



TOWN OF BEAUX ARTS VILLAGE
TOWN COUNCIL MINUTES

June 8, 2010
Stowe

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

PRESENT: Mayor Richard Leider, Councilmembers Steve Eulau, Mike Hillberg, Matt Leber, Aaron Sharp and Tom Stowe.

EXCUSED: None.

STAFF: Clerk-Treasurer Sue Ann Spens, Water Dept Supervisor Bob Durr, Town Marshal Walter Scott.

GUESTS: Susan Kennedy, Donna Stowe, Ann Mari Simonsen, and Hank Heckendorn.

MINUTES: Councilmember Leber moved to approve the May 11, 2010 minutes as amended. Councilmember Sharp seconded.

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

WARRANTS: Councilmember Eulau moved to approve the June 8, 2010 warrants, numbers 8377 through 8399 in the amount of \$13,516.78. Councilmember Sharp seconded.

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

CLERK'S REPORT:

EMAIL EXCHANGES: Clerk-Treasurer Spens reminded the Council that all email exchanges concerning Town business must pass through the Clerk's email account to avoid conflicts with the state's Open Public Meetings act. She further explained that most discussions and exchanges of ideas are best reserved for the Council meeting, including comments on the draft minutes.

MINUTES: Clerk-Treasurer Spens asked for feedback, if any, on the May minutes, which were prepared based on the concepts discussed at that meeting. It was the consensus of the Council to continue using the new style for the time being.

PROSECUTING ATTORNEY AND PUBLIC DEFENDER: Clerk-Treasurer Spens noted that she has received a proposal from Matthew Honeywell to provide Public Defender services to the Town and is waiting for one from Drue Kirby to provide Prosecuting Attorney services. Upon review of Mr. Honeywell's proposal, it was the consensus of the Council that Clerk-Treasurer Spens should ask Mr. Honeywell if he would consider making the \$500 retainer a one-time fee rather than an annual fee.

MARSHAL'S REPORT: Town Marshal Scott reported that he has prepared a survey that he will use to contact residents and gauge their concerns, if any, about the proposed installation of security cameras at the vehicular entrances to Beaux Arts. Councilmember Eulau will help

with the calling. Mr. Scott hopes to have survey results for the Council's next meeting.

Town Marshal Scott asked if speed signs (that tell motorists what their current speed is relative to the posted speed limit) could also be purchased with Criminal Justice funds. Clerk-Treasurer Spens will look into the question.

Town Marshal Scott also reported on the burglary of a house on SE 29th St, which was broken into during the afternoon while the owner was away handling errands. Mr. Scott noted that this is the Town's second break-in in three years and the first involving robbery. He added that entry was through the locked front door.

Town Marshal Scott suspects that the burglars may be posing as door-to-door solicitors and would like the Council to consider licensing peddlers, since we cannot ban them. Clerk-Treasurer Spens commented that other cities who issue peddler's licenses do so through their police departments. Mr. Scott suggested that we contact the King County Sheriff's Office to learn if they can provide a licensing service. The Council agreed to explore this option further and would like to know how Medina and Bellevue handle their licensing programs.

WATER REPORT: Water Supervisor Bob Durr reported that the flow meter on the well has died and must be replaced at a cost of about \$3,000. It was the consensus of the Council to approve this purchase immediately.

WABA REPORT: No report.

108th COMMITTEE REPORT: Councilmember Stowe reported that the committee met to develop ideas for moving forward with their proposal for improvements to the 108th Ave SE ROW. Tim McGrath will write a letter to the Council outlining the plans, including landscaping and signing. Two members of the committee, Susan Kennedy and Donna Stowe, will attend a grant-writing workshop to learn how best to present the proposal for outside funding opportunities.

Mayor Leider asked if Bellevue has indicated what they plan to do along this corridor. Councilmember Stowe answered that he hasn't heard anything.

At the conclusion of this discussion, it was determined that:

- The committee should develop specific plans for the ROW in order to determine costs and funding.
- Councilmember Sharp will add Beaux Arts' portion of the 108th SE Roadway to the Town's Transportation Improvement Program, which the Council will be reviewing and approving during a public hearing at the July Council meeting.

WATER CONSERVATION GOALS: Water Supervisor Bob Durr reported that based on his further discussions with the state Department of Health, the Town should set a daily usage goal of less than 300 gallons per day per household. He added that our historical average usage is about 235 gallons per day per meter over the course of a year, which is just slightly less than the national average of 240 gallons per household per day. After some discussion, it was the consensus of the Council to set 240 gallons per day per household as our goal.

ANIMAL CONTROL AGREEMENT: Clerk-Treasurer Spens outlined Town Attorney Stewart's concerns that the agreement as written does not have a 30- or 60-day termination clause, so all potential participants are required to accept the contract for the full 2-1/2-year term, unless the Minimum Contracting Requirements set forth in Section 15 are not met. One of these requirements is that costs not exceed the preliminary estimated payment by more than 5% or \$3,500, whichever is *greater*.

Mayor Leider pointed out that while the preliminary estimate of Beaux Arts' payment is \$377, we could actually see a \$3,100 increase and have no recourse to cancel our participation, noting that such an increase would have a significant impact on our budget. He also reported that other cities that plan to participate in this contract are looking at other options for animal-control services but there are none immediately available. These cities, including Bellevue, Redmond, Medina, Clyde Hill, Yarrow Point and Hunts Point are signing the contract and will use the 2-1/2 years of the contract term to develop other options, including city-run animal-control departments.

After considerable discussion about the risks of signing this contract versus not signing, the Council determined that being without any option for animal-control services was a greater risk than that of having to pay a higher fee for part of the 2-1/2-year contract term.

MOTION: Councilmember Stowe moved to adopt Resolution No. 261 authorizing the Mayor to execute an Interlocal Agreement for animal-control services with King County. Councilmember Hillberg seconded.
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

NO-WAKE BUOYS: Clerk-Treasurer Spens reminded the Council that last year when we purchased two aluminum buoys to mark the new no-wake zone (replacing two plastic ones) the Council's thought was to continue purchasing two aluminum buoys per year until all seven of the front-line buoys were aluminum. Town Marshal Scott recently pointed out that our marine contract with King County Sheriff's Office (KCSO) states that they will purchase two buoys on behalf of each contract city.

It was the consensus of the Council that Town Marshal Scott contact KCSO Marine Patrol about purchasing the two aluminum buoys allowed by our contract and work with Councilmember Sharp on their placement once received.

MAYOR AND COUNCILMEMBER REPORTS:

2011 – 2016 TRANSPORTATION IMPROVEMENT PROGRAM (TIP): Councilmember Sharp reported that he will have the Town's 2011-2016 TIP ready for discussion and action at the July meeting. Clerk-Treasurer Spens will arrange for the public hearing notices.

OVERLAY OF 105th AVE SE: Councilmember Sharp reported that he has started obtaining bids for this year's project, which is an overlay of 105th Ave SE from SE 27th Street to SE 28th Street. Homeowner's will have the option of paving the apron leading from the street to their driveways at their expense, which will range from \$500 to about \$1500 depending on the size

and length of the area to be paved. He plans to proceed with the project provided the bids come in at or under the amount budgeted for the project.

REMOVAL OF ROW TREE: Councilmember Hillberg reported that he has arranged for the removal of a diseased ROW tree.

WATER TOWER STRUCTURAL REVIEW: Councilmember Stowe reported that he and Water Supervisor Durr met with representatives of RH2 Engineering to assess the structural integrity of the water tower. He explained that the tank needs to be cleaned soon and that it would be wise to have the steel in the tank and the tower assess for fatigue. He added that the review will look at increasing the tank capacity and may address system-wide pressure improvements.

MUNICIPAL CODE: Councilmember Stowe asked the Council to consider codifying the Town's ordinances into a single document that would consolidate legislation into related categories and would only show the Town's current rules. He added that most cities and towns in Washington have codified their ordinances and that there are benefits to Town officials, staff, and residents. Clerk-Treasurer Spens gave a brief synopsis of a similar project that the Council started in the mid-1990's and reported that for some reason it was never completed. She added that it may be more cost effective to start fresh than to try to resurrect the previous project. Councilmember Stowe will put together more information, including estimated costs, for the Council's future review.

TREASURER'S REPORT: Councilmember Leber stated that he has almost mastered the review of these quarterly reports and will work with Mayor Leider to complete his review of the first quarter reports by the July Council meeting.

WHATMORE: Mayor Leider reported that his letter to the Whatmore estate is drafted and ready for Town Attorney Stewart's review. The letter addresses two issues:

- The Town cannot continue to allow access to the Bellevue property across the water-tower lot, which is Town property, as that property is reserved solely for use by the water utility.
- The illegal connection between the Beaux Arts house and the cottage on Bellevue property must be disconnected immediately.

MAYORS' MEETING: Mayor Leider reported that at the last meeting, the Eastside Mayors' group discussed:

- Budget problems continue to plague King County and are beginning to affect Bellevue,
- Engineering problems with using I-90 for the Link LightRail trains will either limit train speed to 25 mph over the bridge or cause a switch to a rail-bus combination across the bridge, and
- Tolling on 520 is 100% certain, while tolling on I-90 remains only likely.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that the next Council meeting will be held at 7:00pm on Tuesday July 13, 2010 at Steve Eulau's house.

ADJOURN: Councilmember Sharp moved to adjourn the meeting at 9:45 pm. Councilmember Hillberg seconded.

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

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer