



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

November 10, 2009
Hillberg

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

PRESENT: Mayor Richard Leider, Councilmembers Carol Clemett, Mike Hillberg, Aaron Sharp, and Tom Stowe. Councilmember Eulau arrived at 7:15pm.

EXCUSED: None.

STAFF: Clerk-Treasurer Sue Ann Spens.

GUESTS: Water Superintendent Bob Durr, Rob Carlson, Hank Heckendorn, and Laura McKean.

MINUTES: Councilmember Sharp moved to approve the October 13, 2009 minutes as written. Councilmember Hillberg seconded.

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

WARRANTS: Councilmember Clemett moved to approve the November 10, 2009 warrants, numbers 8196 through 8218 in the amount of \$14,578.38. Councilmember Hillberg seconded.

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

TREASURER'S REPORT: Councilmember Stowe reported that he has completed his review of the 3rd Quarter Treasurer's Reports with supporting documentation and found them accurate and complete. He has signed them to indicate his approval.

CLERK'S REPORT:

WI-FI: Clerk-Treasurer Spens reported that Dick Stratton would like the Town to consider installing a Wi-Fi network, but added that she didn't any other details at this time. It was the consensus of the Council to ask Mr. Stratton to bring specifics about a proposal to a future Council meeting for discussion.

STREET SIGNS: Clerk-Treasurer Spens explained that a couple of Village residents have pointed out that some of the old green street signs are in poor condition and should probably be replaced. She added that since these signs have the original street names on them (rather than the current street numbers) they are no longer used for addressing purposes, but they do add to the character of the Village and are valued by many long-time residents. She asked if the Council wishes to maintain these signs. It was the consensus of the Council that these signs do add to the Village character so they would like to see them maintained. The Council will consider paying for the materials to perform this maintenance if there are volunteers willing to spearhead the project and do the work.

TREE ORDINANCE CONCERNS: Clerk-Treasurer Spens directed the Council's attention to

a memo written by Deputy Clerk Kulp that outlines her concerns about the current tree ordinance and its handling of hazardous trees. Councilmember Clemett commented that there are other known concerns with the ordinance, and she volunteered to put together a list of those issues and some recommended remedies for the Council to review early next year. Clerk-Treasurer Spens will ask Deputy Clerk Kulp to forward a list of recent tree-permit holders and others who have experience with the ordinance to Councilmember Clemett so she can contact them directly.

EXECUTIVE SESSION: Clerk-Treasurer Spens reminded the Council that they will want to hold an executive session either tonight or in December to discuss employee performance for both clerk's prior to making their decisions about pay rates. She added that the auditors have informed her that when holding an Executive Session the Mayor must announce how long he estimates the session will last so that members of the public who wish to return for the remainder of the Council meeting may do so. Mayor Leider commented that the Council will hold the performance review session in December and that he will make the appropriate announcement about the estimated time for the session.

SHORELINE MANAGEMENT PLAN (SMP) UPDATE: Mayor Leider explained that he asked Clerk-Treasurer Spens to distribute an email outlining potential problems with the current guidelines for SMP updates so that they would be aware of these concerns as we begin to update our SMP.

TRANSPORTATION BENEFIT DISTRICT: Clerk-Treasurer Spens reported that she received a letter from Acting County Executive Kurt Triplett outlining his plans to establish a Transportation Benefit District (TBD) to raise revenue to support transportation needs in King County. She added that the letter states that the Acting Executive plans to send an ordinance to the County Council to establish the TBD, which would then impose a non-voted vehicle license fee on vehicles in unincorporated King County and any city that chose to participate. It was the consensus of the Council not to participate at this time.

PENDING KING COUNTY INVOICE FOR ARTERIAL STRIPING: Clerk-Treasurer Spens reported that she has discussed the striping invoice with several County employees and learned that the original agreement that authorized the County to do this work was set up long ago by former Councilmember Hickey. She added that prior charges for this work have typically totaled no more than \$350, that she is working to get a copy of this contract, and that she has discussed the possibility of establishing an Interlocal Agreement that would give the Town control over when and if the County continues to perform this work for Beaux Arts. It was the consensus of the Council that Clerk-Treasurer Spens should approach the County about reducing the charges on this invoice so that they are more in line with prior billings and that she should continue to work with the County on developing an Interlocal Agreement.

