

**CITY OF RUSTON
REGULAR COUNCIL MEETING
Tuesday, November 6, 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 amend the agenda adding Resolution 692 - Street Vacation as Item 7 under Business. As amended, with a second from Councilmember Hardin, passed 4-0.

MINUTES

Councilmember Hedrick moved to approve the minutes for the Regular Council meeting of October 16, 2018, with a second from Councilmember Hardin, passed 4-0.

STAFF REPORT – Nothing at this time.

GENERAL PUBLIC COMMENTS – Nothing at this time.

BUSINESS –

Proud City Website Design Update – Chrissanda Walker – Permit Coordinator Walker presented the City website design and noted an email communication was sent to staff and Council announcing the BETA launch. It is in the test and feedback phase and Permit Coordinator Walker hoped to receive valuable feedback from Council and staff in preparation for the website launch at the beginning of the new year. The home page is now live, within Proud City's test environment and reflects new features such as quick answers to questions, payment options and access to forms the community can resource. The permit page was the current focus, and with Council approval, the plan would be to showcase City projects, creating content to include project description, current status and project updates.

ORD 1505 – Short Term Rentals Zoning (1st reading) – City Planner Rob White presented Ordinance 1505. There is a growing number of short-term rental agencies, such as Air B&B, Booking.com, Vacation Rentals by Owners, and the like which are creating new zoning issues for cities. Some property owners in Ruston would like to use their residential property to allow short term rentals. In other cities that have experienced this growth, the short-term rentals have created impacts on surrounding properties that have diminished the quality of life of the resident. Apart from the recently adopted business licensing requirements, the City does not currently have regulations regarding this use. In order to ensure compatibility between a residential property being used as a short-term rental and its neighbors, the Planning Commission recommends regulations be adopted to ensure for public safety, health and welfare of these surrounding properties and for any tenants utilizing a short-term rental in Ruston.

The Ruston Planning Commission held a public hearing on September 18, 2018. Following the public hearing the Planning Commission voted to recommend the short term rental regulations as contained in Ordinance No. 1505. The changes to the zoning code are described below.

RMC 25.01.020 – Definitions: Ordinance #1505 amends RMC 25.01.020 to add a definition for “short term rental.”

RMC 25.07.020 – Land Use Matrix: A line is added to the land use matrix for short term rentals reflecting that the use is permitting in the COM and COM-P zones and a condition use in the residential zones. A footnote #10 is also added to reference the new Chapter 25.10 RMC which sets forth the regulations on short term rentals.

New Chapter 25.010 RMC: A new chapter is added to the Ruston Zoning Code to establish the regulations applicable to short term rentals. These regulations include such items as business licensing requirements, occupancy limits, parking requirements, a limitation of one unit per property, garbage, signage, complaint procedures, and permit revocation procedures.

ORD 1513 – Public Hearing – Adoption of 2019 Property Tax Levy – Councilmember Hedrick opened Public Hearing with a second from Councilmember Hardin. There was no Public Comment. Councilmember Hedrick moved to close Public Hearing, with a second from Councilmember Hardin, passed 4-0.

ORD 1513 – 2019 Property Tax Levy (2nd reading) - As part of the budget process, Ruston will consider a budget and the revenue sources for City operations and capital expenses. As part of that process, the City is required to hold a public hearing on this topic. The public hearing and the budget and revenue sources is currently scheduled to coincide with Second Reading of Ordinance No. 1513 on November 6, 2018. Ruston is required to adopt its property tax levy in November of each year by ordinance and transmit a certified copy of the ordinance to Pierce County Assessor-Treasurer and to the Pierce County Council no later than November 30th. A Levy Certification must also be transmitted with the Ordinance. Adoption of this Ordinance should be scheduled on the agenda for after the public hearing on the budget and revenue during the meeting on **November 6, 2018**. This levy ordinance increases the property taxes levied by Ruston by the maximum amount allowed by law (one percent plus new construction, etc.). The total estimated 2019 levy amount is **\$496,033.07**, which includes additional property tax estimated from new construction (**\$20,074.58** based on a new construction value of \$10,043,792.00) and the estimated additional revenue from the increase in administrative refunds (**\$1,052.02**). In 2018, the City collected \$469,962.00. Councilmember Hedrick moved to approve Ordinance 1513, with a second from Councilmember Hardin, passed 4-0.

ORD 1514 – Amendment of Chapter 1.03 RMC (1st reading) – City Attorney presented Ordinance 1514. The City of Ruston recently entered into an Interlocal Agreement with the City of Fircrest for the provision of municipal court services. The services under the Fircrest Interlocal will commence on January 1, 2019. The basis for the agreement with Fircrest was the safety concerns that arose due to increased court services in Ruston and the inability of the Ruston facilities to handle either the flow or the security issues that resulted at City Hall.

