



## TOWN OF BEAUX ARTS VILLAGE

### TOWN COUNCIL MINUTES

March 10, 2015  
Stowe

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

**PRESENT:** Mayor Richard Leider, Councilmembers John Gillem, Mike Hillberg, Tom Stowe and Wade Morlock.

**EXCUSED:** None..

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

**GUESTS:** King County Councilwoman Jane Hague, Bill Vadino, Assistant to Ms. Hague, Paula Dix, Susan Bogert and Cynthia Hudson.

**MINUTES:** Councilmember Stowe moved to approve February 10, 2015 minutes, as amended. Councilmember Gillem seconded.

Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

**WARRANTS:** Councilmember Morlock moved to approve the March 10, 2015 warrants, numbers 9819 through 9843 in the amount of \$18,963.41. Councilmember Stowe seconded.

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

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

**APRIL MEETING:** Clerk-Treasurer Spens reported that Councilmember Gillem is unable to attend the April 14th meeting; she noted that to confirm a quorum for that meeting, she needs to know whether everyone else is available for that date. Councilmembers stated that they do not know of any schedule conflicts, but agreed to check their calendars and let her know if they will not be able to attend.

**AWC LOSS-COTROL GRANTS:** Clerk-Treasurer Spens reminded the Council that she emailed information about the Spring 2015 Loss-Control Grants from the AWC RMSA (our insurer). She added that Bob Durr has suggested that the stairs from 103rd Ave SE to the South Beach Road should be repaired and asked if Councilmember have other suggestions, because we are eligible for up to 5 grants totaling \$1,000 each. Councilmembers suggested requesting funding for the following proposals:

1. Repair the 103rd SE stairs per Bob Durr's suggestion.
2. Install a retaining wall along 108th Ave SE to prevent erosion along the bank, especially in the vicinity of the Water Department's intertie with Bellevue Water.
3. Refresh the painted crosswalks on the 104th/SE 28th/105th arterial.
4. Replace reflectors on the speed humps and repaint striping.
5. Purchase temporary barricades to warn motorists and pedestrians of street hazards due to projects underway, downed trees, etc.

**COMPREHENSIVE EMERGENCY MANAGEMENT PROGRAM (CEMP):** Clerk-Treasurer Spens reported that she submitted our updated CEMP to the State of Washington for review per Councilmember Gillem's request. They have provided a punchlist of suggested changes, which Councilmember Gillem is reviewing.

Councilmember Gillem added that many of the State reviewer's remarks indentified parts of the CEMP that need simple language updates. There are a few others that may require more discussion. He will bring those to a future Council meeting.

**TREE INVENTORY GRANT OPPORTUNITY:** Clerk-Treasurer Spens reported that she continues working to determine that we are able to meet DNR's requirements for this grant.

**MARSHAL'S REPORT:** No report.

**WATER REPORT:** No report. Councilmember Stowe interjected that the signal-wire replacement project is now complete.

**WABA REPORT:** WABA Trustee Susan Bogert reported that:

- Assessment letters for 2015 will be mailed shortly as will invoices for dock moorage. There may be one or two slips available..
- The Easter Egg Hunt is scheduled for March 28th at the beach.
- WABA's Spring Clean Up is scheduled for Saturday April 25th.
- WABA's Annual Summer Picnic needs volunteers.
- Permits are in process to allow WABA to apply milfoil treatment along the waterfront in the early summer.
- The WABA Board continues working on a plan to replace the beach barbecue and is now considering an idea for expanded parking at the beach lots.

**APPEARANCES:** None.

**KING COUNTY COUNCILWOMAN JANE HAGUE:** Mayor Leider welcomed Councilwoman Hague to the Beaux Arts Council meeting. Ms. Hague began by congratulating Councilmember Stowe on his involvement in the Sound Cities Association, saying that it is an important voice in regional governance discussions throughout King County.

She then reviewed a list of issues in King County that may affect Beaux Arts beginning with King County's proposed \$7.3 billion biennial budget, \$1.3 billion of which is in the General Fund alone. A structural budget gap has been reduced from 7% to 2% due to savings resulting from labor-contract negotiations.

In 2014, King County's focus was on transit. Voters did not approve a congestion-relief tax, so the County Council focused on budget savings and efficiencies to meet the budget shortfall rather than cut transit service. Efficiencies were realized by eliminating the least productive routes in order to protect popular ones. In addition, the County is encouraging cities that want to "buy" more transit service to implement their own congestion-relief tax,

and it looks as though City of Seattle will do just that. The County is also considering other means for address "geographical equity" for cities that are located in less populated areas of the County, including van pools, access-van services, and multi-modal transit service. This focus on geographical equity should result in improvements to route coverage on the Eastside and South County, rather than just the Seattle-centric routes we often see.

King County completed its joint purchase of the Eastside Rail Corridor (with City of Redmond, City of Kirkland, Sound Transit, and PSE), which comprises 42 miles of north-south corridor that is 100 feet wide. The corridor is intended for dual use by pedestrians and motorized vehicles. Development plans are expected in the next 12 months, and the project is expected to be built over 20 years by the partnership of owners.

The County has a radio-replacement program underway, because Motorola plans to discontinue support for the current equipment soon. King County plans a nine-year levy at \$0.07 per \$1000 assessed value that would raise \$240 million dollars to purchase new equipment and provide better communication among radio users.

Ms. Hague closed by saying how much she enjoys attending Beaux Arts Council meetings, because they truly exemplify "grass roots" government.

**TREE CODE DISCUSSION:** Mayor Leider reminded the Council that during last month's Appearances, Paula Dix asked the Council to consider amending the current Tree Code to better protect the Town's urban forest and to develop a Town policy that encourages tree replacements on public property consistent with the requirements for private property. At that time the Council agreed to discuss the issue, but only for the purposes of determining if it should be referred to the Planning Commission for study.

Councilmembers offered their thoughts as follows:

- All Council discussions about this topic have noted the large amount of work that went into developing the current Tree Code.
- Most resident complaints reflect concerns about the number of trees removed as part of permitted construction projects.
- The Town Arborist would like more specificity in the Beaux Arts Tree Code, which would make the rules easier to enforce. They have also expressed concern about the rules allowing the best trees on a lot to be removed while preserving marginal trees.
- The Council remains committed to finding a balance between the effects on property values of retaining trees versus retaining control over the use of one's property and allowing the spirit of the community to guide most construction decisions.
- It is likely that the entire community has learned a lot since the ordinance was written. It may be wise to clarify the goals of the community as a whole toward tree preservation and property use before asking the Planning Commission to study the issue.

Paula Dix commented that she feels not including Town property in the Tree Code results in a huge gap in those regulations. She believes that, when it comes to tree removal and replacement, the Town should be constrained by the same rules that affect residents. She would also like the variance process to consider tree preservation as a criterion and that the

Town Arborist should be involved in construction projects, particularly those involving demolitions and new constructions, at the beginning of the project. Mayor Leider noted that this last request has already been addressed.

**MOTION:** Councilmember Hillberg moved to ask the Planning Commission to further review and evaluate the Town's Tree Code in light of recent comments from residents and the Town arborist and strategies used by other local governments. Councilmember Stowe seconded.

On discussion, several Councilmembers questioned whether this motion provides enough clarity regarding the goals and purpose of such a study to guide the Planning Commission. Vote: 0 For, 4 Against, 0 Abstain. Motion fails.

**MOTION:** Councilmember Hillberg moved to ask the Planning Commission to review recent experiences with the current Tree Code and identify potential problem areas. Motion died for lack of a second.

On discussion, Councilmembers again expressed concern that until the Council was clear about its own goals for improvements to the Tree Code, it would be difficult to provide guidance to the Planning Commission. In addition, Councilmembers felt that developing a Town policy for addressing tree preservation Town property would help the Council develop the clarify those goals.

It was the consensus of the Council to develop a policy for street trees by working with the Town arborist and reaching out to the community for input to formulate recommendations for that policy. Councilmember Hillberg will take the lead on this project with the goal of having a final policy for Council action in the next few months.

It was also the consensus of the Council to set aside amending the Tree Code for the time being and revisit the question after the Town policy is complete.

**PROPOSED CAPITAL IMPROVEMENT PROGRAM TEMPLATE:** Councilmember Gillem distributed an updated template and commented that he wants to include multi-year strategic budgeting for operational expenses as well as capital expenses. Doing so will allow the Council to track maintenance expenses that occur every several years, e.g. cleaning the water tank, and preserve a higher level of collective knowledge for future Councils. He will flesh out the known projects and that forward to the Council for their budgeting additions. After this work is done, Clerk-Treasurer Spens will include copies in the Council binders for easy reference during Council meetings.

