



## TOWN OF BEAUX ARTS VILLAGE

### TOWN COUNCIL MINUTES

February 12, 2008

Clemett

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

**PRESENT:** Mayor John Rose, Councilmembers Carol Clemett, Richard Leider, Aaron Sharp, and Bruce Young. (Councilmember Steve Eulau arrived at 7:15pm.)

**EXCUSED:** None.

**STAFF:** Clerk-Treasurer Sue Ann Spens.

**GUESTS:** Tom Stowe.

**REAPPOINTMENT OF COUNCILMEMBER CLEMETT:** Councilmember Sharp moved to confirm the reappointment of Carol Clemett to Council Position No. 4 for a term of 2 years. Councilmember Leider seconded.

Vote: 3 For, 0 Against, 1 Abstain (Clemett). Motion carried.

**OATHS OF OFFICE:** Clerk-Treasurer Spens administered the Oath of Office to newly appointed Mayor John Rose and newly re-appointed Councilmember Clemett.

**MINUTES:** Councilmember Leider moved to approve the January 8, 2008 minutes as written. Councilmember Sharp seconded.

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

**WARRANTS:** Councilmember Leider moved to approve the February 12, 2008 warrant list, including warrant numbers 7569 through 7599, in the amount of \$21,519.83.

Councilmember Clemett seconded.

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

Councilmember Eulau arrived at 7:15pm.

#### **CLERK'S REPORT:**

**MEETING CALENDAR:** Clerk-Treasurer Spens directed the Council's attention to the proposed meeting calendar for 2008 and commented that Mayor Rose would like to continue the April meeting for one week, as is customary, because the regular meeting date falls during the week of Spring Break. It was the consensus of the Council to continue the April meeting from April 8, 2008 to April 15, 2008. Clerk-Treasurer Spens will post the appropriate notices to continue this meeting.

**FEMA FUNDING RECEIVED:** Clerk-Treasurer Spens reported that the Town has received the balance of FEMA funding reimbursing the Town for expenditures related to the

December 2006 Windstorm. She added that, of the \$12,600 submitted for reimbursement, the Town received almost \$11,400 or 87.5% and that Councilmember Sharp was the main person responsible for preparing our reimbursement request and shepherding it through the various reviews by FEMA and State Military Department personnel.

**NEW METER READER:** Clerk-Treasurer Spens reported that Max Sharpe's family has moved to Minnesota, and Nate Clemett, who trained as an alternate meter reader, has replaced him. She commented that she has prepared a contract for signature by one of Nate's parents and that he will have a chance to read the meters with Cole Wydrowski later this month. At the suggestion of several members of the Council, Clerk-Treasurer Spens will put a notice in the newsletter seeking the names of replacement alternates.

**WATER REPORT:** No report.

**MARSHAL'S REPORT:** Neither Town Marshal Walter Scott nor Deputy Marshal Scott Harpster attended the meeting, but Councilmember Clemett reported that one of her cars was broken into in the early morning, though nothing of value was stolen. She stated that she called Deputy Marshal Scott Harpster to report the incident and that her neighbors were alerted.

**WABA REPORT:** No report.

**EMERGENCY PREPAREDNESS:** No report.

**PROPOSED RESOLUTION NO. 241 APPROVING THE ARCH BUDGET AND WORK PROGRAM FOR 2008:** Clerk-Treasurer Spens reminded the Council that the Town has participated in A Regional Coalition for Housing (ARCH) for more than ten years as a means of satisfying the state's Growth Management requirement that all cities provide for affordable housing, either directly or indirectly. She also noted that funding ARCH is requesting from the Town is consistent with our contributions in prior years.

**MOTION:** Councilmember Leider moved to adopt Resolution No. 241 approving the ARCH Work Program and Budget for 2008. Councilmember Clemett seconded.

Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

**COUNCILMEMBER AREAS OF RESPONSIBILITY:** Mayor Rose opened the discussion by stating that he has met individually with each of Councilmember to better understand the duties they have been fulfilling and what changes, if any, they wish to make. Based on those meetings and a brief discussion among members of the Council, it was decided that the duties should break down roughly as follows:

Councilmember Eulau will begin to develop and maintain the Town's Emergency Response Plans and maintain relationships with agencies under contract to BAV as first responders.

Councilmember Clemett will continue to monitor Town Clean Ups, direct tree replanting and park preservation / restoration, and perform other duties related to "beautification".

Councilmember Sharp will continue to monitor the Town roads, rights of way and storm-sewer system, arrange for repairs to road surfaces, arrange for semi-annual street sweeping, and develop budgetary reports for funding these activities. In addition, he will begin to develop a plan for improvements to the Town's Stormwater Management System.

Councilmember Young will continue to monitor the condition of trees on the Town ROWs, arrange for the trimming / removal of diseased, dangerous, or dying trees, and arrange for replacement plantings, when and where appropriate.

Councilmember Leider will continue to monitor the Town's finances, oversee development of the annual budget and levy ordinances, oversee the utility undergrounding study (currently on hold), and assist with other special projects as may arise.

Mayor Rose will continue to act as the Town's Administrator, overseeing general Town operations and personnel performance. In addition, he will serve as the Town's representative at meetings of the Points Communities Mayors, WRIA8, and other regional associations.

