



## TOWN OF BEAUX ARTS VILLAGE

### TOWN COUNCIL MINUTES

November 14, 2017  
Gillem

Mayor Leider called the meeting to order at 7pm.

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

**EXCUSED:** None.

**STAFF:** Clerk/Treasurer Sue Ann Spens, Town Planner Mona Green.

**GUESTS:** Water Supervisor Bob Durr, WABA President Susan Bogert; Planning Commissioner Aletha Howes; Jan Johnston, Peter and Ann Bowen, Steve Tegeler, Bellevue resident Tony Garana.

**MINUTES:** Councilmember Morlock moved to approve the October 10, 2017 minutes, as amended. Councilmember Hillberg seconded.

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

**WARRANTS:** Councilmember Stowe moved to approve the November 14, 2017 warrants, numbers 14746 through 14778 in the amount of \$74,539.33. Councilmember Hillberg seconded.

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

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

**SHORELINE MASTER PROGRAM UPDATE:** Clerk-Treasurer Spens reported that the Town recently received a letter from the Washington State Department of Ecology (DOE) notifying us that grant funds are available for the update of the Town's Shoreline Master Program (SMP). The Town adopted its current SMP in September 2014 and is required to complete periodic updates every eight years thereafter according to a schedule prepared by the DOE, which requires updates to be completed no later than December 2019. She asked Town Planner Mona Green to elaborate.

Ms. Green explained that, even though our SMP was adopted only three years ago, DOE has designated an update schedule that requires all cities in King County to complete the next round of SMP updates by the end of 2019 and has set aside grant funding to reimburse for the cost of completing the updates. She noted that the Town's current SMP was developed in response to extensive changes in state rules governing shorelines, and this next update should be much simpler, because the shoreline rules haven't changed much since then. She added that the Town is eligible for up to \$10,000 in grant funds, and we don't need to do anything if we intend to accept them. It was the consensus of the Council to accept the funds.

**SHREDDER DAY:** Clerk/Treasurer Spens reported that our first Shredder Day was held on Saturday November 4<sup>th</sup>, in conjunction with the Fall Clean Up. The ProShred driver showed

up just before noon, set up near the water tower, and stayed until 3 pm. The after-event report from ProShred was that the event was underutilized, possibly because residents weren't prepared for it. ProShred advises at least three months of advance advertising so that residents have time to sort documents and prepare for the event, but we only advertised one month in advance. In addition, City of Bellevue sponsors shredding events that are open to our residents. It is possible that many residents took advantage of another event, because they didn't know we would have one of our own. The event cost the Town \$450, but we would have paid almost that much to shred old Town files and financial documents this time. However, before deciding to hold a future event, we should probably gauge interest before proceeding.

**WEBSITE UPGRADES:** Clerk/Treasurer Spens reported that she has not received a single response to her inquiry about help from a resident for the re-design of the website. She added that MRSC Rosters lists several firms for Web Design. She will research those and other options and report to the Council in December. Councilmember Dix commented that she knows someone who designs websites for small companies and will ask her to contact Clerk/Treasurer Spens.

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

**WATER REPORT:** Water Supervisor Bob Durr reported that Town Engineer Stacia Schroeder has made significant progress in designing upgrades to the water-distribution system. The project should be ready for bidding next year, but the question of how to pay for the upgrades remains. A loan from the Washington State Department of Health is a possibility.

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

- The Christmas Ship is scheduled to visit Beaux Arts beach on Tuesday December 19th after dark.
- The Winter Dinner is scheduled for January 27, 2018. It will be held again at St. Thomas Church in Medina and will follow the same less-formal approach as last year.
- WABA is in the early stages of discussing whether to allow Bellevue Fire to use the boat launch for rescues.

**APPEARANCES:** Councilmember Dix suggested that the Town consider placing heavy-duty wood planks in front of each of the Clean Up dumpsters to make it easier to access them when dumping a wheelbarrow.

WABA President Susan Bogert asked the Town to be sure to issue advance notice of street closures so that residents aren't blocked in on the limited access streets.

**PUBLIC HEARING: PROPOSED ZONING CODE AMENDMENTS:** Town Planner recapped the proposed changes and the reasons for them as outlined in her memo dated October 2, 2017.