As part of the transition to having Fircrest provide municipal court services to Ruston, a review of the City’s code on its municipal court was undertaken. In order to provide consistency with the Fircrest code, to reference the Interlocal Agreement, make housekeeping changes and to update the code to reflect current law, revisions to Chapter 1.03 RMC were recommended. The following changes are recommended:

New Sections:

RMC 1.03.015 – this section addresses the use of an Interlocal agreement to provide municipal court services.

RMC 1.03.018 – This section addresses the disposition of revenue, incorporates State law and references the use of an Interlocal agreement.

Amended Sections:

RMC 1.03.020 – This section addresses the municipal judge. The changes reference the Interlocal Agreement and state law, including appointment, judicial qualifications, removal, oath and compensation. The requirement to post a bond has been deleted.

RMC 1.03.040 – This section addresses pro tem judges, makes the code consistent with State law (the municipal judge appoints pro tem judges, not the City) and mirrors Fircrest’s code on this topic.

RMC 1.03.050 – This section addresses the time and place of court sessions. It makes the housekeeping change from “Town Hall” to “City Hall” and references the Interlocal agreement as an alternative for the Court location.

RMC 1.03.060 – This section addresses public defense counsel and is amended to remove the compensation rate and to reference the ability to provide these services via Interlocal agreement.

RMC 1.03.070 – This section addresses the custody of prisoners and required all prisoners to be placed in Pierce County Jail. The amendment provides that other jails may also be used.

Repealed Section:

RMC 1.03.080 – This section addressed the recording of proceedings. This is not necessary in the Code and since Ruston is contracting with Fircrest, having this provision may complicate the court services as provided by Fircrest if they use a different method for recording the proceedings.

RES 691 – Voluntary Social Security for Ruston LEOFF Member - March 1, 1970 Fire Fighter's Retirement System LEOFF began. Fire Fighters filling full-time compensated Fire Fighter positions were mandated into LEOFF. July 2, 1991 Mandatory Social Security coverage extended to most state and local government employees, unless they were already covered under a Section 218 agreement or exempt from Social Security because they were members of a qualifying public retirement plan. This change ensured state and local government employees pay into some sort of retirement plan, whether it was a public pension plan or Social Security. Fire Fighters, both volunteer or career, were exempt from mandatory Social Security because of the participation in the pension portion of the Volunteer Board of Fire Fighter in 1981. July 19, 2018 Department of Retirement Systems evaluated the Fire Fighter full-time position held by the Ruston Fire Chief and discovered that there was no Section 218 coverage for this position in LEOFF. The Department of Retirement Systems, as the duly designated State Social Security Administrator advised City of Ruston (via email) of the issue and the steps needed to remedy the situation. Full-time employees in Fire Fighter positions who are enrolled into LEOFF membership are exempt from Social Security, and the Fire Chief needed to decide to either stop withholding Social Security on Fire Fighters in LEOFF covered positions or continue to withhold and have the governing board (one full-time Fire Fighter) authorize a "majority vote referendum" on the question of Section 218 coverage (voluntary Social Security coverage) for Fire Fighters in LEOFF. If the referendum is favorable the City would continue to withhold Social Security. Ruston Fire Chief elected to take voluntary Social Security Coverage. Councilmember Hedrick moved to approve Resolution 691, with a second from Councilmember Hardin, passed 4-0.

RES 692 – Set Hearing for Right of Way Vacation – Setting a time and place for a public hearing to consider vacation of portions of Yacht Club Road and Gallagher Way, North 51st and Ruston Way. Councilmember Hedrick clarified that the portions of these streets are no longer in use. Councilmember Hedrick moved to approve Resolution 692, with a second from Councilmember Hardin, passed 4-0.

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

MAYOR'S TIME – Nothing at this time.

COUNCIL TIME –

Councilmember Hedrick – Wanted to recognize that a Ruston institution, Don's Market, shut down this week. This location was in operation for over one hundred years, as one business or another. It was a sad day when Don's Market finally closed because there would be no more Friday evening milkshakes. Don and Beth have been long standing members in the Ruston community and Councilmember Hedrick wished them well.

Councilmember Hardin – The Business District’s Wine and Art Walk was great fun and hoped to get an update from the Ruston Point Defiance Business District in the near future.

Councilmember Kristovich – Nothing at this time.

Councilmember Syler – Was excused.

Councilmember Huson – Nothing at this time.

Council entered into Executive Session, to last thirty minutes, adjourning directly after.

MEETING AJOURNED -

At 8:30PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Hardin, passed 4-0.

Mayor Bruce Hopkins

ATTEST:

Judy Grams