**PRIVATE IMPROVEMENTS ON TOWN ROWS:** Councilmember Sharp clarified that he will draft the memo to the Planning Commission discussed at last month's Council meeting AFTER the Planning Commission completes its work on the proposed Tree Ordinance. After some additional discussion, it was decided that the following should accompany the outline and memo sent to the Planning Commission (item in *italics* is new to the list):

- A clean copy of the ROW Use Outline.
- A copy of Town Resolution No. 66.
- A synopsis of the Council's discussions of this issue (to help the Planning Commission understand the Council's concerns).
- A copy of Bellevue's documents describing their Neighborhood Character Project.
- A copy of the Town survey that shows the ROW encroachments that existed at the time of the survey.
- *Current copy of Town's Comprehensive Plan.*

**TREE MANAGEMENT PLAN:** Councilmember Clemett reported that the Planning Commission will hold a public hearing on the final draft of this proposed legislation on February 13, 2008. She added that the hearing will be monitored, with speakers asked to sign in prior to speaking. She stated that each speaker will be limited to 3 minutes and will have one opportunity to speak until at least everyone has had a chance to make their remarks.

Councilmember Clemett asked the Council if they have specific issues that the Planning Commission should address. After some discussion, it was the consensus of the Council that the Planning Commission should answer two questions:

1. Should the Town be regulating the removal of trees on private property?
2. Is this ordinance the best means of regulating that activity?

Mayor Rose reminded the Council that, after the Planning Commission forwards a proposed ordinance with their recommendations, the decision on whether to adopt the ordinance as forwarded, to amend the version presented, or to present their own proposal for adoption rests with the Council. He added that he plans to meet with staff who will be charged with enforcing the ordinance to be certain that they understand the rules and can make them work.

Mayor Rose then asked if it is the Council's intention to hold their public hearing in March or at some future Council meeting. He also asked if the Council would like the Planning Commission and/or the Tree Committee to make a presentation prior to or during this public hearing.

Councilmember Sharp offered that, given the amount of time and work that has been devoted to this topic, he believes it deserves nothing less than the Council's full attention to do it justice. He added that he thinks the Council should be sure to take adequate time to review the proposed ordinance prior to holding its public hearing. Other members of the Council agreed that having a copy of the proposed ordinance at least 10 days prior to the Council hearing would give them time to review and study it thoroughly.

Mayor Rose closed the discussion by commenting that he will ask the Council to decide in March whether to hold the public hearing in April, and if so, will ask for a motion to that effect.

**UNDERGROUND UTILITIES:** Councilmember Leider reported that he and Mayor Rose have reviewed this proposal and determined that it should be put on hold until the Council has a chance to investigate the Town's stormwater management needs as well as other infrastructure needs in the Street and Water Departments. He added that the Town will need to develop Capital Improvement Plans for both short and long term planning.

**MAYOR AND COUNCILMEMBER REPORTS:**

**SR-520 UPDATE:** Mayor Rose reported that the Points Communities feel they've gotten what they sought in the proposed design of a replacement SR-520 Bridge. He explained that tolls will be proposed as a means of funding some of the project costs and noted that a related question is whether tolls should also be imposed on I-90. He then asked the Council if they have any comments on such tolling. Councilmember Leider stated that before making any comment on the topic, he would like to become more informed.

**MILFOIL:** Mayor Rose noted that the other topic of discussion among the Points Communities is milfoil and whether or not to apply chemicals to manage it. He asked the Council if the Town has an interest in treating milfoil. Several Councilmembers commented that any treatment would have to involve WABA. Councilmember Leider will contact WABA to discuss milfoil removal techniques.

**EMERGENCY PREPAREDNESS:** Councilmember Eulau reported that he will begin getting up to speed on this topic. Clerk-Treasurer Spens will forward any information she has, including a copy of Hunts Point's Emergency Response Plan, to him.

**CENTENNIAL PARK:** Councilmember Clemett reported that the Centennial Park Committee held its first meeting for all interested residents at the water-tower lot. She explained that the group staked out tentative areas for bocce, tetherball, and a basketball court. She added that the question of installing a sport-court surface was raised and that the cost of that surface might need to be funded by private donations.

She commented that members of the group are working out what things to include in the proposed design, how much each thing costs, and what options can and should be funded by private donations. She noted that the group is hoping for a July 4<sup>th</sup> reveal in conjunction with the Centennial Parade.

**EAGLE MANAGEMENT:** Councilmember Clemett reported that she has heard the state Department of Fish and Wildlife want feedback from the Town on how rigorously we want them to enforce rules and mitigation associated with the bald eagle. After some discussion, it was the consensus of the Council that the Town should not try to influence DFW's enforcement efforts but that we should continue to run periodic notices in the Town newsletter about rules protecting bald eagles and their habitat and the need to work with DFW when planning construction or tree-removals.

Councilmember Young asked for a copy of the Town's Bald Eagle Management Plan for his review and follow up, if needed. Clerk-Treasurer Spens will forward a copy of that plan.

**TREE WORK:** Councilmember Young reported that he had two previously topped trees on SE 29<sup>th</sup> inspected and that Tina Cohen and Ian with Trees for Life agree that the tree can be saved with cabling and trimming.

**NEXT MEETING:** Clerk-Treasurer Spens reminded the Council that the next regular Council meeting is scheduled for March 11th at Rick Leider's house.

**ADJOURN:** Councilmember Leider moved to adjourn the meeting at 9:10pm.  
Councilmember Sharp seconded.  
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens  
Clerk-Treasurer