



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

July 10, 2007

Clemett

Mayor Wells called the meeting to order at 7:00 pm.

PRESENT: Mayor Judee Wells, Councilmembers Carol Clemett, Steve Eulau, Aaron Sharp, and Richard Leider.

EXCUSED: Bruce Young.

STAFF: Clerk-Treasurer Sue Ann Spens.

GUESTS: King County Councilmember Jane Hague, Jeff Jochums.

MINUTES: Councilmember Sharp asked that the minutes of the June meeting be amended to include his statements about asking that any regulations be “fair and equitable to all properties in the Town” and not place undue burdens on those properties that may be more heavily treed than others at this time. He read a paragraph with the proposed language of the amendment to the Council and provided Clerk-Treasurer Spens with a written copy.

Councilmember Leider asked that the minutes be amended to include his statement requesting that the committee treat landmark trees in a manner consistent with the other classifications. Councilmember Sharp asked that his endorsement of this request also be included in the record.

Councilmember Leider moved to approve the June 5, 2007 minutes as amended.

Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

WARRANTS: Councilmember Leider moved to approve the May 8, 2007 warrant list, including warrant numbers 7344 through 7364, in the amount of \$41,102.29.

Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Councilmember Leider moved to approve the June 12, 2007 warrant list, including warrant numbers 7365 through 7392, in the amount of \$24,486.84. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Councilmember Leider moved to approve the July 10, 2007 warrant list, including warrant numbers 7393 through 7415, in the amount of \$13,385.43. Councilmember Clemett seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

CLERK'S REPORT:

LOSS CONTROL GRANT: Clerk-Treasurer Spens announced that AWC has awarded the Town a \$1,000 grant to inspect the Town's ROW trees for hazards. She added that the grant money must be expended by October 15, 2007 and asked how the Council wished to proceed. It was the consensus of the Council that Councilmember Young be informed of the grant amount and stated purpose so that he can determine the appropriate means for expending the funds.

LETTER OF APPRECIATION TO WALTER SCOTT: Clerk-Treasurer Spens reported that she received a letter of thanks from a Medina resident expressing appreciation for Walter Scott's hard work in convincing the Washington State Department of Transportation (WSDOT) to conduct a test of rubberized asphalt (also know as "quiet pavement") in the Puget Sound area. She added that a test section is scheduled for installation on SR520 in the near future.

AUGUST COUNCIL MEETING: Clerk-Treasurer Spens reminded the Council that the August meeting is traditionally not held due to the difficulty of fielding a quorum unless there is business that needs attention. She stated that she will poll Councilmembers by email to determine who is available and if there is sufficient business to warrant a meeting.

MARSHAL'S REPORT: No report.

WABA REPORT: No report.

WATER REPORT: No report.

EMERGENCY PREPAREDNESS: No report.

VISIT WITH KING COUNTY COUNCILMEMBER JANE HAGUE: Mayor Wells welcomed King County Councilmember Jane Hague. Ms. Hague opened the discussion by stating that she is visiting primarily to continue a dialogue with local Councils that was begun in the last year or so and that she is interested in hearing about any concerns that members of the Council or residents of the community may have about current issues.

Councilmember Clemett asked Ms. Hague if she knows why the WSDOT test of quiet pavement will be conducted on SR 520 when the bulk of the support for the test originated among Beaux Arts and South Bellevue residents. Ms. Hague answered that she thought I-90 was one of the highways that would be used for the tests and would have to check to see if that is still true. She also stated that because the transportation-funding question is a ballot issue for this fall, she cannot discuss much about the proposed projects or their funding until after the election. Mayor Wells added that she learned there is also a test section scheduled for I-5 in Lynnwood and another planned (though not scheduled yet) for I405,

Ms. Hague asked if Beaux Arts is experiencing difficulty with noise from jet skis and cigarette boats, noting that other Eastside jurisdictions are hearing more complaints about both types of watercraft. Councilmember Clemett commented that she feels the noise from

Sound Air planes are more problematic. Ms. Hague commented that the Renton Airport will experience an increase in take-offs in the near future, which will likely impact Beaux Arts also.

Ms. Hague reported that the King County Council supports the acquisition of the Burlington Northern right-of-way, but the question of whether to use it for rail or trails remains open. She explained that there is some support for joint use as well as for removing the rails and replacing them later with raised and/or overhead train tracks because the grade-level tracks have a significant impact on the quality of life of adjacent neighbors.

Councilmember Leider asked Ms. Hague if there are other issues she knows would be of concern to Beaux Arts. Ms. Hague answered that there are several taxation questions currently under consideration: funding for Sound Transit and Emergency Medical Services, creation of a flood-control-zone district to repair and maintain river levies, and creation of a ferry district to manage small ferry service between places such as Kirkland-University of Washington-South Lake Union and Vashon-West Seattle. She also reported that the state legislature has approved a 1/10 of a cent increase in the sales tax to fund mental-health services, particularly in the jails.

After additional discussion about these topics, Ms. Hague thanked the Council for giving her time on the meeting agenda to share information.

UNDERGROUND UTILITIES: Councilmember Leider reported that documents authorizing PSE to proceed with preparing a pre-engineering estimate of the cost to design and build an underground utility system in Beaux Arts have been returned to PSE with a copy of the Town's most recent ROW survey. He added that this pre-engineering estimate is prepared by PSE at no cost to the Town and that the Town will not have any out-of-pocket expenses for this project until the Council is comfortable with the entire cost of the system and the method of paying for it.

Councilmember Leider explained that he will act as the Town's primary contact, answering PSE's and the Council's questions during this phase and all future phases, should the project move forward.

TREE MANAGEMENT PLAN: Councilmember Clemett reported that at the last Tree Committee meeting, the group expressed unanimous support for treating landmark trees differently from other trees in the Village. She explained that the committee feels it is the landmark trees that have the greatest impact on the Village's appearance and character and are one of the important things that make the community special. She noted that while the committee feels strongly about this aspect, they will write the proposed ordinance language in such a fashion that it can be altered easily if the community does not support it.

Councilmember Sharp commented that he still feels the burden of maintaining trees is being placed on the approximately fifteen properties that have landmark trees.

Councilmember Leider stated that he believes the measurement method used to establish

landmark status is arbitrary.

Councilmember Clemett explained that the last thing the committee wants is for no ordinance to pass simply because the proposed ordinance is perceived as being overly restrictive or as overstepping the community's mandate.

Mayor Wells asked if the committee has looked into ways that to alter the variance process in order to encourage tree preservation. Councilmember Clemett answered that the committee has discussed the idea and plans to talk with Town Planner Mona Green about how to make that happen.

Councilmember Clemett reported that the committee has also looked into replanting requirements for replacing trees that are removed but explained that the committee is divided as to how that should be implemented.

Councilmember Sharp asked if the untreed lots in Beaux Arts can be required to plant new trees as a means of evening out the tree burden. Councilmember Clemett answered that the committee felt that such a requirement would be too extreme and that the committee's primary focus is addressing the challenge of new resident's removing trees before they fully understand the value of those trees to the entire community. She added that she will go back to the committee to discuss possible zoning-code remedies for controlling tree canopy and lot usage. Councilmember Sharp suggested that the committee look into ideas for dedicating a portion of a lot to trees.

Councilmember Leider asked what the committee needs from the Council to continue moving forward. Councilmember Clemett answered that the committee's next step is to work with Town Planner Green to put something in writing that the community can review and comment upon at the Planning Commission's hearing on this topic (which is not yet scheduled).

Councilmember Eulau suggested that long-range replacement options, i.e. replanting cleared lots, should be considered and commented on. Councilmember Clemett noted that the committee wants help from the Town's arborist in developing recommendations for when and where to replace trees.

Councilmember Leider stated that it appears the committee has the body and structure in place to develop an ordinance with Town Planner Green's help and that now the committee needs to subject the proposals to public discourse.

Mayor Wells asked when the Planning Commission will become involved. Councilmember Clemett answered that the Planning Commission will hold a public hearing in the near future to review and discussed the proposed ordinance language that Town Planner Green and the committee develop. She added that after that public hearing, the Planning Commission will forward its recommendations to the Council for consideration.

ORDINANCE NO. 351 REFERENCING THE 2006 INTERNATIONAL BUILDING

CODE: Clerk-Treasurer Spens reported that the State of Washington adopted the 2006 International Building Code for residential construction on July 1, 2007 and that Ordinance No. 351 brings our Building Code Ordinance No. 265 into alignment with state statutes.

MOTION: Councilmember Sharp moved to pass Ordinance No. 351 amending the Town Building Code Ordinance No. 265 to adopt the 2006 International Building Code.
Councilmember Leider seconded.
Vote: 4 For, 0 Against, 0 Abstain.

MAYOR AND COUNCILMEMBER REPORTS:

TREASURER'S REPORT: Councilmember Leider reported that he has review the Treasurer's Reports for the 1st and 2nd Quarters of 2007, has found them to be accurate, and has signed them in approval. After giving his report, Councilmember Leider was excused from the remainder of the meeting.

FEMA FUNDING: Councilmember Sharp reported that the Town has received the Federal portion of FEMA funding the provided a 75% reimbursement of costs related to damage from and cleanup after the December 2006 windstorm. He added that the State of Washington will also be sending us a 12.5% reimbursement of the total costs, which brings our total reimbursement up to 87.5% of the costs incurred.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that if the August meeting is not held, the next regular Council meeting is scheduled for September 11th at Councilmember Young's house.

ADJOURN: Councilmember Sharp moved to adjourn the meeting at 9:30pm.
Councilmember Clemett seconded.
Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer