

**CITY OF RUSTON
REGULAR COUNCIL MEETING
Tuesday, February 19, 2019**

MEETING CALLED TO ORDER

At 7:02PM Mayor Hopkins called the Regular Council Meeting to order. Councilmembers present were: Jim Hedrick, Lyle Hardin and Deb Kristovich. Councilmember Syler was excused. Councilmember Huson was unexcused. 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 3-0.

MINUTES - No minutes at this time.

STAFF REPORT –

Ruston Police – Chief Bautista – See attached.

Ruston Fire – Chief Torbet – See attached. Mayor Hopkins announced Chief Torbet submitted his retirement plans, retiring March 31, 2019. Mayor Hopkins thanked Chief Torbet for all his years of dedication and service to the City of Ruston and its residents.

GENERAL PUBLIC COMMENTS – Nothing at this time.

BUSINESS –

Ruston-Point Defiance Business District – Nothing at this time.

Ordinance 1517 – Update to Chapter 9.03 - Nuisance Code (2nd reading). A recent issue with regard to code enforcement has arisen which caused the Code Enforcement Officer to review the City's nuisance code. The nuisance code (Chapter 9.03 RMC) was adopted in 1968 and with the exception of one small change in 1980, has not been updated since. The Code Enforcement Officer requested the City Attorney's office review and update the code. In doing so, the City Attorney is recommending a package of legislation to address nuisances in the City. These are described below:

Update to Chapter 9.03 Nuisance Code.

This ordinance which will fully replace the current Chapter 9.03 incorporates current state law to describe nuisances, including providing definitions (section 9.03.010), outlining prohibited conduct (9.03.020), and identifying types of "public nuisances" (9.03.030). The Ordinance also provides for joint liability by property owners and renters or responsible parties (9.03.040). The Ordinance also provides for chronic criminal nuisances (9.03.050) which allows the city to take enforcement action against properties with chronic criminal activity. The Ordinance is enforced through either the code enforcement procedures in Chapter 12.40 RMC, through a criminal complaint, or through the civil infraction process contained in Chapter 9.22 RMC. Councilmember Hedrick moved to approve Ordinance 1517, with a second from Councilmember Hardin, passed 3-0.

Ordinance 1518 – New Chapter 9.05 - Junk Vehicles (2nd reading). A recent issue with regard to code enforcement has arisen which caused the Code Enforcement Officer to review the City’s nuisance code. The nuisance code (Chapter 9.03 RMC) was adopted in 1968 and with the exception of one small change in 1980, has not been updated since. The Code Enforcement Officer requested the City Attorney’s office review and update the code. In doing so, the City Attorney is recommending a package of legislation to address nuisances in the City. These are described below:

New Chapter 9.05 “Junk Vehicles”.

State law allows cities to take enforcement action against junk vehicles which are stored on private property. Most cities have junk vehicle codes, but Ruston did not. Junk vehicles are defined by state law as follows:

A vehicle meeting at least three (3) of the following requirements:

1. Is three (3) years old or older;
2. Is extensively damaged, such damage including, but not limited to any of the following: A broken window or windshield or missing wheels, tires, motor or transmission;
3. Is apparently inoperable;
4. Has an approximate fair market value equal only to the approximate value of the scrap in it.

This definition is adopted in RMC 9.05.020. There are exemptions to this definition. RMC 9.05.040. Vehicles meeting this definition are declared a public nuisance (9.05.030) and the City may require their removal. RMC 9.05.050. This code is enforced using the code enforcement procedures in Chapter 12.40 RMC, filing a criminal citation or issuing a civil infraction (Ch. 9.22 RMC). Councilmember Hedrick moved to approve Ordinance 1518, with a second from Councilmember Hardin, passed 3-0.

Ordinance 1519 – New Chapter 9.09 - Litter Control (2nd reading). A recent issue with regard to code enforcement has arisen which caused the Code Enforcement Officer to review the City’s nuisance code. The nuisance code (Chapter 9.03 RMC) was adopted in 1968 and with the exception of one small change in 1980, has not been updated since. The Code Enforcement Officer requested the City Attorney’s office review and update the code. In doing so, the City Attorney is recommending a package of legislation to address nuisances in the City. These are described below:

New Chapter 9.09 – Litter Control.

While the City has provisions regarding how solid waste is to be stored for pick up, etc. in Title 6, it does not have a general litter code. A new chapter 9.09 RMC provides for additional tools for enforcement for litter in public places, parks, private property, etc. The chapter prohibits littering in public places (9.09.030) and requires litter to be placed into receptacles (9.09.040). The ordinance also prohibits littering in parks (9.09.050) or in lakes, ponds, streams, fountains, etc. (9.09.060).

The ordinance provides a tool for enforcement against trucks that are causing litter (9.09.070) and for litter thrown from vehicles (9.09.080). This ordinance prohibits sweeping litter into gutters and requires merchants to keep their sidewalks free of litter. (9.09.090). The ordinance also prohibits keeping litter on private property. (9.09.100). Finally, the chapter also prohibits the posting of notices on public facilities. (RMC 9.09.110). This chapter is enforced using the code enforcement procedures in Chapter 12.40 RMC, filing a criminal citation or issuing a civil infraction (Ch. 9.22 RMC). Councilmember Hedrick moved to approve Ordinance 1519, with a second from Councilmember Hardin, passed 3-0.

PAYROLL – Councilmember Hedrick moved to approve Payroll, with a second from Councilmember Hardin, passed 3-0.

MAYOR’S TIME – Mayor Hopkins, Councilmember Hardin, Councilmember Hedrick and the rest of Council will discuss succession planning and transition for the Fire Chief’s position. Mayor Hopkins noted there has been no activity on the Ruston Market. Ruston Market was the only permit City of Tacoma issued in 2018 and there were two months remaining before the Ruston Market permit expires. The snow conditions, from the previous week, presented some issues. Mayor Hopkins will meet with Public Works and discuss Public Works experience with Ruston residents. There was no right or wrong. There were residents who were happy when the roads were plowed and residents that were unhappy when the roads were plowed and driveways blocked. Storm drains were also blocked. The City will evaluate how snow conditions are to be handled in the future. The Ruston Police Department noted the roads in Ruston looked better than the outlining roads in Pierce County. Good job to Public Works and all who helped during the snowstorm.

COUNCIL TIME –

Councilmember Hedrick – Received an email announcing that Chief Torbet planned to step down as the Fire Chief on March 31, 2019. Councilmember Hedrick commended Chief Torbet for his many years of service to the community, not just as a Fire Fighter, but also as a neighbor and friend. Councilmember Hedrick wished Chief Torbet and Beth well in their next phase of life.

Councilmember Hardin – Councilmember Hardin congratulated and thanked Don for his 35 plus years of service to the City and as a neighbor.

Councilmember Kristovich – Thanked Don for his years of service. Don and Beth mean so much to the community and were the first to welcome Councilmember Kristovich when she moved into Ruston in 1989.

Councilmember Syler – Was excused.

Councilmember Huson – Was unexcused.

MEETING AJOURNED -

At 7:17PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Hardin, passed 3-0.

Mayor Bruce Hopkins

ATTEST:

Judy Grams