

**CITY OF RUSTON  
REGULAR COUNCIL MEETING  
Tuesday, July 21, 2020**

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

**MEETING CALLED TO ORDER**

At 7:03PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Hedrick, Councilmember Hardin, Councilmember Syler and Councilmember Huson. Councilmember Holland was excused. Following the flag salute, Councilmember Hedrick moved to approve the agenda, with a second from Councilmember Hardin the agenda passed 4-0.

**MINUTES**

Councilmember Hedrick moved to approve the minutes for the Regular Council meeting of July 7, 2020, with a second from Councilmember Hardin, passed 4-0.

**STAFF REPORT** –

Chief Bautista – See attached.

Chief Allen – See attached.

**GENERAL PUBLIC COMMENTS** –

**Randy Plain** – Hoped everyone was doing well during these difficult times. Mr. Plain reported the Commencement resident, who was attacked at Point Defiance Park, was doing much better since the attack. Mr. Plain wanted to know if the Ruston Police responded to this situation and noted there was lack of law enforcement in the park. Police Chief Bautista addressed Mr. Plain’s comment and noted that Ruston Police do respond to incidents within the park and reminded everyone the park is Tacoma’s jurisdiction. In 2012 City of Ruston Police and Metro Parks had a safety contract agreement. Chief Bautista and Metro Parks revisited this contract in 2018 and it was determined the contract agreement would not be renewed. Metro Parks has been seeing big city problems and Ruston does not have trained resources to support these problems.

**BUSINESS** –

**ORD 1534** – Updated Solid Waste (2<sup>nd</sup> reading) - For many years, the City of Ruston has had its own solid waste utility for hauling garbage, recycling, and yard waste for the residents and businesses in Ruston. Over the past several years, operational costs have increased, and the long-term sustainability of the services was put at risk. Following a competitive RFP process, the City Council awarded a contract to Murrey’s Disposal Company for hauling all solid waste, recycling, and yard waste in Ruston. This contract was awarded on June 16, 2020 by passage of Resolution No. 711. Murrey’s will commence service under the contract on August 1, 2020.

The City’s solid waste code that is within three chapters of Title 6 (6.01, 6.03, and 6.04) has been in place for decades with few updates apart from rates. This code is based on the premise that the City is the waste hauler. In order to provide consistency with the new contract and to move these services outside of City operations, the solid waste code needed a major overhaul. This Ordinance consolidates Chapters 6.01, 6.03 and 6.04 into a new Chapter 6.01 of the Ruston Municipal Code. The new chapter also was made consistent with the Solid Waste Services Agreement that was authorized in June.

**1. What remains the same.** The following provisions are the same or similar to the prior code:

Description of Section	Prior RMC Section	New RMC Section
The purpose and declaration of policy language.	6.01.010	6.01.005
Violation/prohibited acts contained in the prior code (i.e. to maintain the area around containers clean and litter free, penalties for improper disposal, prohibitions on overloading or damaging containers, prohibiting hazardous waste, etc.).	6.01.050 6.01.060 6.01.070 6.01.080 6.01.085 6.01.090 6.01.140 6.01.160 6.01.210 6.01.220 6.01.230	6.01.120 6.01.130 6.01.120 6.01.130 6.01.130 6.01.130 6.01.130 6.01.055 6.01.140 6.01.150 6.01.160 6.01.170
Most of the definitions contained in the old code have been retained and new definitions from the Agreement have been added	6.01.020	6.01.020
Penalties for improper disposal or violations in this chapter are still in place but with a uniform penalty.	6.01.420	6.01.060 6.01.190
The only section contained in Chapter 6.04 regarding compliance with the State indoor clear air act has been relocated to	6.04.010	6.01.080

**2. What has changed.** In converting from a City utility to a contract, several portions of the new code needed revising:

Description of Section	Prior RMC Section	New RMC Section
The provisions that had the City performing an act (i.e. cleaning up spilled litter around cans and charging the customer) have been removed.	6.01.030 6.01.120 6.01.180 6.01.200 6.01.240 6.01.270 6.01.290 6.01.300 6.01.310  6.01.320 6.01.330 6.01.340 6.01.350	--
All sections setting rates and service levels.	6.01.250 6.01.260	6.01.090
Separate provisions or definitions for garbage, recycle, and yard waste have been consolidated where appropriate.	6.01.370 6.01.380 6.01.390 6.01.400	6.01.045 6.01.055 6.01.090
Rate changes need to follow state law notice requirements (45 days).	--	6.01.090
Removing items from recycle bins is now an infraction	--	6.01.100
Weight limits on containers have been added to the code consistent with Murrey's equipment load capacity.	--	6.01.055
The enforcement and penalties have been streamlined to allow police to write civil infraction tickets as opposed to using a hybrid civil violation procedure (as was contained in the prior code).	6.01.420	6.01.190
Chapter 6.03 which established the garbage utility for Ruston has been repealed.	6.03.010	--

Councilmember Hedrick moved to approve Ordinance 1534, with a second from Councilmember Harding, passed 4-0.

