



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

June 12, 2012

Leider

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

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

EXCUSED: None.

STAFF: Clerk-Treasurer Sue Ann Spens, Water Supervisor Bob Durr.

GUESTS: WABA President Paula Dix; outgoing WABA Dockmaster Bernard vandeKamp; incoming Dock Master Jay Jacobsen; Greg Ashley, Ashley Shoreline Design; Doe Solaro; Donna Stowe; Susan Kennedy; Erin Jacobsen, and Forrest Kulp.

MINUTES: Councilmember Sharp moved to approve the May 8, 2012 minutes, as amended. Councilmember Hillberg seconded.

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

WARRANTS: Clerk-Treasurer Spens explained that the Council must reapprove the May warrant list because the EFT to the Department of Retirement Systems was less than originally reported. Councilmember Sharp moved to approve the revised May 8, 2012 warrants, numbers 9004 through 9028 in the amount of \$22,530.65. Councilmember Hillberg seconded.

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

Councilmember Sharp moved to approve the June 12, 2012 warrants, numbers 9029 through 9051 in the amount of \$35,888.29. Councilmember Stowe seconded.

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

CLERK'S REPORT:

WEBSITE ENHANCEMENT: Clerk-Treasurer Spens reported that state statute's now require cities to post notices regarding special meetings on their websites, in addition to previous required postings. She noted that while Beaux Arts is exempt from the requirement due to our small size, the posting is simple to do and makes sense in our town because our residents prefer to remain informed about current issues. She has added a new page to the Town website for "Agendas and Public Notices" where she will post all Council meeting agendas, all Special Meeting notices for the Council and the Planning Commission, and Planning Commission agendas when they will be discussing topics of widespread interest to residents.

KING CONSERVATION DISTRICT: Clerk-Treasurer Spens noted that Council packets include a copy of a letter Mayor Leider received from King County Executive Dow

Constantine about possible changes to funding for the King Conservation District. Mayor Leider noted that this information is fyi only at this time.

USE OF CRIMINAL JUSTICE FUNDS: Clerk-Treasurer Spens reported that the State Auditor's Office has provided information from their BARS Manual supporting information we received earlier regarding the acceptable uses of criminal-justice funding received from the State. That information indicates that some of the money in our Criminal Justice fund can be used to purchase surveillance equipment to assist the police in the apprehension of criminals.

RECONSIDERATION OF PLANNING COMMISSION REQUEST TO STUDY USE OF PERVIOUS AND IMPERVIOUS MATERIALS THROUGHOUT TOWN: Mayor Leider commented that, at Town Planner Green's request, the Council asked the Planning Commission to study the use of pervious and impervious materials throughout the Town. He noted that he later learned that this request was not generated by members of the Planning Commission, but by staff, and he has asked the Planning Commission to review the request and provide the Council with a prioritized list of issues they wish to study. He added that he is waiting for their reply.

MECHANICAL PERMIT FEES: Clerk-Treasurer Spens reported that at last month's meeting, the Council agreed that she should review revenues and expenditures associated with mechanical-permits under our current fee schedule and determine if we are covering our costs. One aspect of this study will be to review the fees charged in other local jurisdictions. She noted that she has not completed this work, so further discussion is tabled for at least a month.

MARSHAL'S REPORT: No report.

WATER REPORT: Water Supervisor Durr reported that he has submitted the Town's Annual Performance Report outlining our water-use efficiency in 2011.

Mr. Durr reported that Water Superintendent Bill Beck is replacing ten to fifteen meters per year as part of his regular duties.

WABA REPORT: WABA President Paula Dix reported that WABA's Shoreline Restoration Project is nearly complete. She commented that she recently watched a large wave hit both the bulkhead and graveled cove and was pleased to observe that the wave energy was dissipated by the gravel and wood features without pulling material away from the cove.

She announced that WABA's Annual Picnic is scheduled for July 21st.also reported that the Spring Beach Clean Up was very successful and WABA is investigating the removal of several trees along SE 30th Street from the WABA Strip.

Ms. Dix noted that WABA is working with a resident to resolve a non-permitted tree removal on the WABA strip next to SE 30th Street.

PUBLIC HEARING: WABA REQUEST FOR SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT EXEMPTION FOR DOCK REPAIRS:

Mayor Leider opened the discussion by asking Dockmaster Bernard vandeKamp to give a brief summary of the proposed work. Mr. vandeKamp stated that this year's work is basically a continuation of planned dock maintenance. This year's work is focused on the B Dock, Swim Dock and Island Dock, and includes general repairs, replacing a float and sleeving some piles.

Mr. vandeKamp also commented that he is about to step down as WABA Dockmaster and will be replaced by Jay Jacobsen.

MOTION: Councilmember Sharp moved to approve WABA's request for a Shoreline Substantial Development Permit Exemption with the following conditions:

- All mitigations associated with the Mitigated Determination of Non-Significance issued on June 25, 2010 are incorporated into this approval.
- A building permit from the Town of Beaux Arts Village is required.
- Prior to issuance of the building permit, the applicant shall submit a copy of the Hydraulic Project Approval from the Washington State Dept. of Fish and Wildlife and a copy of the approval letter from the US Army Corps of Engineers. (This last item has been received already.)

Councilmember Stowe seconded.

Mayor Leider opened the public hearing at 7 pm and asked if the public in attendance had any questions. As there were none, he closed the public hearing at 7:30 pm.

On discussion, members of the Council asked the following questions:

1. When this project is complete, will there be any more pilings in need of repair? Greg Ashley responded that no other pilings need immediate repair as they are in good shape. No additional pile-repair work should be needed for three or four years.
2. Does the level of the swim dock need to be raised given the high water level in Lake Washington this year? Greg Ashley responded that this is no plan to address that with this work.
3. Float A was repaired onshore and floated out; will that method be used for Float B? Bernard vandeKamp answered yes.
4. Is the Town able to streamline this process with the new Shoreline Master Program so that the Council doesn't have to review these requests for exemption? Mayor Leider answered that the current SMP draft includes just such a change.

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

PUBLIC HEARING: SOLARO REQUEST FOR SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT EXEMPTION FOR RAILING AND ARBOR REPAIRS:

Mayor Leider opened the discussion by explaining that the Council had the information it needs to review this request. He asked Mrs. Solaro if she had additional information for the Council's consideration. Mrs. Solaro answered that she did not.

MOTION: Councilmember Sharp moved to approve Doe Solaro's request for a Shoreline Substantial Development Permit Exemption with the following condition:

- A building permit from the Town of Beaux Arts Village is required.
- Councilmember Hillberg seconded.

It was noted that WABA has completed its review of this request and has no issue with the granting of this shoreline exemption.

Mayor Leider opened the public hearing at 7:35 pm and asked if the public in attendance had any questions. As there were none, he closed the public hearing at 7:37 pm.

Vote: 4 For, 0 Against, 1 Abstain (Stowe). Motion carried.

ACCESS ISSUES FOR PROPERTY AT 10604 SE 27TH PLACE: Mayor Leider asked Erin Jacobsen to present the site plan associated with her request. Ms. Jacobsen directed the Council's attention to the site plan in their packets and reiterated her family's desire to place their garage on the north side of the lot.

The Council then discussed the following issues:

- Should the new paving be asphalt or concrete? The consensus is asphalt.
- Should it look like an extension of the existing street or just an extension to the proposed garage? As part of this discussion, the Council recognized that most other properties in Beaux Arts have paved roadway along the front side of the lot; however, there are properties served by partial streets. Minimizing the amount of paving used to provide access frees up more green space.
- Should the paving be moved to the east side of the available right of way to preserve the staging area used by the Water and Public Works Departments? The Council was reminded that the May meeting minutes include the conditions given to Ms. Jacobsen at that meeting. In particular, one of the conditions specified that: "The west portion of SE 27th Place is used for Public Works staging and storage and should not be blocked. Any road extension should be along the east portion of the ROW nearest the property." Based on that condition, there was discussion that the proposed access paving should be moved as far to the east side of the ROW as possible.

MOTION: Councilmember Hillberg moved to approve access to the garage as located on the plan submitted for the Council's current discussion (Mirikeen Homes, Plan M3753A3F-0, Sheet A0/A12 dated 5/27/2012) subject to the four conditions established at the May Council meeting and stated in the approved minutes for that meeting. Councilmember Sharp seconded.

Vote: 4 For, 1 Against (Hillberg), 0 Abstain. Motion carried.

Ms. Jacobsen asked for clarification about what this approval means. Mayor Leider explained that the Council has granted conditional approval for access to the property subject to the conditions mentioned. This means that Ms. Jacobsen can continue to design the proposed residence with a garage on the north side of the lot; however, the details of how the ROW portion of the access to the garage will look remain undecided.

Mayor Leider noted that time is of the essence for Ms. Jacobsen's project and asked if two councilmembers would be willing to provide interim guidance during the next few weeks so that a final plan can be presented to the Council for approval in July. Councilmembers Stowe and Gillem offered to provide this guidance.

SHORELINE MASTER PROGRAM (SMP) UPDATE: Mayor Leider asked WABA President Paula Dix to discuss WABA's proposal for language regarding "no net loss of property".

