



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

December 10, 2024

PRESENT: Mayor Aletha Howes, Councilmembers Paula Dix, James McCarthy, Stacy Saal, Tom Stowe, and Brad Wheeler.

EXCUSED: None.

STAFF: Clerk/Treasurer Sue Ann Spens, Town Planner Stacia Schroeder.

GUESTS: Susan Bogert.

Mayor Howes called the meeting to order at 7pm.

MINUTES: Councilmember Dix moved to approve the November 12, 2024 minutes as amended. Councilmember Stowe seconded.

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

CLAIMS: Councilmember Saal moved to approve the Final December 10, 2024 Claims Register for check numbers 16693 through 16717 in the amount of \$97,115.16.

Councilmember Wheeler seconded.

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

CLERK'S REPORT:

GLEN PATH PLANTINGS: Councilmember Dix has indicated that Lumo's planting work per approved plans for Glen Path is complete. Clerk/Treasurer Spens asked the Council to accept that work as complete.

MOTION: Councilmember Saal moved to accept the work performed by Lumo Landscaping per their contract for the installation of plantings along Glen Path complete. Councilmember McCarthy seconded.

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

CODE REVIEW: Clerk/Treasurer Spens remarked that it has been more than five years since our municipal code was reviewed in its entirety for inconsistencies both internally and with state statutes, for minor updates that may have been missed during amendments, etc. She noted that Code Publishing approached her to do this work but suggested instead that Town Attorney Linehan's firm be asked to do it. His attorneys are familiar with our Code and with changes in state statutes. It was the consensus of the Council to ask Town Attorney Linehan for an estimate to complete this review.

TREE CODE EXCEPTION: A permit applicant is requesting an exception to the Tree Code, which our code says must be handled by the hearing examiner. Deputy Clerk Tych noticed that our fee schedule does not list a fee for this request. Staff recommends that the fee schedule be amended to include a fee for requesting a Tree Code exception and that it should

be the same as a request for variance, i.e., a \$500 deposit plus any additional charges incurred by the Town for services related to the activity or permit. It was the consensus of the Council to amend the fee schedule.

CYBERSECUTIRY PILOT: Clerk/Treasurer Spens reported that she let VC3 know of the Council's interest in continuing to use their services at the current basic level. She added that the Town of Hunts Point has made the same decision, but they are also looking into other options that might be able to provide IT services at a more affordable cost. She will provide more information as it becomes available.

MARSHAL'S REPORT: No report.

WATER REPORT: No report.

WABA REPORT: No report. Mayor Howes commented that she received a note from Russell Hadley, the newly chosen WABA President, who mentioned that WABA has started producing their own newsletter and will no longer include news in the Town newsletter.

APPEARANCES: None.

PUBLIC HEARING: 2024 COMPREHENSIVE PLAN UPDATE: Mayor Howes opened the public hearing at 7:20 pm.

Susan Bogert commended the Council on their work to improve the presentation style and content and on Town Planner Schroeder's receptiveness to comments. She noted that the WABA is not a 501(c)(3); it is a member-owned non-profit. She also suggested several changes to the commentary on WABA's private open space.

As there were no further comments, Mayor Howes closed the public hearing at 7:30 pm.

She then outlined the project status, including that the Town reached out to the Department of Commerce (DOC) requesting an extension to the deadline, which was not granted. She added that the Council cannot adopt the plan tonight due to a 60-day comment period, but they can adopt it at a special meeting held solely to accomplish adoption. Based on several concerns related to missing the deadline, it was the consensus of the Council to hold a special meeting on Monday December 30, 2024. The meeting will be held remotely with an in-person option at Mayor Howes house. Clerk/Treasurer Spens will work with the Town Attorney to write an adopting ordinance.

Councilmembers conducted a page-by-page review of the draft and requested various edits, which Town Planner Schroeder will include in the final version for Council adoption.

PUBLIC HEARING: ORDINANCE NO. 475 AMENDING THE 2024 BUDGET: Mayor Howes opened the public hearing at 9:06 pm. As there were no public comments, she closed the public hearing at 9:07 pm.

Clerk/Treasurer Spens explained that anticipated expenditures exceed those authorized by the 2024 Budget Ordinance in the following funds:

- The General Fund #001 due to the cost of a three (vs. two) year audit and the costs of reviewing and administering two large building permits. The costs associated with the permits will be offset by reimbursements from the permit holders.
- The Street Fund #101 due to the increased cost of the street repair project, which is likely due to inflation. These costs are mitigated by the Town's receipt of a TIB grant covering 90% of the project.
- The Water Fund #401 due to unanticipated maintenance costs.

She added that a big decrease in the transfer needed from the Cumulative Reserve Fund #103 to the Street Fund #101 means that our total actual expenditures for all funds will be less than what was appropriated in Ordinance No. 469.

MOTION: Councilmember McCarthy moved to pass Ordinance No. 475 amending the 2024 Budget. Councilmember Dix seconded.

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

ORDINANCE NO. 476 ADOPTING THE 2025 BUDGET: Clerk/Treasurer Spens noted that Ordinance No. 476 presents the final budget and includes the minor changes made in November.

Mayor Howes suggested that the Town finish important road projects, as presented in this budget, in 2025 and then focus on tightening our belt with respect to capital projects for a few years. Councilmembers suggested other small line-item changes. Next month, the Council will adopt a final 2025 budget by ordinance in December.

MOTION: Councilmember Dix moved to pass Ordinance No. 476 adopting an annual budget for 2025. Councilmember McCarthy seconded.

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

ANIMAL CONTROL: Due to the late hour, discussion of animal control concerns was tabled until January.

MAYOR AND COUNCILMEMBER REPORTS:

ROW MAINTENANCE: Councilmember Saal complimented Marc Schaadt on the speed at which he cleaned up after the recent windstorm.

GREAT SHAKE OUT: Councilmember Saal will conduct a "Great Shake Out" style drill over the holidays.

GREENSPACE MAINTENANCE: Councilmember Dix reported that a hanging limb on 102nd Ave SE will be removed as soon as possible. She asked how to follow up on the cables cutting into a Town tree; Councilmember Stowe offered to contact the utility and ask them to fix the situation.

GLEN PATH: Councilmember Dix reported that she will meet with owners adjacent to this

path to choose additional plantings so they can be installed in January. Then she can move forward with installation of irrigation shortly thereafter.

CITY OF BELLEVUE WATER MAIN PROJECT: Councilmember Stowe reported that work on a franchise agreement for City of Bellevue is underway.

PAVING REPAIRS ALONG 104TH/105TH: Councilmember Wheeler reported that King County did a great job completing these repairs.

PLANNING COMMISSION APPOINTMENT: Mayor Howes reported that Steve Miller's term on the Planning Commission expires at the end of this month. She is working to confirm that he is willing to serve another term.

CRITICAL AREAS: Mayor Howes reminded that Council that the aquifer from which the Town draws its water needs to be protected with a critical area designation.

LEGISLATIVE PRIORITIES: Mayor Howes reported that she wants the Council to review this year's legislative priorities and make suggestions for updating them at the January meeting.

MIDDLE HOUSING: Mayor Howes reported that the Association of Washington Cities (AWC) believes recent middle-housing legislation is an overreach by the state. They also find the legislation confusing and contradictory and are working to get the legislature to reduce the middle-housing requirement to two units per lot.

She is working with the other Points Cities in asking Department of Commerce for more clarity on the requirements and requesting an extension of the June 30, 2025 deadline, which is unrealistic under the circumstances. She added that the Planning Commission will need to review and advise on the question of unit-lot splitting, in case the Town is forced to accept that requirement.

NEXT MEETING: The next regular Council meeting is scheduled for Tuesday January 14, 2025 at Councilmember Dix' house. In addition, the Council will hold a brief special meeting on December 30, 2024 to adopt the Comprehensive Plan. The meeting will be remote with an in-person option at Mayor Howes' home.

ADJOURN: Councilmember Saal moved to adjourn the meeting at 9:40 pm.

Councilmember McCarthy seconded.

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

Respectfully submitted,

Sue Ann Spens
Clerk/Treasurer