MARSHAL'S REPORT: No report.

WATER REPORT: No report.

WABA REPORT: No report. Councilmember Clemett indicated that she would like to hear an update on WABA's plans for the shoreline.

EMERGENCY PREPAREDNESS: Councilmember Eulau reported that he wants to hold a Town-wide disaster drill in 2010 and needs no more than \$500 in the 2010 budget. Councilmember Clemett asked if there can also be a Blockwatch drill of some sort to test whether Blockwatch is still working. She will put together some ideas for the drill.

STORMWATER SYSTEM UPDATE: Councilmember Sharp reported that with the survey complete, the next step is to determine what we need to improve the system, and he will begin putting together ideas for the Council.

COUNCILMEMBERS' AREAS OF RESPONSIBILITY: Mayor Leider asked Clerk-Treasurer Spens to give him a copy of the last list of Councilmember responsibilities so that the Council can begin a discussion of their division of duties. He added that he would also like to put together a calendar of upcoming major milestones, perhaps in the form of a Strategic Plan, and that a strategic planning session to develop this calendar would be beneficial. He asked Clerk-Treasurer Spens to find out about how the Open Public Meeting Act would affect such a planning session. Clerk-Treasurer Spens offered to obtain a copy of the strategic plan in use at Hunts Point and to learn more about their recent meeting held for a similar purpose.

McKEAN REQUEST FOR CONSIDERATION OF ROW IMPROVEMENTS: Mayor Leider invited Laura McKean to make a brief presentation to the Council about her concerns and plans but cautioned her that the Council may not be able to make any decision on her request. Ms. McKean explained that parking is extremely difficult in the vicinity of her home and described plans to create a community parking area of less than 200 sq. feet using gravel and a low retaining wall. She remarked that she has discussed the idea with her immediate neighbors, and all of them support the idea. After hearing her proposal, it was the consensus of the Council that they would need more information about the project before making a decision. Mayor Leider suggested that Ms. McKean prepare more detailed drawings depicting the planned improvements (though he added that the drawings may be simple) and showing where the property lines and Town ROW are in the area under consideration.

PUBLIC HEARING: PROPOSED RIGHT-OF-WAY-USE ORDINANCE: Mayor Leider asked for a motion from the Council on the proposed ordinance.

MOTION: Councilmember Stowe moved to pass Ordinance No. 370 adopting regulations for the uses and development of non-paved portions of the Town rights of way as written. Councilmember Sharp seconded.

Mayor Leider then opened the public hearing at 8:10pm and asked for comments from the public on the current draft. As there were none, he closed the public hearing at 8:14pm. The Council then began a line-by-line review of the proposed ordinance and made minor changes to several sections.

AMENDED MOTION: Councilmember Stowe moved to amend the motion to pass Ordinance No. 370 adopting regulations for the uses and development of non-paved portions of the Town ROWs from "as written" to "as amended". Councilmember Sharp seconded. Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

PUBLIC HEARING: PROPOSED 2010 BUDGET: Mayor Leider opened the public hearing at 8:50pm and as there were no comments from the public, Mayor Leider closed the hearing at 8:55pm.

The Council then reviewed the funding needs for their areas of responsibility. Clerk-Treasurer Spens noted the changes and will update the Budget worksheets for final review and passage at the December Council meeting.

PUBLIC HEARING: PROPOSED ORDINANCE NO. 371 SETTING THE 2010 LEVY: Mayor Leider asked for a motion from the Council on the proposed ordinance.

MOTION: Councilmember Sharp moved to pass Ordinance No. 371 authorizing an increase in property taxes for 2010 and setting the amount to be levied. Councilmember Hillberg seconded.

Mayor Leider then opened the public hearing at 9:00pm and asked for comments from the public on the current draft. As there were none, he closed the public hearing at 9:05pm.