**ORD 1535** – Amend RMC 18.01.011 (1<sup>st</sup> reading) - Section 19.01.011 of the Ruston Municipal Code contains the table that sets forth procedures for various permits and approval in Ruston. The City Planning Director recently reviewed this table and is recommending revisions to the procedure for approving Master Development Plans and major amendments of Master Development Plans. This is because this procedure is inconsistent with the rezone procedures. Rezones are processed with a report by the Planning Director, followed by a recommendation by the City’s Hearing Examiner, with the final decision being made by the City Council. The Planning Director recommended that this same process be used for reviewing Master Development Plans and major amendments thereto. In addition to these changes, the proposed Ordinance corrects some confusing language in the table and updates the code cross-reference. No other changes to RMC 19.01.011 are proposed at this time.

**RES 714** – Public Works Contract – Tucci and Sons - The work of the project is divided into two bid schedules so that the City retained the flexibility to award certain portions of the work without the obligation to award the entire project. City Engineer is recommending the Council award both the Base Work Bid Schedule and the Optional Work Schedule to Tucci & Sons.

**Public Bidding Process.** In accordance with State law, any public works project over \$300,000 must be awarded via the full competitive bidding process which requires advertising for bids or a “call for bids”. The Call for Bids was authorized and was published on June 8, 2020 in the Tacoma Daily Index. The project was also advertised and available online on the City website and posted outside City hall. The City further emailed the Call for Bids to all qualified contractors within Washington State that were registered with the MRSC Small Works Roster (over 300 contractors). The bid call was open for approximately 2 1/2 weeks before the June 25, 2020 bid opening date.

The bid opening took place at 2:00 PM on June 25, 2020 at the Mary Joyce Community Center. The bid sheets prepared by the City Engineer are attached to this Agenda Bill as Attachment 1. The City received five bids as follows:

	<b>Contractor</b>	<b>Base Bid</b>	<b>Optional Work</b>	<b>Total</b>
1	NW Cascade, Inc	\$363,315.00	\$62,110.00	\$425,425.00
2	Transportation Systems, Inc	\$504,825.00	\$93,082.00	\$597,907.00
<b>3</b>	<b>Tucci and Sons, Inc</b>	<b>\$325,707.00</b>	<b>\$63,825.00</b>	<b>\$389,532.00</b>
4	Nordv and Company	\$415,781.50	\$121,234.25	\$537,015.75
5	ACI	\$350,589.50	\$78,839.50	\$429,429.00
6	Rainier Asphalt	\$540,863.00	\$141,855.00	\$682,718.00

The City Engineer’s Office recommended awarding the Project Contract to the lowest responsible bidder which was Tucci & Sons.

If the Contract is award at the July 21, 2020 Council Meeting, then construction is anticipated to begin in the before the end of July and is expected to be substantially complete on or before December 1, 2020. The initial grant from TIB is funding this project up to \$568,704.00. The City’s required match is up to 5 percent (\$29,931.00) if Council awards the schedules recommended by the City Engineer. Councilmember Hedrick moved to approve Resolution 714, with a second from Councilmember Hardin, passed 4-0.

**RES 715** – Surplus Solid Waste Vehicles and Equipment - For many years, the City of Ruston has had its own solid waste utility for hauling garbage, recycling, and yard waste for the residents and businesses in Ruston. Over the past several years, operational costs have increased, and the long-term sustainability of the services was put at risk. Following a competitive RFP process, the City Council awarded a contract to Murrey’s Disposal Company for hauling all solid waste, recycling, and yard waste in Ruston. This contract was awarded on June 16, 2020 by passage of Resolution No. 711. Murrey’s will commence service under the contract on August 1, 2020. Due to the City’s outsourcing of all of its solid waste operations, it no longer needs to own any carts or trucks for collection of solid waste. Therefore, as part of the contract RFP, the City offered to sell its equipment and vehicles to the Contractor at fair market value as part of the solid waste contract. The equipment in the City’s inventory is listed below.

**Surplus Garbage Carts:**

**A. Existing in Service:**

Garbage (Green)	Count	Recycle (Blue)	Count	Yard Waste (Tan)	Count
20 Gallon	8	65 Gallon	344	65 Gallon	344
35 Gallon	277	65 Gallon Comm	25		
65 Gallon	80				
<b>Total Count</b>	<b>365</b>		<b>369</b>		<b>344</b>

The carts currently in service were acquired by Murrey’s Disposal as part of the Solid Waste Collection Contract that was authorized by the City Council by passage of Resolution No. 711 on June 16, 2020.

**B. Carts in Inventory:**

Garbage (Green)	Count	Recycle (Blue)	Count	Yard Waste (Tan)	Count
35 Gallon	63	65 Gallon	61	65 Gallon	54
65 Gallon	36				
95 Gallon	27				
<b>Total Count</b>	<b>126</b>		<b>61</b>		<b>54</b>

These surplus carts will be acquired by Murrey’s Disposal for the payment of fair market value in the amount of \$8,000.00.

**Surplus Solid Waste Collection Vehicles:**

- A. 2006 Sterling Condor Heil Formula 7000 with Side Arm Loader, with an 18 Yard Body.  
 (VIN # 49HABVCY36RW02116)
  
- B. 1994 International Navigator 4900 with Dempster rear Loader.  
 (VIN # 1HTSDN2RH547095)

The fair market value for both vehicles is \$30,000.00. Murrey’s Disposal will be acquiring these from the City for payment of fair market value as part of its contract with the City for solid waste services. Resolution #715 allows the sale for fair market value of the surplus carts and solid waste collection vehicles. The total price for all equipment is \$38,000.00. These will be acquired by the City’s new solid waste contractor. By selling these vehicles, the City will receive the payment and will no longer need to store or maintain these vehicles and equipment. Councilmember Hedrick moved to approve Resolution 715, with a second from Councilmember Hardin, passed 4-0.

**PAYROLL** – Councilmember Hedrick moved to approve Payroll, with a second from Councilmember Hardin, passed 4-0.

**MAYOR’S TIME** – Mayor Hopkins thanked Chief Bautista for addressing Point Defiance Park and the traffic impacts the City of Ruston is faced with, along with the jurisdictional limitations we have. Ruston staff met with the Silver Cloud owners to identify any outstanding items that may impact getting their Certificate of Occupancy. The Silver Cloud anticipates gaining occupancy by December 2020. Mayor Hopkins had the opportunity to walk through the Ruston Public Market and was pleased to see the number of vendors, along with Owens Meats, open for business.

**COUNCIL TIME** –

**Councilmember Hedrick** – Nothing at this time.

**Councilmember Hardin** – Nothing at this time.

**Councilmember Holland** – Excused.

**Councilmember Syler** – Nothing at this time.

**Councilmember Huson** – Nothing at this time.

**MEETING AJOURNED** – At 7:35PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Hardin, passed 4-0.

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Mayor Bruce Hopkins

ATTEST:

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Judy Grams



**Chief's Report  
Ruston Police Department  
Tuesday, July 21, 2020**

During this reporting period, the Police Department logged 103 CAD incidents with the South Sound 911 dispatch system. This number is down 56% from the same period in 2019.

- The Department is are fielding more traffic complaints regarding loud vehicles and failing to stop at the stop sign at 51<sup>st</sup> and Winnifred. We will schedule emphasis patrols targeting the stop sign violators, but loud exhaust is a difficult violation to enforce because our municipal code and the RCW are don't sufficiently cover the elements necessary for civil enforcement by police. At the mayor's request I have been soliciting information from other jurisdictions, including those in California, to find effective enforcement practices and legislation.
- There are also complaints of traffic violations occurring on Point Ruston property. With a few exceptions, RCW prohibits police from conducting enforcement for civil offenses on private property. Most reports of the noise and "donuts" are on Point Ruston property. Those that occur on public streets are enforceable and I am currently reviewing the city boundaries near Point Ruston with the officers so the Department does not improperly initiate police action where we don't have the authority to do so.

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

## **Ruston Fire Department Monthly Review for June 2020**

Tuesday, July 21, 2020

Presented by Chief Bruce Allen

**Total Incidents: 11** (4 Fire/ Service, 7 Medical Aid)

**Total Volunteer Hours: Total 5368 Hours May 634 Hours**

**Membership Roster 21 (out of 25):** (17 FF, 4 Officers)

### **State of the Business:**

- 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
- G. Ceballos graduated from the Regional Fire Academy with his Firefighter I and Hazmat Cert
- JJ Melson is our newest EMT after passing all his exams.
- We would like to welcome our newest recruit Calvin Kraft.

### **Ruston Fire Department's Master Business Objectives for April 2020**

OBJECTIVE	START DATE	TARGET COMPLETION	COMPLETE	ACTION OWNERS
Recruitment	1/2020	<i>ongoing</i>	21 of 25	B. Allen
CPR Training	1/2020	<i>ongoing</i>	100%	S. Anderson
Fire Training	1/2020	<i>ongoing</i>	100%	M. Anderson