:

During the month of December the Police Department responded to 176 calls for service in Ruston. This number does not include any calls for service that took place in the City of Tacoma where Ruston officers responded. That is compared with 145 calls for service in November, 2016.

There were 22 cars impounded under the suspended driver impound program during December.

OF NOTE:

We dealt with several incidents at the Unicorn Tavern on New Year's. Two customers were cited for smoking next to the entrance. This was after we had given many warnings to the business and the patrons. In both cases an employee was present and did not correct the smoking patron's behavior.

A patron sat in her car in the parking lot honking her car horn for 5 to 10 minutes before squealing her tires and leaving. She was stopped and found to be well over the legal alcohol limit.

During one of the times that officers were dealing with a patron smoking someone etched a design into the paint of one of the Ford SUV patrol cars.

The owner of the Unicorn was given a citation for a Noise Ordinance Violation.

The Prosecutor charged the driver of the Veh vs. Pedestrian at 51st and Pearl with Vehicular Assault.

Other Personnel Issues:

Two officers have been hired after successfully completing the hiring process. Both are exceptional candidates that are coming to Ruston to further their careers. Officer

Leighton Cox starts on 1/21/18 and Sergei Andres starts on 1/31/18. We anticipate one month of on the job training. Both are academy graduates and only have to learn to do things the Ruston way.

Civil Service Commission:

We have exhausted the civil service list, but also do not have any openings. I have been contacted by two very well qualified candidates from out of state that want to come to Ruston. I anticipate having a civil service list ready by the summer should we have any unexpected openings.

Equipment:

The new cars have been ordered and related equipment is in the process of being ordered.

Training:

Our new officers will be in training for about a month. Our response times and productivity will likely wane for the next month or two as they new officers go through training.

Please contact me by phone (253) 761-0272 or by email anders.estes@rustonwa.org if you have any questions or concerns regarding this month's report.

Submitted By:
Anders Estes
Chief of Police



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

Ruston Fire Department Monthly Review for December 2017

Tuesday, January 16th, 2018

Presented by Chief Torbet

Total Incidents: 7 (2 Fire/ Service, 5 Medical Aid)

Total Volunteer Hours: Total 3725 Hours December 929 Hours

Membership Roster (out of 25): 19 (13 FF, 6 Officers)

Recent Membership Changes: Remove Calvin Dyer

State of the Business:

- Our emphasis moving into the new year will be business inspections
- E-33 is back in service after its annual maintenance
- We finished at 112 calls for the year which has been steadily increasing over the last 5 years
- Our in-house 1403 academy will begin February 20th
- Ryan Kress and Chad Wilder are reapplying for membership
- All fire tools are fully operational
- Recurring CPR training is offered quarterly for the Ruston community. Over 195 people have been **CPR certified** since the training has been offered. Although we didn't meet our goal of 100% CPR certification for the city, we continue to provide training as needed. 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 December 2017

OBJECTIVE	START DATE	TARGET COMPLETION	COMPLETE %	ACTION OWNERS
Recruitment	12/2017	<i>ongoing</i>	19 of 25	WHERRETT/MILLER
CPR Training	12/2017	<i>ongoing</i>	100%	ANDERSON