On discussion, Councilmembers expressed concern about increasing property taxes in the current economic environment. Clerk-Treasurer Spens reminded the Council that the levy increase is limited to 1%, which amounts to less than \$1,400, while the cost of providing fire-protection services is forecast to increase by almost \$5,000 next year. Mayor Leider mentioned that he intends to open a discussion with Bellevue Fire Department about how their planned contract increases are out of line with the current economic climate.

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

WATER RATE STUDY: Councilmember Stowe reminded the Council that the goal of this rate increase is to ensure the long-term financial stability of the Water Department by increasing revenues to a level that will allow increased reserves, which are needed to fund current operating costs and anticipated maintenance over the next eight to ten years. He then distributed sheets comparing our current water rates to three other options:

1. a straight fee-for-water-used option where customers would be charged a monthly fee for their connection and would pay an additional amount for each 100 cf used,
2. stepped-fee option where customers would pay \$60 for the first 1000 cf and would pay for overages in two tiers, i.e. \$1.30 for each 100 cf used between 1000 and 1700 and then \$2.30 for each 100 cf used in excess of 1700 cf , and
3. a single tier option, similar to what is in place now except that customers would pay \$60 for the first 500 cf and would pay for overages at \$1.25 per 100 cf.

After reviewing the other sheets and the impact of each of these options on individual customers and on anticipated revenue for the Water Department, Councilmember Stowe recommended adopting the single-tier option (#3 in the list above).

Mayor Leider asked for a motion on the proposed increase before continuing to a full Council discussion.

MOTION: Councilmember Eulau moved to approve an increase in water rates on January 1, 2010 to \$60 for the first 500 cf and \$1.25 for each additional 100cf or fraction thereof. Councilmember Clemett seconded.

On discussion, Councilmember Hillberg asked about the guiding principle behind this option. Councilmember Stowe answered that he believes the single-tier option shares the cost of operating the Water Department equitably among all customers while recognizing that we have customers on fixed incomes who use less water than others.

Councilmember Clemett asked how long this rate increase is expected to last before the Council will have to consider another. Councilmember Stowe answered that it should be at least five years before the Council has to revisit the question of water rates.

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

Clerk-Treasurer Spens commented that while the rates go into effect on January 1, 2010, customers will see the increase on their March 1st statements, which are for water used in January and February.

UPDATE ON BELLEVUE PROPOSAL TO IMPROVE 108TH AVENUE SE: Mayor Leider reported that he met with Bellevue project staff as outlined in his memo to the Council and emphasized that while Bellevue is eager to start planning their project, they fully understand that they need our approval for any improvements on our portion of the 108th corridor. He also emphasized that Bellevue has agreed not to release design information to the public until Beaux Arts has a chance to review the design proposal and determine whether it meets our needs.

Councilmember Sharp commented that it is important to remember that no matter what Bellevue decides to do with their portion of this corridor, Beaux Arts is not committed to doing anything on our portion. Mayor Leider added that the ideal is to keep Beaux Arts' options open for possible improvements, particularly if the funding for these improvements comes from Bellevue.

Councilmember Stowe suggested that the Council needs to get information to our residents to calm any fears they may have that Bellevue is just going to do whatever they want without our approval.

Councilmember Clemett suggested inviting one or two of the concerned citizens that have participated in recent Council discussions of this topic to participate in the planning and project review.

Mayor Leider suggested forming a subcommittee of five members with no more than two from the Council, preferably Councilmember Sharp, since he has been in conversations with Bellevue staff from the beginning, and Councilmember Stowe, since he has a strong interest in the outcome of the project. He volunteered to write a letter to all residents giving more information about the project and asking for volunteers to participate on the subcommittee in

developing a vision for 108th with input from the entire Beaux Arts community. That letter will be distributed with the December newsletter. He also volunteered to set up the committee from the list of persons who indicate an interest.

MAYOR AND COUNCILMEMBER REPORTS:

FALL CLEAN UP: Councilmember Clemett reported that the Fall Clean Up will be held on November 14th and will include three projects: the 108th Ave ROW and two path ROWs.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that the next Council meeting will be held at 7:00pm on Tuesday December 8, 2009 at Tom Stowe's house.

ADJOURN: Councilmember Sharp moved to adjourn the meeting at 10:15 pm. Councilmember Hillberg seconded.

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

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer