



## TOWN OF BEAUX ARTS VILLAGE

### TOWN COUNCIL MINUTES

December 13, 2016  
Hillberg

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

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

**EXCUSED:** None.

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

**GUESTS:** Planning Commissioner Paula Dix; Water Dept. Supervisor Bob Durr; WABA Secretary Susan Bogert.

**MINUTES:** Councilmember Gillem moved to approve the November 8, 2016 minutes, as amended. Councilmember Hudson seconded.

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

**WARRANTS:** Councilmember Stowe moved to approve the December 13, 2016 warrants, numbers 10318 through 10342 in the amount of \$43,164.62. Councilmember Gillem seconded.

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

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

**ELECTRONIC MEETING PACKETS:** Clerk-Treasurer Spens asked for feedback on the electronic packets sent out to the Council for this meeting (in addition to hard-copy packets). In response to a couple of questions, Ms. Spens explained that the packets take very little time to prepare once the supporting documentation needed for either style of packet is ready. Some Councilmembers noted a preference for having a hard copy on which to record notes both prior to and during the meeting. One concern mentioned was the need for a portable device on which to download the electronic version for use during the meeting. Councilmembers expressed interest in continuing to receive packets in both formats for the next several months while they decide whether to make a switch to all electronic packets.

**SCA CALL FOR LEGISLATIVE ACTION:** Clerk-Treasurer Spens reported that the Town recently received an email from Sound Cities Association asking for our adopted legislative agenda. Councilmember Stowe prepared a draft list of items to consider, including:

- Eliminate unfunded or partially funded mandates;
- Eliminate the prevailing wage requirement for small public works projects;
- Allow cash accounting for small cities;
- Eliminate urban growth requirements for small cities, including unnecessary comp plan and shoreline updates.

It was the consensus of the Council to add one more item to the above list: Actively pursue Public Records Act reform.

Ms. Spens noted that the Council may wish to adopt this list tonight by carried motion to formalize it.

**MOTION:** Councilmember Stowe moved to adopt the amended list above as the Town's Legislative Agenda for 2017. Councilmember Hillberg seconded.

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

Clerk-Treasurer Spens will prepare a more formal list and forward it to Councilmember Stowe for final review before submitting it to the Sound Cities Association.

**CERTIFIED LOCAL GOVERNMENT (CLG):** Clerk-Treasurer Spens reported she has included copies of the materials the Council needs for its review of this topic during the Council's public hearing scheduled for the January Council meeting. The intention is to give the Council plenty of time to preview the materials prior to this meeting.

**AWC LOSS PREVENTION GRANTS:** Clerk-Treasurer Spens reported that she has submitted invoices for tree work to AWC for reimbursement. The reimbursement will be for the entire \$5,000.

**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 noted that the required plan is actually just a course of action and that he has nearly completed his work. It will be ready to submit to DNR by the year-end deadline.

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

**WATER REPORT:** Water Department Supervisor Bob Durr reported that one of the November water samples submitted for routine analysis tested positive for coliform bacteria. The testing lab notified Water Superintendent Bill Beck by phone, and he began corrective action immediately, including switching to Bellevue Water until a second sample could be tested. Mr. Durr noted that the protocol is to submit a second sample, and if the second sample tests positive, additional action must be taken to treat the affected equipment. Fortunately, our second sample tested negative, so no further action was needed.

Mr. Durr suggested that residents be reminded of the following cold-weather tips:

- Disconnect hoses from outside bibs. If the bib is not a newer style, cover the bib to insulate it from freezing air.
- Where possible, drain water lines to an indoor valve so that no water remains in a portion of the pipe that will likely freeze.
- For seldom-used interior faucets, open the cabinet beneath the faucet to expose the water lines to warmer interior air, especially if those lines are near an exterior wall.
- Allow water to drip in an interior faucet that cannot be otherwise protected. This will help prevent the water from freezing in the water line.

Mr. Durr also reported that he has worked with Town Engineer Stacia Schroeder to develop a scope of work for replacing A/C water lines near 103<sup>rd</sup> SE and would like to obtain proposals now so that the project is ready to go to bid when contractors are less busy. He also wants to coordinate the work with the paving project proposed for that area. Councilmember Stowe noted that, in the budget to be approved tonight, the 103<sup>rd</sup> Ave SE Paving Project has been postponed to 2018.

**WABA REPORT:** WABA Secretary Susan Bogert reminded all that the Christmas Ships are scheduled to appear at the Beaux Arts Beach on Tuesday December 20<sup>th</sup> at 7:55 pm. There will be a bonfire for attendees.

She also reminded all that WABA's Winter Dinner will be held at St. Thomas Church in Medina on Saturday January 28, 2017 from 5:30 to 7:30 pm. Invitations are scheduled to be mailed shortly.

Ms. Bogert announced that resident Chuck Lowry has agreed to serve as the project manager for WABA's Commons Project.

**APPEARANCES:** Paula Dix commented that the Angle Path improvements are awesome. She then asked the Town to consider imposing a third real-estate excise tax that would be earmarked specifically for acquiring one of the Town's historic homes (when the owner is ready to sell) to preserve and use for the Village Hall. While waiting for the right property to come on the market, the Town would be building up reserves for the purchase and could even contact specific owners to ask that they consider selling to the Town when they are ready to sell.

Ms. Dix then distributed information about a "one-percent real-estate excise tax for conservation areas". Clerk-Treasurer Spens commented that this specific tax is only available to county legislative authorities. Mayor Leider noted that the Town can enact a voter-approved increase to the property-tax levy, if the Council feels the idea has merit. It was the consensus of the Council to wait for Councilmember Hudson and the Village Hall Committee to prepare and present the results of their meetings.

**PUBLIC HEARING – PROPOSED ORDINANCE NO. 426 AMENDING THE 2016 BUDGET:** Clerk-Treasurer Spens explained that our budget performance for 2016 has been very good, and that the only fund needing amendment is the Cumulative Reserve Fund. This is because the Council approved additional spending on the Angle Path, a capital project, and thus approved a larger than budgeted transfer from the Cumulative Reserve Fund to the Street Fund.

Mayor Leider opened the public hearing at 7:45 pm. As there was no public comment, he closed the public hearing at 7:46 pm.

**MOTION:** Councilmember Stowe moved to pass Ordinance No. 426 amending the 2016 Budget. Councilmember Gillem seconded.

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

**PROPOSED ORDINANCE NO. 427 ADOPTING THE 2017 BUDGET:** Clerk-Treasurer Spens commented that the budget sheets before the Council tonight include suggestions discussed at last month's Council meeting. They also reflect more current YTD revenues and expenditures and updated estimated actuals for 2016 and include two planned funds transfers: one from the General Fund to the Street Fund to cover operating expenses and one from the Cumulative Reserve Fund to the Street Fund to cover a proposed equipment purchase.

Councilmember Gillem pointed out that that this budget, as presented, represents a deficit of about \$10,000, but he asked the Council to consider that this year's revenues exceeded expectations by more than that amount, resulting in a surplus for 2016. He added that he feels adopting this budget is prudent, in light of that surplus, but he wanted to be sure the Council is aware of the situation.

It was the consensus of the Council that, while not ideal, the projects included in this budget are the minimum necessary to preserve Town infrastructure and meet needs.

**MOTION:** Councilmember Hillberg moved to pass Ordinance No. 427 adopting the 2017 Budget. Councilmember Hudson seconded.  
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

**NEIGHBORHOOD TRAFFIC MITIGATION:** Councilmember Stowe noted that the committee received a lot of negative feedback about the initial plan to mitigate cut-through traffic, because many residents of this area were concerned about having their access to I-90 and Bellevue Way curtailed. Councilmember Hudson concurred that more residents value access to Bellevue and Seattle than are concerned with limiting cut-through traffic.

Mayor Leider noted that the committee may be fragmenting as a result of encountering negative opinions, but the Town can still petition for mitigations through the existing Memorandum of Understanding (MOU) based on the need to react quickly once congestion on Bellevue Way creates significant traffic problems. He added that the Points Cities are concerned that Sound Transit's impacts may cause greater traffic backups on SR-520 as Bellevue Way overflows.

Councilmember Stowe noted that Bellevue recently completed a static traffic count as a baseline, but those numbers have not been made available to the committee. Mayor Leider offered to write to City of Bellevue and demand to see the current baseline traffic counts and well as require that Bellevue perform dynamic monitoring of traffic impacts, particularly as construction milestones, e.g. the Park & Ride closure, utility work, and roadwork, are achieved.

**MAYOR AND COUNCILMEMBER REPORTS:**

**ANGLE PATH IMPROVEMENTS:** Councilmember Hillberg reported that the Angle Path improvements are now complete, and he has received a number of compliments on the improved appearance of this area.

**OTHER AREAS FOR IMPROVEMENT:** Councilmember Hillberg reported that he and

Lauchlin Bethune inspected the area near the west side of the intersection of SE 29<sup>th</sup> Street and 105<sup>th</sup> Ave SE to develop a plan and found that contours of the area may make a project for this area more challenging, because the land slopes steeply from the road toward the lake.

Councilmember Hillberg also reported that a quick survey of the 108<sup>th</sup> Walking Path shows that some replacement plantings are needed and a few areas of the hill need to be stabilized, ideally with plantings.

**DNR TREE INVENTORY AND TREE MANAGEMENT PLAN:** Councilmember Hillberg reported that he has nearly completed work on the course of action required as a follow-up to DNR's tree-inventory grant. He commented that his review of the data set revealed that the survey includes several private trees and excludes some public trees, so it is incomplete and not as useful as he had originally hoped, but it did reveal some important things.

**GRANT FOR STORMWATER SYSTEM IMPROVEMENTS:** Councilmember Stowe reported that this project has been recommended for funding by the State as a primary project. We are now waiting for FEMA's final decision.

**SOUND CITIES ASSOCIATION:** Councilmember Stowe reported that he feels his participation with SCA has been beneficial to the Town, but with his new job in Snohomish County, he has difficulty attending meetings every month. He asked Councilmember to consider serving as an alternate and attending some of the meetings. Clerk-Treasurer Spens will forward meeting announcements to the Council, and Councilmember Stowe will forward the meeting packets so that others can plan to attend on occasion.

**VILLAGE HALL COMMITTEE:** Councilmember Hudson reported that the Committee continues working to consolidate comments from their neighborhood meetings. They are preparing a presentation to the Council in February.

**STREET LIGHTING CONSULTANT:** Mayor Leider reported that he has found someone to assist the Town with questions about LED street lighting, but the work won't begin until early next year.

**NEXT MEETING:** Clerk-Treasurer Spens reminded the Council that the next regular Council meeting is scheduled for 7:00pm on Tuesday January 10, 2017 at Councilmember Hudson's house.

**ADJOURN:** Councilmember Hillberg moved to adjourn the meeting at 8:35 pm. Councilmember Gillem seconded.  
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens  
Clerk-Treasurer