



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

July 12, 2016
Gillem

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

PRESENT: Mayor ProTem John Gillem, Councilmembers Mike Hillberg, Cynthia Hudson, Wade Morlock, and Tom Stowe.

EXCUSED: Mayor Leider.

STAFF: Clerk-Treasurer Sue Ann Spens, Deputy Clerk Angela Kulp.

GUESTS: WABA Secretary Susan Bogert; Pamela Whatmore, Brent Carson, David VanSike, Aaron Howes.

MINUTES: Councilmember Stowe moved to approve the June 14, 2016 minutes, as amended. Councilmember Hillberg seconded.

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

WARRANTS: Councilmember Hudson moved to approve the July 12, 2016 warrants, numbers 10198 through 10219 in the amount of \$23,621.98. Councilmember Morlock seconded.

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

CLERK'S REPORT:

CONTRACT FOR TOWN ENGINEER: Clerk Treasurer Spens reminded the Council that Councilmember Stowe recently asked the Council about hiring Stacia Schroeder to serve as the Town Engineer, and all agreed it was a prudent move because the Town needs expert engineering help for public-works projects, including inspecting road conditions and repairs. Ms. Schroeder has indicated that she is interested in providing the needed services at a rate of \$120 per hour. Ms. Spens asked the Council to authorize the Mayor to negotiate a contract for professional services with Ms. Schroeder, dba Northwest Civil Solutions.

MOTION: Councilmember Stowe moved to authorize Mayor Leider to negotiate and execute a contract for professional engineering services with Stacia Schroeder, dba Northwest Civil Solutions. Councilmember Morlock seconded.

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

AWC LOSS PREVENTION GRANTS: Clerk-Treasurer Spens reminded the Council that she needs input to develop the final list of proposed projects to submit to the Association of Washington Cities for loss-prevention grants. As mentioned last month, the first three are projects on the following list are carried forward from our 2015 list (because they were delayed due to weather):

1. Refresh the painted crosswalks on the 104th/SE 28th/105th arterial.
2. Replace reflectors on the speed humps and repaint hazard striping.

(We may be able to combine these two projects into a single one worth \$1,000.)

3. Repair the 103rd Ave SE stairs per Bob Durr's suggestion.

The remaining project listed can probably be split into two projects of \$1,000 each, but Ms. Spens needs specific input about the trees to be included:

4. Eliminate various tree hazards on Town ROWs. I will need specific locations to list for the grant.

Councilmember Hillberg will prepare the specifics and forward them to Clerk-Treasurer Spens so she can prepare and submit grant applications.

TREE MANAGEMENT PLAN: Clerk-Treasurer Spens reminded the Council that there is still an outstanding requirement to be met from last year's DNR Tree Inventory grant. Councilmember Hillberg is working on this with the Town Arborist.

MARSHAL'S REPORT: No report.

WATER REPORT: No report.

WABA REPORT: WABA Secretary Susan Bogert reported the following:

- The Beaux Arts Racing Fleet hosted a successful C-15 Regatta over the July 4th weekend.
- The Summer Picnic is scheduled for July 23rd. Organizers are putting together beach activities that they hope will encourage people to come to the beach for the afternoon.
- Milfoil treatment is underway. The first application was completed in June, and the second will be done either the week before or the week after the picnic.
- WABA plans to construct a barbeque near the recently restored area of the beach.
- Security problems have plagued the beach this year with the thefts of a couple of kayaks and a rowing shell. The WABA Board is looking into ways to increase beach security.
- During Seafair Weekend, the WABA portion of the beach roads will be closed to meet the annual requirement for private-road closures.
- A new barbeque is coming to the South Beach.

APPEARANCES: None.

PUBLIC HEARING: REQUEST FOR BOUNDARY-LINE ADJUSTMENT FROM PADANA LLC (WHATMORE ESTATE): Mayor ProTem Gillem opened the public hearing at 7:20pm and asked the applicant to describe the request.