Councilmember Gillem will also work to complete a CIP that the Council can adopt this year, in addition to the TIP, probably in July.

#### **STRATEGIC PLANNING:**

##### Goal 4 – Town Character

**Master Plan for ROWs – ANGLE PATH:** Councilmember Hillberg reported that he estimates it will cost \$3,000 to develop a plan for this area that runs from 5 Corners to the Angle Road that connects to SE 29<sup>th</sup> Street.

ACADEMY PATH: Councilmember Hillberg distributed a sampling of the feedback he received from residents in response to his preliminary sketches of ideas for this path ROW that runs from 5 Corners to 107<sup>th</sup> Ave SE. He added that he plans to begin implementing a planting plan for this area in mid-May.

Goal 9 – Public Utilities (Stormwater)

Councilmember Stowe reported that Stacia Schroeder, the engineer hired to help develop the scope of work for this project, is putting together the first submittal for grant reimbursement. The next step is to hire a firm to actually develop our Stormwater Comprehensive Master Plan. He also added that the Council may wish to begin considering mechanisms for funding the actual improvements to our existing stormwater system that will probably be needed. One possible funding mechanism is to develop a Stormwater Utility that would operate as a separate fund, just as the Water Department does.

**MAYOR AND COUNCILMEMBER REPORTS:**

TOWN TREES: Councilmember Hillberg reported that a Big Leaf Maple on SE 29<sup>th</sup> at 108<sup>th</sup> Ave SE was damaged in a recent windstorm and will be removed. There will be a lot of wood from this tree, and rather than leave it on 108<sup>th</sup> for residents and neighbors to collect, it will be moved to the Water Department lot for temporary storage.

TREE CITY DESIGNATION: Councilmember Hillberg reported that he is continuing to look into obtaining Tree City designation, because there are possible advantages to the Town, including funding for tree preservation and tree planting. He outlined the four standards that all cities who seek to be Tree Cities must meet:

1. Establish a Tree Board or department to oversee the care of trees on public property.
2. Enact a Tree Care ordinance.
3. Establish a community tree-care budget of at least \$2 per capita.
4. Observe Arbor Day with a public proclamation.

He is working to determine whether the Town's Tree Code satisfies Standard #2 since it doesn't set rules for trees on Town property. Clerk-Treasurer Spens commented that the Town of Hunts Point has been a Tree City for at least 20 years, and she doesn't think their Tree Code establishes rules for street trees, other than allowing residents to plant trees within certain portions of the street right-of-way. She added that it is appropriate for the Tree Code to regulate what can happen on private property, but she isn't sure an ordinance can be used to regulate the Town's use of public property. She will check with Town Attorney Stewart about that question.

Councilmember Hillberg asked Clerk-Treasurer Spens to help him complete his review of the Tree City requirements.

SOUND CITIES ASSOCIATION: Councilmember Stowe reported that SCA is looking for ways to put teeth into planning activities directed by the Growth Management Act, particularly how to deal with conflicts between the Comprehensive Plans of neighboring cities. They are also reviewing fee increases proposed by the Puget Sound Clean Air Agency (PSCAA). Fees to member cities increased just this year; PSCAA proposes to increase fees

again by as much as 10%.

**AUDITOR'S ADVERSE OPINION FOR CASH-BASIS ENTITIES:** Mayor Leider reported that Joe Sabey, Mayor of Hunts Point, plans to meet with a representative of the State Auditor's Office (SAO) to discuss again the SAO's intention of adding adverse opinions to the audits of all cash-basis entities in the State of Washington, despite their audits being clean.

**REVENUE OPTIONS:** Mayor Leider reported that he is still working to put together a list of names for this committee.

**COUNCIL VACANCY:** Mayor Leider reported that he is close to having a name to recommend that the Council appoint to fill the current vacancy on the Council.

**NEXT MEETING:** Clerk-Treasurer Spens reminded the Council that the next regular Council meeting is scheduled for 7:00pm on Tuesday April 14, 2015 at Richard Leider's house.

**ADJOURN:** Councilmember Hillberg moved to adjourn the meeting at 9:15 pm. Councilmember Morlock seconded.  
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens  
Clerk-Treasurer