

**CITY OF RUSTON  
REGULAR COUNCIL MEETING  
Tuesday, September 15, 2020**

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

**MEETING CALLED TO ORDER**

At 7:00PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Hedrick, Councilmember Hardin, Councilmember Holland, Councilmember Syler and Councilmember Huson. Following the flag salute, 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 September 1, 2020, with a second from Councilmember Hardin, passed 5-0.

**STAFF REPORT** –

Ruston Police – Chief Bautista – See attached.

Ruston Fire – Chief Allen – See attached.

**GENERAL PUBLIC COMMENTS** –

**Jennifer Droubay** – Ms. Droubay purchased her home in 2005 and loves the Ruston community. Ms. Droubay wanted to share her safety concerns related to the dangerous racing and car rallies being held at the Anthony’s Restaurant parking lot and the boat launch at Point Defiance. Ms. Droubay sent an email to Metro Parks and received a response that Metro Parks had hired private security, along with plans to place gates to resolve this issue. Councilmember Hardin offered a public apology to Ms. Droubay when she was unable to gain access to the City Council meetings through the Ruston website. Councilmember Hardin noted he was working on the website for better accessibility.

**BUSINESS** –

**Public Hearing - RES 717 – Surplus Real Property for Sale** – Councilmember Hedrick moved to open Public Hearing, with a second from Councilmember Hardin, passed 5-0. There was no Public Comment. Councilmember Hedrick moved to close the Public Hearing, with a second from Councilmember Hardin, passed 5-0.

**RES 717 – Surplus Real Property for Sale** - The City of Ruston a parcel of undeveloped real property within its borders which are currently not in use. This parcel is:

Address: 5405 N. Commercial Street, Ruston WA 98407  
Parcel No.: 4002050050  
Zoning: Residential (RES Zone)  
Improvement: Vacant land – undeveloped

The Mayor and Planning Director do not anticipate any city use for either of these parcels and recommend that the Council consider declaring both of these properties “surplus” and directing their sale on the open market for fair market value. Under Washington law, the City has the right to sell surplus property. The process for sale of surplus real property is as follows:

1. Hold a public hearing.

The Council is required to hold a public hearing on whether the property should be declared surplus. This is required for property valued at \$50,000 or more and for any property of any value that was purchased by a city utilities department. While not utility property, this real estate is valued at more than \$50,000, therefore a public hearing is required. The City has complied with the State law requirements for noticing the public hearing by publishing notice of the public hearing a minimum of 10 days (and no more than 25 days) prior to the hearing in the City’s Official Newspaper. Such notice included the information required by State statute. A copy of the Public Hearing Notice is attached to this Agenda Bill. In addition to publishing notice, the City also sent press releases about the public hearing to the Tacoma News Tribune and Tacoma Weekly and posted copies of the Notice on the Announcement Board at City Hall, at the Mary Joyce Community Center and on the City of Ruston Website.

2. Consider whether the property should be declared “surplus”.

After the public hearing, the Council should consider whether the property is no longer needed by the City for governmental purposes and may be sold. If the City Council determines that the property is not needed, passage of Resolution No. 717 declaring it surplus would be the next step.

3. Consider how the property, and under what conditions, the property may be sold.

Resolution No. 717 also outlines how this property will be sold. The Council has authority to direct the method of sale (i.e. auction, take bids, listed for sale, post on website of its availability, etc.) as well as the person whom is delegated to oversee and implement the sale. However, the property must be sold for “fair market value” to ensure that the price accepted does not amount to a prohibited "gift of public funds."

Resolution No. 717 directs the Mayor to (1) obtain an appraisal of the property; (2) place the property on the open market (including hiring a listing agent if desired); and (3) bring any offers to Council for consideration for discussion prior to acceptance.

In addition, the City Council can add provisions to the Resolution to have additional land use control over the development and that term can be part of the offering. However, any additional requirements on the property may affect its value and will need to be considered by the appraiser in informing the City as to the fair market value of the property.

The Planning Director recommends that the City put the following conditions on the sale of this parcel which will make the development more consistent with the City's vision for residential areas:

5405 N. Commercial Street, Ruston WA 98407

The City should require that any home developed on this lot have a front porch of a minimum depth of 8-feet which is at least as half as wide as the overall width of the main structure.

This property should also not be permitted to develop a garage in the front of the lot. Although this parcel is not a corner lot and doesn't have alley access, due to the topography and width of the lot (the lot is approximately 65' wide which is 20' wider than the code minimum of 45'), there is ample room to provide a driveway along one side of the home to a rear yard detached or attached front, or side-loaded, garage. Due to the lot sloping down from the street, it is well suited to a daylight basement level flat-roof side-loaded garage with patio space above at the main floor level.

In addition, the Council could require that the lot or lots be developed within a certain timeline, i.e. the lots shall be developed within 24 months of closing. The Council should give direction if it desires to place these requirements onto the lot are part of the sale. Declaring this parcel of property surplus and selling it will take unproductive property in the City, allow it be sold and developed, and will bring revenue into the City based on both the sale, the Real Estate Excise Tax, and any tax or other revenue that is generated by the development of this parcel. Considering the impacts of COVID19 on the City budget and the real estate market, this could be a good time to sell this parcel. Councilmember Hedrick moved to approve Resolution 717, with a second from Councilmember Hardin passed 5-0.

**PAYROLL** – Councilmember Hedrick moved to approve Payroll, with a second from Councilmember Hardin, passed 5-0.

**MAYOR'S TIME** – Mayor Hopkins noted he received Ms. Droubay's email regarding her safety concerns related to the dangerous racing and car rallies being held at the Anthony's Restaurant parking lot and the boat launch at Point Defiance. Mayor Hopkins researched the matter and explained this issue crossed multiple jurisdictions. Mayor Hopkins requested Councilmember Hedrick and Police Chief Bautista for their assistance in having open dialog with Metro Parks for a better understanding of what Metro Parks proposed to do in the resolution on this issue. Mayor Hopkins shared the City of Ruston received approximately \$100,000 in delinquent back taxes for the Parking Garage at Point Ruston.

**COUNCIL TIME** –

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

**Councilmember Hardin** – Recommended a Resolution recognizing Fire Chief Don Torbet's commitment and service to the Ruston community and the Ruston Fire Department for 30 plus years, as well, Fire Chief Torbet was instrumental in the transition of the Asarco Plant.

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

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

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

**MEETING AJOURNED** – At 7:33PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Hardin, passed 5-0.

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Mayor Bruce Hopkins

ATTEST:

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Judy Grams



**Chief's Report  
Ruston Police Department  
Tuesday, August 18, 2020**

**Chief of Police:**

During a 30 period ending on September 15, 2020, the Police Department logged 129 calls for service. This is 26 more than were logged in the same period of 2019 and is explained by nuisance traffic complaints and mutual aid at Tacoma Police calls.

- There have been 2 overtime emphasis patrols to address loud exhaust complaints. We used the WA Traffic Safety Commission mandate of 3 traffic stops per hour, but it appears that the car clubs observed the first few hours of police activity and departed to other areas.
- Metro Parks Tacoma recently hired security guards and are attempting to install gates for the boat launch and Anthony's parking lots to reduce the problems they are experiencing. We assist Tacoma Police officers whenever they are called to stop large gatherings after Park hours.

Prepared by Nestor Bautista



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

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

Tuesday, September 15, 2020

Presented by Chief Bruce Allen

**Total Incidents: 14** (6 Fire/ Service, 8 Medical Aid)

**Total Volunteer Hours: Total 6815 Hours July 776 Hours**

**Membership Roster 20 (out of 25):** (16 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
- All of our recruits at the Regional Fire Academy passed their Mid Term exam last night
- The Memorial Service for Chief Torbet will be held this Saturday at Rust Park from 2-4 PM

### **Ruston Fire Department's Master Business Objectives for August 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