David VanSike explained that the request was prompted by survey corrections made by the Town several years ago that caused a number of property lines to be shifted from the historical positions set by the unrecorded plat of Beaux Arts Village, which pre-dated the formation of the Town of Beaux Arts Village. After that survey in 1998, the Town worked with property owners to adjust the corrected property lines back to their historical locations so that no owner would lose property as a result of the correcting survey. Padana LLC, aka the Whatmore Estate, is applying to accomplish this same correction. He noted that the other affected property owner, Jeff Avansino and Amy Criniti, are aware of the application and

will sign the final survey to indicate their agreement with the proposal.

As there was no further public comment, the public hearing was closed at 7:35pm.

Council discussion focused on two concerns:

- whether the non-conformities that exist on these properties, some of which will be made more non-conforming, should be a reason to deny the request, and
- whether correcting other property line issues on the eastern boundary of the property should be made a condition of approval of the request.

Clerk-Treasurer Spens directed the Council to the summary of her conversation with Town Attorney Stewart in which he advised that to be consistent with the Council's previous policy for similar requests, the Padana LLC (Whatmore) BLA Request should also be handled without regard for non-conformities that may already exist or may be created by the adjustment of this property line. Even though the current Subdivision Code would not allow such an application to proceed to Council review until the non-conformity issue is resolved by variance, this situation is unique, because it arises from the combined effects of the Town's own actions (i.e. the original unrecorded plat with its errors and the 1998 survey that corrected those errors). In addition, Town Attorney Stewart stated that property-line issues affecting other boundaries cannot condition the approval of this request, for the same reasons.

Clerk-Treasurer Spens also noted that before Mayor Leider can sign to indicate approval of this request, the applicant will need to correct the survey as pointed out in earlier correspondence with Town Planner Mona Green and will need to obtain notarized signatures of all affected property owners. Mr. VanSike stated that he understands the requirements and will provide a corrected and signed survey soon.

MOTION: Councilmember Hillberg moved to approve the Request for Boundary-Line Adjustment submitted by Padana LLC. Councilmember Morlock seconded.
Vote: 4 For, 0 Against, 1 Abstain (Hudson). Motion carried.

PUBLIC HEARING: PROPOSED ORDINANCE NO. 424 ADOPTING THE TOWN'S 2017-2022 CAPITAL INVESTMENT PLAN AND TRANSPORTATION IMPROVEMENT PROGRAM: Mayor ProTem Gillem opened the public hearing at 7:44pm. As there was no public comment, he closed the hearing at 7:45pm.

Council discussion focused on whether the CIP/TIP is complete as presented or should incorporate the projects identified in the recently completed Stormwater Comprehensive Master Plan and other investments that are pending evaluation, e.g. 104th/105th Ave SE traffic calming. It was the consensus of the Council to table further discussion until September. The hearing will be continued at that time to provide another opportunity for public comment if needed.

Mayor ProTem Gillem will work with Councilmember Stowe to incorporate added projects to the CIP/TIP Spreadsheet.

GOLF CART DISCUSSION: MayorProTem Gillem noted that the need for this discussion and review was prompted by several incidents that occurred in the first few days that golf carts were authorized to use Town streets. He noted that he has spoken with each of the involved persons and believes that the situation has improved and will continue to improve as the newness of golf carts wears off.

He then asked Deputy Clerk Kulp to give a brief summary of the specific incidents, including:

- too many people on a golf cart,
- driving with no lights on at night,
- passengers standing on the back of speeding golf carts,
- seated passengers not seat belted,
- driving on the beach lawn,
- potential under age drivers, and
- driving too fast and a bit wild.

All of these actions violate the Town’s Golf Cart Ordinance. She stated at the conclusion of her summary that things seems to have calmed down since the initial roll-out. She added that she reached out to the King County Sheriff’s Office (KCSO) to alert them to the new regulations and ask them to be prepared to enforce those regulations as needed.