Mayor Leider opened the public hearing at 7:35 pm.

Ann Bowen asked for clarification about the changes to lot coverage: 35 % for the house and 50% for the remainder or in total. Ms. Green answered that structures on the lot will be limited to 30% and all impervious surfaces (including structures, walkways, driveways, etc.) will be limited to 50%.

Peter Bowen asked if gravel will be considered impervious. Ms. Green answered yes.

Susan Bogert asked if there will be a distinction based on the size of gravel used. She uses large gravel in areas other than the driveway. Ms. Green answered that the Planning Commission considered a size distinction but decided not to exempt gravel based on size.

Jan Johnston asked if decks will be considered impervious. Ms. Green answered that decks are included in the definition of impervious. She added that decks will count against overall lot coverage (50%) if the deck is no more than 30" above grade; higher decks will count against structural lot coverage (30%).

Bob Durr asked if there any of the new rules consider storm water runoff, noting that many jurisdictions require individual properties to retain storm water on the lot for some period before releasing it in a controlled fashion to the public stormwater system. Ms. Green answered that the amendments do not address storm water runoff.

Mr. Durr also asked if the Planning Commission considered creating a sliding scale for lot coverage based on lot size or whether a property is conforming or non-conforming.

Steve Tegeler asked how the new rules compare to those in Bellevue. Ms. Green answered that the Planning Commission did not consider how Bellevue handles zoning.

As there were no more comments, Mayor Leider closed the public hearing at 7:54 pm. He then outlined the following options for the Council:

- Pass an ordinance tonight based on the Planning Commission's recommendations,
- Pass an ordinance tonight with Council-based amendments, or
- Do not pass anything tonight.

On discussion, Councilmember agreed that the Planning Commission's recommended changes have been fully vetted, and they are generally ready to proceed though some are not completely convinced that the new limits on lot coverage will result in more open or green space. It was the consensus of the Council to ask the Town Attorney to draft an ordinance to amend the current Zoning Code based on the Planning Commission's recommendations. Clerk/Treasurer Spens will coordinate this work so that the amending ordinance is ready for action in December.

**PUBLIC HEARING: PROPOSED 2018 BUDGET:** Councilmember Gillem reviewed changes made to the budget worksheets as a result of last month's preliminary review. He noted that the Street and Water funds are projecting some large outlays for projects.

Councilmembers offered suggestions for minor revisions to specific line items. Councilmember Stowe noted that there may be grants funds available to help with the Street

Fund overlays and the option of a loan from the Public Works Board Fund for the Water Department's proposed work. He added that while the Water Department project is budgeted at \$75,000, he expects the cost to be closer to \$150,000 based on similar projects he has seen recently.

Mayor Leider opened the public hearing at 8:16 pm. As there were no comments, he closed the public hearing at 8:17 pm.

Mayor Leider asked if the budget numbers before the Council tonight materially reflect what will be before the Council for adoption next month. Councilmember Gillem answered yes, with the revisions discussed tonight. After some additional discussion, the Council decided to remove the \$75,000 Water Main project from the budget until firmer plans to pay for it are developed.

Councilmember Gillem will update the worksheets based on tonight's suggestions, and Clerk/Treasurer Spens will prepare an adopting ordinance for December. Ms. Spens will also complete an update and review of 2017 YTD expenses to determine if the Council needs to amend the 2017 budget. If amendments are needed, she will arrange for a public hearing and prepare an ordinance to accomplish the needed amendments.

**PUBLIC HEARING: PROPOSED ORDINANCE NO. 430 SETTING THE 2018**

**LEVY:** Mayor Leider reminded the Council that they established the need to increase the property-tax levy by 1% at last month's meeting. He then opened the public hearing at 8:29 pm. As there were no public comments, he closed the hearing at 8:30 pm.

**MOTION:** Councilmember Hillberg moved to pass Ordinance No. 430 setting the property-tax levy for 2018. Councilmember Gillem seconded.

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

**IT SECURITY ISSUES:** Clerk/Treasurer Spens reported that a neighboring small town recently experienced a serious IT security breach in which their hard-drives were encrypted and held for ransom. She explained that both clerks have data backups on-site (external hard drives) and off-site (Carbonite) to protect our data in the event of a physical disaster, but we do not have much security in place to protect from a cyber-attack. At Mayor Leider's urging, she contacted IS Outsource, the firm that is helping our neighbor recover from their cyber attack, and working to put together a plan for reviewing our current security methods and upgrading them as needed. She estimates this project will cost less than \$2,000 to complete. It was the consensus of the Council that Ms. Spens proceed with the IS Outsource review of our IT security.

**NEIGHBORHOOD TRAFFIC MITIGATION:** Councilmember Stowe reported that when police are present to enforce the re-routing of southbound traffic along 108<sup>th</sup> Ave SE at SE 16<sup>th</sup> St drivers comply; otherwise they seem to ignore it. Tony Garana a Bellevue resident who lives very near Beaux Arts, plans to circulate a petition to poll neighbors throughout Enatai about their concerns with Bellevue's pilot project. Mayor Leider welcomed him to include a comment about the petition in the Town's upcoming newsletter.

Mayor Leider commented that the traffic-counting equipment we purchased has proven to be

unreliable. He is looking to find other equipment to replace the faulty units.

Councilmember Stowe noted that committee attendance is down by 50% as many on the committee feel Bellevue is ignoring their concerns about proposed traffic re-routing and implements the changes anyway. He added that Bellevue is proposing closures to the intersection at 112th Ave SE and Bellefield to through traffic in the Spring.

**STORM WATER UTILITY:** Councilmember Stowe directed the Council's attention to draft ordinance language that could be used to establish a Storm Water Utility in the Town of Beaux Arts Village. The ordinance establishes a fund to collect the revenues and pay the expenses of storm-water related work, which can include the cost of street sweeping.

Clerk/Treasurer Spens reminded the Council that a utility fund is a type of enterprise fund, which means that it must be self-supporting. Stormwater System improvements could no longer use funds from the Town's Cumulative Reserve Fund and would have to be paid for by the Storm Water Utility.

It was the consensus of the Council to continue working on this idea. Clerk/Treasurer Spens will keep it as an agenda item and will work with the new Town Attorney, David Linehan, to craft an enabling ordinance based on the documents provided by Councilmember Stowe.

#### **MAYOR AND COUNCILMEMBER REPORTS:**

**TOWN CLEAN UP:** Councilmember Hillberg reported that the Fall Town Clean Up, held on Saturday November 4<sup>th</sup>, was a success. Turnout to help with a central project was good.

**ROW TREES:** Councilmember Hillberg reported he has completed a "triage walk" with Tree Solutions to assess the condition of our public trees and found one needed removal..

**ROW IMPROVEMENTS:** Councilmember Hillberg reported that he has contacted three contractors for the SE 30<sup>th</sup>/105<sup>th</sup> ROW Improvement Project, but only one has responded. The original request for bids did not indicate that traffic control would be needed while the work is accomplished, but because of the location and the volume of traffic using that corner, providing flagger services will bring the total project cost to \$35,000.

Councilmember Hillberg also reported that planning is underway for additional work on the 108<sup>th</sup> Ave SE ROW.

**BELLEVUE FIRE MEMO REGARDING TOWN ROWS:** Councilmember Hillberg reported that a tree on SE 27<sup>th</sup> that Bellevue Fire identified as posing visibility and access problems for fire-fighting vehicles has been removed.

**EMERGENCY PREPAREDNESS:** Councilmember Dix reported that she has recruited new Block Watch captains for all but one block. She plans to make a short presentation at the Winter Dinner to emphasize the importance of emergency planning for individuals and for the community.

**3Q2017 TREASURER REPORTS:** Councilmember Gillem reported that he has completed his review of the 3Q2017 Treasurer's Reports with supporting documentation and found

them to be complete and accurate.

**EXECUTIVE SESSION:** The Council adjourned to Executive Session at 9:17 pm. The session is to discuss personnel performance and is expected to last about 15 minutes. At 9:25pm the Council reconvened the regular session.

**NEXT MEETING:** The next regular Council meeting is scheduled for 7:00 pm on Tuesday December 12, 2017 at Councilmember Hillberg's home.

**ADJOURN:** Councilmember Stowe moved to adjourn the meeting at 9:30 pm. Councilmember Hillberg seconded.  
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens  
Clerk-Treasurer