



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

September 12, 2017
Stowe

Mayor Leider called the meeting to order at 7 pm.

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

EXCUSED: None.

STAFF: Clerk/Treasurer Sue Ann Spens.

GUESTS: Water Dept Supervisor Bob Durr, WABA President Susan Bogert; Joann Bromberg, Donna Stowe.

MINUTES: Councilmember Stowe moved to approve the July 11, 2017 minutes, as amended. Councilmember Hillberg seconded.

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

WARRANTS: Councilmember Morlock moved to approve the August 8, 2017 warrants, numbers 14665 through 14690 in the amount of \$30,862.43. Councilmember Gillem seconded.

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

Councilmember Stowe moved to approve the September 12, 2017 warrants, numbers 14691 through 14716 in the amount of \$19,938.73. Councilmember Hillberg seconded.

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

CLERK'S REPORT:

EMAIL / WEBSITE UPGRADES: Clerk/Treasurer Spens reported that as part of the website upgrade project, she will be moving our email addresses to a new service provider. She asked if the Council has any interest in switching from the name based addresses we currently use to more generic addresses, e.g. mayor@, council1@, etc. It was the consensus of the Council to keep the current practice of using name based email addresses.

Ms. Spens also reported that she met recently with Arne Haslund to start work on the new website. She said that Mr. Haslund recommends using a Wix-based site for its ease of use and is helping her get started on the project. She estimates that it will take approximately six months to complete the full upgrade, primarily because we are entering the busy budget season. As a start, she will ask for input from residents about things they like/dislike about the current site, and what additional information they would like to see included.

2015-16 AUDIT: Clerk/Treasurer Spens reported that the State Auditor's Office has nearly completed the audit of our 2015-16 financials and has scheduled an exit conference for 2 pm on Thursday September 21, 2017 at their Bellevue office, 40 Lake Bellevue Dr, Suite 123.

Mayor Leider, Councilmember Gillem and she plan to attend. Any other Councilmember who wishes to attend may do so, but if three or more plan to attend, we have to post a meeting notice 24 hours in advance.

BELLEVUE FIRE CONTRACT: We have been in discussions with Bellevue Fire Department for several months regarding a new contract to replace the existing agreement that expires at the end of the year. The biggest change is an increase in our service fee related for capital improvements that Bellevue is funding across the board after several years of foregoing that spending. A final version of the contract will come before the Council next month, at which time, if the Council agrees to the terms, they will authorize the Mayor to execute the contract.

PROCUREMENT POLICY: Due to the length of tonight's agenda, Clerk/Treasurer Spens decided to forego this discussion for a month.

MARSHAL'S REPORT: No report.

WATER REPORT: Water Dept Supervisor Bob Durr reported that the new pump installation is complete. He added that while the Town was on Bellevue Water, he spoke with residents about the presence of chlorine and was surprised by the disparity of perceived levels of chlorination throughout the Village.

Mr. Durr also reported that Town Engineer Stacia Schroeder will begin to work on a design to repair or replace the water lines on 102nd and 103rd. When the work is underway, the road will have to be closed for a couple of days during excavation, but the contractor will be asked to cover the trenches with steel plates at night to allow access to homes in the area.

WABA REPORT: WABAPresident Susan Bogert reported that:

- A lifeguard board was stolen and replaced.
- WABA has noticed an increase in the number of intruders entering the beach from the water. They are increasing the number of "Private Property / No Trespassing" signs along the waterfront.
- The program of warning parking lot users who do not display the proper permits/placards has been met with mixed success.
- WABA feels they experienced fewer security problems over the summer.
- WABA will meet with representatives of the King Conservation Group (which funded shoreline improvements) to explain what was accomplished with grant money and why.
- Catered food at the Summer Picnic seemed successful.

APPEARANCES: Joann Bromberg commented that she is concerned about a recent decision by the Town Planner to treat the eaves of a house that is being remodeled as covered parking so that the space under the eaves would count as existing gross floor area. The house in question is a legal non-conforming structure. Ms. Bromberg stated that she would like more information on the term "covered parking" included in the code. She wants to understand the circumstances and intention behind this apparent change in the concept of covered parking.

On discussion, Councilmembers agreed that there appears to be a gray area in the definitions associated with gross floor area and that the calculations may need to be clarified so that the application of the concept isn't subject to wide latitude in the judgment of the Town's building-department professionals. Bob Durr added that once a builder obtains permission for something, they cannot afford for the City to change its mind.

Donna Stowe commented on her concerns about the diversion of traffic along parts of 108th north of Bellevue Way. She is also concerned with the number and brightness of the street lights along 108th south of Bellevue Way, which gives this section of road the appearance of a boulevard rather than a neighborhood street. She noted that the added visibility combined with increased traffic is leading to higher speeds by the vehicles traveling this road.

PROPOSED ORDINANCE NO. 429 ADOPTING THE 2018 - 2023 CIP / TIP:

Clerk/Treasurer Spens reminded everyone that the public hearing for this measure was held during the July Council meeting. Councilmember Gillem asked for comments on the latest iteration of the CIP/TIP. Councilmembers spent time adjusting dollar figures and project dates, which he will use to prepare an updated spreadsheet.

MOTION: Councilmember Stowe moved to pass Ordinance No. 429 adopting the 2018 through 2023 Capital Investment Plan for the Town of Beaux Arts Village, including a Six-Year Transportation Improvement Program as amended. Councilmember Morlock seconded. Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

POSSIBLE SAFETY IMPROVEMENTS ALONG "THE ARTERIAL": At the July Council meeting, it was the consensus of the Council that Mayor Leider should contact one or more traffic engineers to obtain a ballpark figure for conducting a study. Councilmember Stowe asked to re-open the discussion, because he has some re-striping scheduled that could include a third crosswalk. He noted that adding stop signs southbound at SE 28th and 105th and northbound at SE 28th and 104th would help resolve the blind portion of this intersection so that a crosswalk could be added. After some discussion, it was the consensus that installing these stop signs will help mitigate the situation though they may not completely eliminate the problem.

PLANNING COMMISSION PROPOSAL FOR ZONING CODE CHANGES:

Councilmembers noted that the proposed changes boil down to:

- Changes in the way lot coverage is calculated and regulated, which would drop the lot coverage limit for structures from 35% to 30% and set a new limit for all lot coverage at 50%. The higher limit would include all impervious surfaces. Further, gravel, pavers, and other miscellaneous surfaces that are currently treated as pervious would be subject to the lot-coverage limit.
- Changes in the calculation of gross floor area that would double the calculated gross floor area of rooms with ceiling heights in excess of 14 feet, except for the first 100 sq. ft.

On discussion, Councilmembers had several questions and/or concerns:

1. We understand the new definition of impervious (adding pavers and gravel, for example), and also understand the objective of a 50% limit on site coverage. Is there data behind the 50% value? Why 50%?

2. While retaining a 35% GFAR, why the 30% limit for the building/site coverage? What issue is this solving for?
3. Are there other methods for mitigating lot coverage that would allow houses to be sited farther back from the street, e.g. storm water retention systems?
4. Are we certain there is no impact to the smaller lots with respect to allowing for a 2,500 sq ft residence? Should this be called out to avoid a potential conflict in the language or interpretation?
5. What is the reason for the added GFA if you have 14-ft or taller ceilings? An example was mentioned in which someone remodeled such a home without a permit to increase the GFA and exceeded GFAR limits. It was pointed out that this is a violation of the Zoning and Building Codes, and the Town would have recourse to amend such a violation.
6. GFA. The recent application and issuance of the building (remodel) permit for Nielson created a significant concern over the application of GFA to a permit submittal. We would ask that the definition be fully reviewed, and additional clarification be provided, if warranted.