Ms. Dix explained that at the Council's request, WABA wishes to recommend that the phrase "no aggregate loss of land", which can be found throughout the SMP, be replaced with "the aggregate area of land loss shall be no greater than one-quarter percent" of the shoreline. She explained that this would minimize the loss of property while allowing WABA some flexibility in the work it plans for restoring the shoreline property. She also asked that the Council consider the usability of WABA's planned improvements. For example, the area within a cove created as part of the shoreline restoration project is useable area while the area on the water side of a bulkhead is not.

It was the consensus of the Council that WABA's suggestion be included in the chart outlining the comments heard during the Council's review of the 1/19/2012 draft of the SMP for further discussion. Clerk-Treasurer Spens was directed to make this revision and distribute a copy of the revised chart to Ms. Dix.

PROPOSED RESOLUTION NO. 279 AUTHORIZING THE MAYOR TO EXECUTE THE ANIMAL SERVICES INTERLOCAL AGREEMENT WITH KING COUNTY: Clerk-Treasurer Spens reviewed the timeline for the writing of this agreement and noted that Town Attorney Stewart has completed his review and recommends that the Council authorize the Mayor to execute it.

MOTION: Councilmember Sharp moved to adopt Resolution No 279 authorizing the Mayor to execute an Animal Services Interlocal Agreement for 2013 through 2015 between King County and the Town of Beaux Arts Village. Councilmember Gillem seconded.
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

KING COUNTY POLICE SERVICES CONTRACT: Mayor Leider reported that Town Marshal Walter Scott, Clerk-Treasurer Spens, and he had met with representatives of the Budgeting and Contract Unit for the King County Sheriff's Office (KCSO) to discuss the 21% increase in the cost of services under our police contract from 2011 to 2012. He commented that as a result of that discussion and Town Marshal Scott's hard work, the County has agreed to reduce our cost increase for this year to 10% over last year's cost. In addition, Mr. Scott has introduced the idea of video surveillance cameras for Beaux Arts and asked the county to consider how the KCSO can use the cameras to assist them in apprehending criminals. The council will receive updates on this as information becomes available.

MAYOR AND COUNCILMEMBER REPORTS:

COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP): Councilmember Gillem reported that he is working with the Mercer Island Emergency Coordinator and has started developing a summary response plan that boils our CEMP down to its salient points for a clear concise action plan.

STREET PROJECTS: Councilmember Sharp reported that he is putting together a scope of work for restoring the speed hump on 105th Ave SE. He has also asked the SE 29th St residents who want a speed hump at the SE 29th St entrance to discuss among the residents in the vicinity and gain a consensus on the preferred solution.

TOWN CLEAN-UP: Councilmember Hillberg reported that the Spring Clean-up was a success. He is working on spreading wood chips on the 104th Ave SE walking path and determining what work to do on the angle path from 5 Corners to SE 29th Street. He is also looking into the best way to get water to the newly planted 108th Ave SE ROW.

EMERGENCY GENERATOR FOR WATER PUMP: Councilmember Stowe suggested that the Council consider purchasing an emergency generator for the water pump so that the Town is able to supply its own water needs in an emergency.

AWC RMSA ANNUAL DINNER: Councilmember Stowe reported that he plans to attend the AWC RMSA Annual Dinner and present a grant application for one or more loss-control projects throughout Town. He says the chances are very good that the Town will be awarded at least one grant.

STREET VACATION: Councilmember Stowe asked that the Council consider vacating a portion of the ROW adjacent to the water tower lot to that property. This would preserve functionality and access for maintenance.

1ST QUARTER TREASURER'S REPORT: Councilmember Leber reported that he completed his review of the 1st Quarter Treasurer's Reports with supporting documentation and found them to be complete and accurate. He has signed each report to so indicate.

YTD BUDGET VS. ACTUALS: Councilmember Leber reported that he plans to have YTD Budget vs. Actual Revenues and Expenses for the Council's review at the July meeting.

EAST LINK LIGHT RAIL: Councilmember Leber reported that East Link is moving forward. All plans currently being worked on include a station at the current South Bellevue Park & Ride location.

WHATMORE: Mayor Leider reported he and Town Attorney Stewart continue working to draft an agreement regarding the Town's position on encroachment and water-supply issues relating to the Whatmore property.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that the next Council meeting will be held at 7:00pm on Tuesday July 10, 2012 at Aaron Sharp's house.

ADJOURN: Councilmember Sharp moved to adjourn the meeting at 9:20 pm.
Councilmember Hillberg seconded.
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer