

**CITY OF RUSTON  
REGULAR COUNCIL MEETING**

**Tuesday, June 20, 2023**

**MEETING CALLED TO ORDER**

At 7:02PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Kristovich, Councilmember Syler, Councilmember Huson and Councilmember Jensen. Councilmember Hedrick was excused. Following the flag salute, Councilmember Kristovich moved to approve the Agenda, with a second from Councilmember Syler, passed 4-0.

**MINUTES** - Councilmember Kristovich moved to approve the minutes for the Regular Council meeting of June 6, 2023, with a second from Councilmember Syler, passed 4-0.

**STAFF REPORT** –

Ruston Police Officer Vela – See attached.

Ruston Fire Chief Allen – See attached.

**GENERAL PUBLIC COMMENTS** –

**Talia Thepvongsa** – Inquired on why the Farmers Market was split up.

**Kevin Moser** – Commented on the Ruston businesses who came to the last council meeting requesting the extension of hours to midnight for outdoor seating within the commercially zoned district of Ruston. Mr. Moser noted the residents of Ruston attended and spoke of their opposition to Ordinance 1560 a year ago. There was no business representation at that time. Ordinance 1560 was not adopted. Mr. Moser hoped that the Council would not consider reopening discussion on this topic. Mr. Moser thanked Ruston Police and Fire for the work they do protecting the City. Their presence is felt.

**BUSINESS** –

**RES 768 – Public Hearing – 6 Year TIP** - Councilmember Kristovich moved to open Public Hearing, with a second from Councilmember Syler, passed 4-0. Kevin Moser asked if there was information regarding the 6-year TIP, available to the public. Mayor Hopkins noted the 6-Year TIP had been reviewed and discussed at the previous council meeting. Mayor Hopkins provided a review of the 6-Year TIP prior to a vote. Councilmember Kristovich moved to close the Public Hearing, with a second from Councilmember Syler, passed 4-0.

**RES 768 – 6 Year TIP** - State law mandates all local jurisdictions to annually adopt and submit to the state a six-year program of transportation improvements, known as the Local TIP. To be eligible to seek federal and state funding, the City must comply with state law and adopt an annual TIP.

**Background.** The six-year Local TIP serves as a general work plan for the development of local transportation systems and, as such, represents an important planning component under the State's Growth Management Act. The Washington State Department of Transportation (WSDOT) and Puget Sound Regional Council (PSRC) use Local TIPs as a tool for coordinating the transportation programs of local jurisdictions with those of regional agencies. PSRC monitors Local TIPs for projects of regional significance (to be modeled for air quality conformity) and projects supported by federal funds. These projects are incorporated into the Regional TIP, which is then forwarded for inclusion in the State TIP. In most instances, projects must be included on a Local TIP to be eligible for state and federal grant programs. Local TIPs need not be revenue constrained; jurisdictions can include projects they would choose to implement within the timeframe, if funding were available. The updated TIP reflects any changes since last June as well as the movement of projects which have been funded. The City issued a SEPA Determination of Non-Significance on May 18, 2023, and the comment period had passed. The resolution adopting the 6-Year TIP may be approved following the public hearing which was held on June 20, 2023. The draft TIP was being presented to the Council for consideration and discussion on June 6th, but not for action. Action could not be taken until *after* the required Public Hearing was held. There would not be direct fiscal impact of adopting the 2024-2029 Transportation Improvement Program. However, the projects listed on the TIP become eligible for federal and state grant funding. Councilmember Jensen recommended striking the project related to street parking on Park Avenue, as it conflicts with Ordinance 1490. In 2016 the Council passed Ordinance 1490 which does not allow street parking on Park Avenue. Mayor Hopkins explained the timing of this project and why it was placed on the 6-Year TIP. Councilmember Huson shared the importance of the 6-Year TIP and the purpose of this project for TIP funding consideration. Councilmember Kristovich moved to approve Resolution 768, with a second from Councilmember Syler, passed 3-1.

**RES 769 – Standing Trustee Michael G Malaier Lease** - The City Council authority to lease real property. The City has leased portions of the Ruston School to various entities. The City entered into a listing agreement with Neil Walter Company to market the space in the School Building. The broker brought The Office of the Chapter 13 Standing Trustee, W.D. Washington, Tacoma Division, Michael G. Malaier, Chapter 13 Standing Trustee to the City to lease a portion of the vacant space, namely Suite 101. That lease is attached to Resolution No. 769. This new lease encompasses 2,014 square feet, or 12.8% of the building. The City Attorney's office prepared the proposed lease, which includes the City's standard insurance and indemnity provisions to protect the City. The lease base rent amount is \$17/square foot per year, triple net with an escalation each year in the amount of three percent for any year which the tenant extends. There are two five-year options. In addition, the tenant has requested an option to expand if Suites B05, B03 or B04 become available. The starting monthly base rent will be \$2,853.16 per month. In addition to the monthly base rent, the Standing Trustee Michael G. Malaier will pay for its proportional share (12.8%) of the costs of the building called "common area maintenance" or "CAM" and its proportionate share of the common utilities. Currently this is estimated to be \$841.31 per month.