Mayor Leider will attend the upcoming Planning Commission meeting and share the Council's questions and concerns.

BELLEVUE FIRE DEPARTMENT CONCERNS ABOUT ROW CLEARANCES:

Mayor Leider described his tour with Bellevue Fire as they drove the streets of Town pointing out areas that create challenges for the free movement of their equipment while responding to an emergency in Beaux Arts. He added that Bellevue Fire summarized these concerns in a July 21, 2017 memo addressed to him and which Clerk/Treasurer Spens distributed to Councilmember some time ago. He commented that his response to Bellevue was that we will review the situations noted and determine how best to address them. After some additional discussion, Councilmembers Stowe and Hillberg agreed to develop a plan to follow up on the recommendations. Mayor Leider will prepare a response to Bellevue outlining that plan and a timeline for implementation.

NEIGHBORHOOD TRAFFIC MITIGATION: Councilmember Stowe reported that the committee met in August and meets again in September. He also explained that Bellevue's recently implemented re-routing of southbound traffic along 108th north of Bellevue Way is a three-month trial.

VILLAGE HALL UPDATE: No update.

MAYOR AND COUNCILMEMBER REPORTS:

EMERGENCY PREPAREDNESS: Councilmember Dix reported that she is reviewing materials from former Councilmember Hudson and is working to coordinate them with other data relating to properties in Beaux Arts. She is also working to find new Block Watch captains.

STORM DRAIN INSTALLATION: Councilmember Stowe reported that the Town is installing a new storm drain in the ROW near 10524 SE 27th Street to alleviate severe ponding that could potentially damage the road.

STORM WATER UTILITY: Councilmember Stowe asked Councilmembers to consider

establishing a Storm Water Utility that would operate much like the Water Department in that it would operate as a distinct entity. He noted that the SWU would need funding of about \$10,000 per year for operating costs and that the Council would need to decide on a rate structure for covering that cost. Rates could be based on lot size, size of impervious surfaces, flat fee, etc. He noted that creating the utility and establishing rates for it do not require a vote of residents, and the explanation for this action would be the need for a guaranteed source of revenue for infrastructure maintenance that cannot be deferred. It was the consensus of the Council that this idea has merit and should be discussed further as an agenda item.

ROW MAINTENANCE: Councilmember Hillberg reported that the Building Department is following up on the ROW damage caused by BDR during construction of a home along 107th Ave SE.

He also reported that Tree Solutions will be performing a “triage” of Town trees on ROW to determine what work, if any, is needed before the storm season begins.

ROW IMPROVEMENTS: Councilmember Hillberg reported that Lauchlin Bethune has completed work on a proposed design for the SE 29th/105th intersection. The plantings will not only improve the appearance of this area but will also eliminate the sight-distance problem along the adjacent curved road. The project budget is \$15,000 but the estimated cost to implement the design is \$28,000 to \$32,000. He would like to keep moving forward with the project and is working to obtain two more estimates in the hopes of finding a lower-cost option. He will provide a pdf copy of the plan for publication in the next newsletter.

He is also beginning planning for improving the plantings along 108th Ave SE.

LEGAL SERVICES: Mayor Leider reported that he has been in contact with David Linehan, an attorney at Kenyon Disend, about the possibility of providing legal services to the Town. He noted that our current attorney, Wayne Stewart, has had some health issues lately that make it more challenging for him to get our work done. Mayor Leider noted that the contract for legal services would include an annual retainer commensurate with our current budget for legal services to give the Town a buffer from a sudden increase in our legal costs.

NEXT MEETING: The next regular Council meeting is scheduled for 7:00pm on Tuesday October 10, 2017 at Councilmember Dix’s home.

ADJOURN: Councilmember Hillberg moved to adjourn the meeting at 9:30 pm.

Councilmember Morlock seconded.

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

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer