

**CITY OF RUSTON
REGULAR COUNCIL MEETING
Tuesday, May 19, 2020**

The City Council of the City of Ruston met on this date via Virtual Teleconference

MEETING CALLED TO ORDER

At 7:01PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Hardin, Councilmember Holland, and Councilmember Syler. Councilmember Huson was excused. Following the flag salute, Councilmember Hardin moved to approve the agenda, with a second from Councilmember Holland the agenda passed 3-0. Councilmember Hedrick joined 7:05PM.

MINUTES

Councilmember Hedrick moved to approve the minutes for the Regular Council meeting of May 5, 2020, with a second from Councilmember Hardin, passed 4-0.

STAFF REPORT –

Ruston Police - Chief Bautista - See attached.

Ruston Fire – Chief Allen – See attached.

GENERAL PUBLIC COMMENTS –

Don Torbet – Came home from Arizona and glad to be back. Mr. Torbet wanted to let Council know there are very loud cars and motorcycles traveling 51st and Winnifred and asked the Ruston Police department to do something about this per the City’s Noise Ordinance.

BUSINESS –

PUBLIC HEARING – Ordinance 1529-1532 - Councilmember Hardin moved to open Public Hearing, with a second from Councilmember Holland, passed 4-0. There was no Public Comment. Councilmember Hardin moved to close the Public Hearing, with a second from Councilmember Holland, passed 4-0.

ORD 1529 – Temporary Encampment Permits CH25.11 RMC (1st reading)

ORD 1530 – Amending Zoning Definitions RMC 25.01.02 (1st reading)

ORD 1531 – Updating Land Use Matrix for Temporary Encampment (1st reading)

ORD 1532 – Amending RMC 19.01.010 and RMC 19.01.011 Temporary Encampment (1st reading)

Prior to the 2020 Legislative Session, RCW 35A.21.360 authorized religious organizations to host temporary encampments for homeless persons on property they own or control and likewise permits cities to impose conditions that are necessary to protect public health and safety and do

not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on their property. However, during the 2020 Legislative Session, the State Legislature passed Engrossed Substitute House Bill 1754 which limited local regulation of temporary encampments. The effective date of ESHB 1754 is June 11, 2020. The terms of ESHB 1754 do not prohibit the effectiveness of any local regulations that exist prior to the effective date of ESHB 1754 provided that the local regulations do not categorically prohibit the hosting of the homeless by religious organizations, and have not been ruled by a Court to violate 42 U.S.C. § 2000cc. A copy of ESHB 1754 is attached. Thus, in order to have local regulations on temporary encampments that differ from ESHB 1754, the City needs to adopt those regulations by the end of May 2020. The adopted regulations need to be consistent with federal limitations. Ordinance #1529 is based on a recently adopted City of Bellevue ordinance regulating temporary encampments. The Bellevue ordinance was framed on a federal consent decree that followed a lawsuit on earlier encampment regulations approximately 15 years ago. Because that ordinance is expected to pass federal challenge, framing the Ruston ordinance on such standards is also likewise to withstand any federal challenge. This ordinance creates a new chapter 25.11 in the Ruston Municipal Code to establish regulations for temporary encampments. It also amends the definitions section and land use matrix elsewhere in Title 25 Zoning of the RMC and the permit processing sections RMC 19.01.010 and 19.01.011 for consistency. Temporary encampments are encampments hosted by religious institutions on church property for the purpose of providing a temporary place to live for people experiencing homelessness. The use is an outright permitted use in all zones subject to the regulations contained in Ch. 25.11 RMC. Any church desiring to host a temporary encampment must apply for and obtain a temporary encampment permit from the City of Ruston. This permit is administrative, which means it is processed by and issued by the City's Planning Director. The permit requires public notice and a public meeting. (see Section 25.11.050.) The permit also requires adherence to certain performance standards, such as adequate sanitation (drinking water, hand washing, showers, toilets) and food handling facilities with no more than 100 adult residents allowed (no children allowed). The residents of the encampment and the hosts are required to meet certain conduct requirements, such as no alcohol or weapons, no open flames, not littering, etc. (See section 25.11.060(2).) The permit will allow a temporary encampment to be in place for up to 90 days at a time, with no more than one permit in effect at any one time. (Section 25.11.060(4).) Furthermore, it requires screening from nearby neighbors. There are general health and sanitation standards, including control of waste, insects, and rodents, etc. If an applicant fails to comply with the permit conditions, then the City has the right to revoke the permit. Appeals of revocations are heard by the City's hearing examiner. (Section 25.11.100.)

ORD RES 712 – Authorizing Pierce County Road and Traffic Maintenance - The Interlocal Cooperation Act, authorizes the City is to contract with other governmental agencies to perform any function that the City is authorized to perform. Pierce County is willing to contract with Ruston to provide on-call roadway repair and maintenance services.

These services may include road and traffic maintenance, including roadway markings; roadway striping; raised pavement markers; general street repair; material hauling; street sanding; street sweeping; vactor service; snow plowing; grading; street resurfacing; and providing specialized technical services, advice and recommendations. Street resurfacing projects may include, but are not limited to, full depth asphalt grinding; HMA patching; and chip seal resurfacing. The County in its discretion may also provide de-icing services and products. These services are provided at the hourly rates established on Attachment 1 of the Agreement with equipment rental hourly prices established in Attachment 2. The cost to hire the County for this service is far below what this would cost under public bidding by a private sector contractor. The Agreement does not require the City to have any work done but allows the City to provide annual project lists to the County for the County to perform at the rates in the Agreement. The Agreement expires at the end of this calendar year but will renew annually unless either party provides notice of non-renewal by November 1st of each year. The Agreement is coming forward now as the City has the need for chip and seal repair work on certain streets which are part of its adopted TIP project list. The streets we anticipate having chip sealed/resurfaced this year are:

- 50th Street (from Pearl to Winnifred)
- Bennett Street (from City limits to Court Street)
- Shirley Street (from City limits to 49th Street)

Next summer, we anticipate having the follow street chip sealed/resurfaced:

- Rust Way (from Winnifred to Baltimore)

The resurfacing for all of these streets is covered under a current grant agreement. Councilmember Hardin moved to approve the RES 712, with a second from Councilmember Holland the agenda passed 4-0

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

MAYOR’S TIME – Shared the passing of Ruston City Engineer Jerry Morrissette. Mayor Hopkins recognized Jerry for his commitment to the City of Ruston and Mayor Hopkins enjoyed working with Jerry through the years. Point Ruston filed a lawsuit against the City of Ruston, and we have executed a contract with a litigator to represent Ruston. Point Ruston requested an extension on Building 9-11 permits which was to be completed by June 12, 2020. Point Ruston is struggling with the City of Ruston and our comments related to density.

According to SEPA all mitigation is now due, most importantly public safety. If mitigation cannot be met the City of Ruston would accept a bond. Density is 40% over what was originally proposed, and the current development only halfway completed. Point Ruston wants out of their lease and their argument is that the Ruston School Building is not ADA compliant. Point Ruston has now stopped paying rent and are taking legal advice. Mayor Hopkins will keep everyone informed on further developments.

COUNCIL TIME –

Councilmember Hedrick – Nothing at this time.

Councilmember Hardin – Was sad to hear about Jerry Morrisette’s passing. Jerry was a great asset to the City of Ruston and will truly be missed. Councilmember Hardin reminded everyone of a letter dated May 14, 2020 in which EPA approved an exemption to Point Ruston so they could continue construction during Governor Inslee’s COVID-19 stop work order.

Councilmember Holland – Will miss Jerry Morrisette, his great disposition and smile. Jerry always started his Council Meeting Staff updates with, “It’s a beautiful day in Ruston”.

Councilmember Syler – Nothing at this time.

Councilmember Huson – Excused.

MEETING AJOURNED – At 7:18PM Councilmember Hardin moved to adjourn, with a second from Councilmember Holland, passed 4-0.

Mayor Bruce Hopkins

ATTEST:

Judy Grams



**Chief's Report
Ruston Police Department
Tuesday, May 19, 2020**

During the month of April 2020, the Police Department logged 79 CAD incidents with the South Sound 911 dispatch system. This number is down because I have asked officers to be more selective in their pro-active traffic enforcement and other factors to include:

- The Ruston Municipal Court issued a recent Administrative Order stating that jury trials are suspended until after July 6th, infraction hearings will be conducted via mail until October 1, 2020, court rule hearings are suspended until June 1. Additionally, the court building will not open to the public before June 16th.
- The Pierce County Jail has closed general bookings unless they are specific dangerous felonies or other court-ordered and/or RCW mandatory bookings.

The Taste of Tacoma and the Family 4th of July events have been postponed to possibly August and/or September.

Prepared by Nestor Bautista



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

Ruston Fire Department Monthly Review for April 2020

Tuesday, May 19, 2020

Presented by Chief Bruce Allen

Total Incidents: 7 (1 Fire/ Service, 6 Medical Aid)

Total Volunteer Hours: Total 4046 Hours April 840 Hours

Membership Roster 20 (out of 25): (16 FF, 4 Officers)

State of the Business:

- Our “new” Aid Van is up and in service! Thanks to Systems for Public Safety for installing our radio system for us!
- We are happy to be able to report that we have had No Covid 19 related calls in our City
- All fire tools are fully operational
- We have one firefighter in the Regional Fire Academy
- We have one firefighter in the EMT program at Pierce College

Ruston Fire Department’s Master Business Objectives for April 2020

OBJECTIVE	START DATE	TARGET COMPLETION	COMPLETE	ACTION OWNERS
Recruitment	1/2020	<i>ongoing</i>	20 of 25	B. Allen
CPR Training	1/2020	<i>ongoing</i>	100%	S. Anderson
Fire Training	1/2020	<i>ongoing</i>	100%	M. Anderson