Tenant will also pay leasehold excise tax. The proposed Lease is attached to Resolution #769 and has been signed by the Standing Trustee Michael G. Malaier and “approved as to form” by the City Attorney’s Office. This will generate base rent of \$ 2,853.16 per month plus \$841.31 (estimate) per month in CAM charges for the City for the first year of the lease with a three percent escalation in each subsequent year. Councilmember Kristovich moved to approve Resolution 769, with a second from Councilmember Syler, passed 4-0.

**CLAIMS & PAYROLL** – Councilmember Kristovich moved to approve Payroll for May 20, 2023, Payroll for June 5, 2023, and Payroll for June 20, 2023, with a second from Councilmember Syler, passed 4-0.

**MAYOR’S TIME** – Mayor Hopkins reminded everyone that the Council meetings of July 4, 2023, in observance of the 4<sup>th</sup> of July, and August 1, 2023 Council meeting, in observance of National Night Out, were canceled. Mayor Hopkins provided a status update on the Point Ruston development, noting they were in court appointed receivership. MC Construction – Loren Cohen announced they were pulling their project with the City of Puyallup. Serpanok owns the Waterfront Market parking garage and during litigation with Point Ruston Serpanok could not charge for parking. Point Ruston collected parking revenue and never paid tax revenue to the City of Ruston. With Point Ruston in receivership Serpanok can now charge for parking. The City of Ruston will begin to see back parking tax revenue in the amount of \$60,000. Mayor Hopkins met with WSDOT to discuss the Winnifred Street Bridge inspection and who was responsible for the cost of inspection. WSDOT has agreed to pay for the slated Winnifred Street Bridge inspection at no cost to the City. Mayor Hopkins has had discussions with the Department of Revenue regarding a Ruston 2% hotel-motel and 2% lodging tax, to learn Ruston was not eligible for the lodging tax because Ruston had not filed for it back in the 1970’s. At that time the City of Ruston did not have hotels. The 2% lodging tax is currently directed to Pierce County. Mayor Hopkins and Councilmember Hedrick will continue to hold discussions with the Department of Revenue and will request a reconsideration of the 2% lodging tax.

**Councilmember Hedrick** – Was excused.

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

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

**Councilmember Huson** – Wanted to add to Kevin Moser’s comments regarding the Ruston businesses request to extend hours for restaurant outdoor seating, past 10PM. Councilmember Huson noted that Ordinance 1560 went before Council in September 2022 and residents made efforts to voice their concerns. There was no business representation.

Councilmember Huson stated the time for this ordinance has come and gone and wanted to remind everyone that it was their responsibility to stay informed.

**Councilmember Jensen** – Noted that the Farmers Market had moved to Dune Park. Mayor Hopkins shared that the Farmers Market has never corresponded with the City of Ruston and confirmed the Farmers Market’s move to Dune Park was in the City of Tacoma. Councilmember Jensen invited everyone to join in the fun at the annual Ruston 4<sup>th</sup> of July bicycle parade, which would be held at noon on July 4<sup>th</sup>, in front of the Ruston Fire House.

\_\_\_\_\_  
Mayor Bruce Hopkins

ATTEST:

\_\_\_\_\_  
Judy Grams



**Chief's Report  
Ruston Police Department  
Tuesday, June 20, 2023**

In the previous 28 days (May17-June14), the Department recorded 300 calls for service, 138 of which were traffic stops. The previous 28 day breakdown compared to the same period in 2022 shown below:

<u>Calls for Service</u>	<u>2023</u>	<u>2022</u>	<u>PERCENT OF CHANGE</u>
	306	212	+42%
(Minus Traffic Stops)	178	115	+55%
<u>Traffic Stops</u>	<u>2023</u>	<u>2022</u>	<u>PERCENT OF CHANGE</u>
	128	97	+32%

On May 20, a young man was shot in the shoulder by juvenile at the Chevron at 51<sup>st</sup> and Pearl Street. Ruston officers heard the shots and were on scene within a minute. All parties fled before officers arrived. Through investigative work by our officers, the suspect is identified and an arrest warrant is being sought. The suspect is known throughout the county for gang activities, including other shootings, and the Department will seek the help of a local SWAT team to put him in custody.

The following traffic revisions will occur during the Summer Blast 4<sup>th</sup> of July event:

- N. Baltimore (Stack Hill) between Ruston Way and N. 49th will be closed from approximately 10am until the end of the fireworks display.
- No parking on the streets of N.Commercial and N.Winnifred.
- Several streets will be restricted with "Local Access" or "Road Closed" signage.
- At the conclusion of the fireworks display, temporary traffic revisions will be made on N. 51st and on N. Baltimore to ease the traffic congestion during the egress.

The Department will be placing traffic updates as they happen on the Ruston Police Twitter page. All of our officers will be on duty during this event to conduct traffic control, parking enforcement, and to protect our residents and businesses.

Prepared by Nestor Bautista

# **Ruston Fire Department Monthly Review for May 2023**

Tuesday, June 20, 2023

Presented by Chief Bruce Allen

**Total Incidents (YTD) 63, May 18** (3 Fire/Service, 15 Medical Aid)

**Volunteer Hours: May 1494 Hours, YTD 6078 Hours**

**Membership Roster (22 out of 25):** (18 Members, 4 Officers)

## **State of the Business**

- Our call volume is climbing monthly.
- We are starting the updating of the classroom at the Fire Station.
- Engine 33 is in getting its annual pump test and service.
- We will need to replace our stretcher soon now that we are transporting.
- All fire tools are fully operational.