WABA Secretary Susan Bogert noted that she witnessed similar behavior and wondered who will enforce violations on WABA roads. Town Marshal Walter Scott noted that KCSO will enforce the rules whether violations take place on public or private roads. Council discussion focused on whether to alter the rules at this time, repeal the ordinance so that golf carts are no longer allowed, or wait to see if things calm down after a “break-in period”. It was the consensus of the Council to postpone any action and re-evaluate the situation in a few months.

Aaron Howes commented that he is one of the new golf-cart owners and that he supports evaluating the situation in a few months. He stated that he is willing to help others self-enforce the rules on an honor system in order to retain the privilege.

MAYOR AND COUNCILMEMBER REPORTS:

BOLLARDS BLOCKING VEHICLE ACCESS TO PATHS: Councilmember Stowe stated that he is working to identify a few key spots where bollards may be needed to actively discourage the use of Town path ROWS by vehicles.

ROADS SIGNS: Councilmember Stowe reported that he has discussed a request to consolidate street signs at the intersection of SE 29th Street and 108th Ave SE with the affected property owners and has reached an agreement. He will work with Bill Beck to implement the changes.

GRANT FOR STORMWATER SYSTEM IMPROVEMENTS: Councilmember Stowe reported that PACE Engineers has completed and submitted a grant application to fund improvements to the Town’s stormwater conveyance system along SE 27th Street from about 104th Ave SE to the beach.

STORMWATER COMPREHENSIVE MASTER PLAN: Councilmember Stowe reported that he and Stacia Schroder have completed their review of the draft plan and a final is pending.

2016 PAVING PROJECT: Councilmember Stowe reported that he is obtaining quotes for this year's paving project using the Small Works Roster method. Clerk-Treasurer Spens will prepare a public-works contract once a firm is chosen.

UTILITY EASEMENT FOR SE 27TH STREET: Councilmember Stowe reported that there are multiple utilities running along SE 27th Street, some of which are sited along WABA's private portion of the road. He would like to pursue a general-purpose utility easement for the private portion of that road (from the west side of 103rd to the beach parking area). WABA is open to the concept, and he would like the Council's authorization to work with Thom Graafstra to produce the needed legal documentation. He noted that this work is needed even if the Town isn't awarded the grant for Stormwater System Improvements but that he doesn't have an estimated cost for completion yet. It was the consensus of the Council that Councilmember Stowe should prepare a more detailed proposal, including estimated costs, for Council authorization in September.

COMMUNITY CENTER: Councilmember Hudson reported that the committee considering the idea of a community center will hold their first meeting on Sunday July 17th to discuss ideas, particularly those that the community will and will not support.

EMERGENCY PREPAREDNESS: Councilmember Hudson reported that, after the Cascadia Rising Emergency Response exercise, she toured the King County Emergency Operations Center.

ANGLE PATH IMPROVEMENTS: Councilmember Hillberg reminded the Council that the 2016 Budget included \$22,000 for improvements to the Angle Path. When Lauchlin Bethune, the landscape designer that developed the plans for the Angle Path, estimated the cost of the project, his estimate exceeded the approved budget by slightly more than \$10,000. Mr. Bethune worked with Councilmember Hillberg to value engineer out about \$2,300 from the proposed cost, resulting in a reduced estimate of about \$29,000 to complete the work. He would like the authorization to spend \$8,000 more than was originally budgeted on this project (the extra \$1,000 will cover contingencies). He noted that ongoing maintenance for the area would be added to Signature Landscaping's work list.

MOTION: Councilmember Hillberg moved to increase the approved budget for the Angle Path project from \$22,000 to \$30,000. Councilmember Hudson seconded.
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that there is no regular August Council meeting, so the next regular Council meeting is scheduled for 7:00pm on Tuesday September 13, 2016 at Mayor Leider's house.

ADJOURN: Councilmember Hillberg moved to adjourn the meeting at 9:15 pm. Councilmember Morlock seconded.
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer