



## TOWN OF BEAUX ARTS VILLAGE

### TOWN COUNCIL MINUTES

October 12, 2023

McCarthy

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

**EXCUSED:** Councilmember Paula Dix.

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

**GUESTS:** Bruce Agnew and Eugenia Yen.

Mayor Howes called the meeting to order at 7pm and asked for a moment of silence recognizing the troubling events in the Middle East.

**MINUTES:** Councilmember Stowe moved to approve the September 12, 2023 minutes as amended. Councilmember Saal seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

**CLAIMS:** Councilmember Wheeler moved to approve the corrected September 12, 2023 Claims Register for check numbers 16353 through 16366 in the amount of \$24,359.66. Councilmember Saal seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Councilmember Saal moved to approve the October 10, 2023 Claims Register for check numbers 16367 through 16390 in the amount of \$27,815.24. Councilmember Stowe seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

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

**SHED KEYS:** Clerk/Treasurer Spens offered an alternative for shed keys using numbered Medeco keys that must be checked out. The check-out form makes it clear that anyone checking out key must either return it or, if lost, pay the cost of rekeying.

Councilmember McCarthy suggested that a digital lock system would be simpler in that anyone needing entry would be assigned a code. The system records each entry, including the identity of the person.

It was the consensus of the Council to upgrade the entry door lock to the digital system and to hold a discussion about who can be granted access in November.

#### **PLANNING COMMISSION REQUEST TO STUDY VARIANCE CRITERIA:**

Clerk/Treasurer Spens reported that the Planning Commission wants to study our current variance process to try to find ways to incentivize owners to preserve historic homes,

significant trees, and other characteristics that should be preserved. It was the consensus of the Council to discuss this idea in more depth at a future meeting.

**MARSHAL’S REPORT:** Nothing to report.

**WATER REPORT:** Water Department Supervisor Bob Durr reported that the Town has been on Bellevue water for at least two more weeks while he and Water Superintendent Roger Lillejord complete the following tasks:

1. Mr. Lillejord is manually refilling the tank twice each day with a volume that will supply most of our customers’ needs. When the tank is drained to a certain minimum volume, we switch automatically to Bellevue water.
2. Mr. Durr is working to find parts to repair the existing controller so it can be used until a new system is installed. This repair should alleviate the need to use any Bellevue water, except in an emergency.
3. Mr. Durr is also working to find a contractor who can replace the equipment that controls the refilling of the water tank.

Councilmember Wheeler also reported that the tank needs an overflow pipe from the tank to the ground and asked for permission to contact Town Engineer Stacia Schroeder to help with the design. It was the consensus of the Council that he should proceed.

**WABA REPORT:** Mayor Howes reported on behalf of WABA President Jeff Avansino that WABA is reviewing their covenants to find ways to preserve the Town’s single-family-residential status.

**APPEARANCES:** Bruce Agnew commented that he supports approving the agreement that will finalize the Town’s relationship with King County in offering services for historic home preservation. He also supports any work that will preserve Town trees and mentioned that funding is available for many tree-related projects through the King Conservation District.

Eugenia Yen commented that the informal citizen’s group studying tree preservation ideas has reviewed a 2019 Forest Management Plan prepared for the Town by the King Conservation District and wants to encourage the Town to incorporate its suggestions into the Comprehensive. She added that the group has studied tree-removal permits issued since 2009 and noted that 17 Significant trees and 2 Landmark trees have been removed.

**PUBLIC HEARING: PRELIMINARY 2024 BUDGET:** Mayor Howes opened the public hearing at 7:52pm. As there were no comments, she closed the hearing at 7:53pm.

Clerk/Treasurer Spens reminded the Council that tonight’s budget focus is on revenues, particularly the property tax levy for 2024, because only a few of our anticipated expenditures are known at this time. More expenditure details will be available for the November discussion. She also reminded the Council that November’s meeting will include a public hearing for the 2024 property-tax levy and will end with a brief Executive Session to discuss personnel performance, which she will use to set pay rates for staff in 2024.

Councilmembers spent time reviewing the preliminary budget on a line-by-line basis, offering their comments and suggestions. There was a brief discussion about using CDs with their higher interest rates for short-term investments.

Mayor Howes suggested that the Council hold the 2024 levy at the same dollar amount as in 2023 with the addition of the new construction levy, which would amount to approximately \$187,767. She noted that our maximum levy for 2024 is \$191,496, including a banked capacity of \$3,731, which isn't enough to make a difference in our 2024 revenues. She feels that holding the line on the levy and showing spending constraint demonstrate good stewardship. It was the consensus of the Council to accept this suggestion.

**PROPOSED RESOLUTION NO. 329 KING COUNTY LANDMARK SERVICES CONTRACT:** Clerk/Treasurer Spens explained that Resolution No. 329 authorizes the Mayor to sign the cornerstone agreement for the historical preservation ordinance.

**MOTION:** Councilmember Wheeler moved to adopt Resolution No. 329 authorizing the Mayor to execute an Interlocal Agreement with King County for Landmark Services. Councilmember Saal seconded.

Vote: 3 For, 0 Against, 1 Abstain (Stowe). Motion carried.

**PROPOSED RESOLUTION NO. 330 HEARING EXAMINER CONTRACT:** Clerk/Treasurer Spens explained that Resolution No. 330 authorizes the Mayor to sign a contract for Hearing Examiner services with Mark Scheibmeir of Scheibmeir, Kelly, & Nelson, P.S. per the Council's decision September.

**MOTION:** Councilmember Stowe moved to adopt Resolution No. 330 authorizing the Mayor to execute a contract for Hearing Examiner services with Mark Scheibmeir of Scheibmeir, Kelly, & Nelson, P.S. Councilmember Saal seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

**ROW MAINTENANCE CONTRACT:** Mayor Howes explained that she has reviewed our current contract for ROW Maintenance Services with Marc Schaadt and is recommending that the Council consider some minor changes, including the number of days that Marc's Lawn Service works on ROW Clean Up. Councilmembers have the proposed agreement in their packets for review; though she noted that there are still a few minor changes to incorporate. She added that Mr. Schaadt has offered to take over the organizational duties associated with the Town's Spring and Fall Clean Ups at no charge.

Councilmembers were unanimous in their support of the work Mr. Schaadt does to keep the rights-of-ways and streets cleared of debris.

**MOTION:** Councilmember McCarthy moved to authorize Mayor Howes to execute an amended ROW Maintenance Services Agreement with Marc's Lawn Service. Councilmember Stowe seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

**WATER RATE STUDY:** Councilmember McCarthy reported on his ongoing work on this study noting that he is considering the following recommendation: Raise the base bimonthly fee to \$100, keep the volume included in that fee at 500 cf, and keep the usage-based fee at \$1.25 per 100 cf for 2024. He commented that the Council may want to consider increasing the usage-based fee by \$0.10 per year over three years (2025 – 2027) to mitigate some of the impact of the increased fees.

He will have a full recommendation for the Council in November. Mayor Howes would like him to write something for the newsletter explaining why the increase is necessary, emphasizing that the Water Department needs to build reserves for equipment replacement among other things.

Clerk/Treasurer Spens will bring forward the following in December:

- an ordinance that establishes a Water Department Reserve Fund as of January 1, 2024 so that funds intended for such capital improvements can be easily segregated from operating funds and
- a resolution amending the Town’s Fee Schedule when the Council determines final rates.

**TREE CODE ENFORCEMENT:** Mayor Howes reported that she met with Town Building Official Crystal Kolke and Deputy Clerk Addie Tych to determine the process details needed to resolve our challenges with Tree-Code compliance, particularly the tree protection conditions established as part of a building permit.

One of Building Official Kolke’s recommendations is to consider collecting a bond from permit applicants to ensure that any tree protection required as a condition of the permit remains in place for the duration of the building project.

Mayor Howes also suggested that we may ask Building Official Kolke to perform added inspections for tree protection during the longer periods when no regular building inspection is scheduled.

**LEGISLATIVE PRIORITIES:** Mayor Howes explained that she wanted the Council to have goals outlining their priorities for the Town in 2024 and beyond and that she put together the list of legislative priorities to start that discussion. She asked that each Councilmember feel free to add to or amend the list and be ready to discuss it further in November.

**MAYOR AND COUNCILMEMBER REPORTS:**

**GREAT SHAKE OUT:** Councilmember Saal reminded Councilmembers that the Town will conduct an emergency response drill in conjunction with the Great Shake Out on October 21<sup>st</sup> at 10:21 am. Councilmembers who are in town on that day should bring their emergency response backpacks and muster at 5 Corners to review the steps for assessing and responding to an emergency.

**FRANCHISE DISCUSSION:** Councilmember Stowe asked that the November agenda include an item for a discussion of our various franchise agreements, noting that some are out of date, and some do not seem to exist.

**LOBBYIST FOR LEGISLATIVE CONCERNS:** Mayor Howes reported that Beaux Arts' portion of the expense for hiring a shared lobbyist will be about \$500 per month for one year. Each city/ town will have to execute a separate contract with Sound View Strategies, and all communications will be handled by the City of Medina. She expects the lobbyist to be especially helpful in messaging with our state representatives and with our residents about housing density, transit-on-demand, and other related issues. The legislative session opens in January.

**MOTION:** Councilmember Stowe moved to authorize the Mayor to execute a contract with Sound View Strategies for lobbying services. Councilmember McCarthy seconded.  
Vote: 4 For, 0 Against, 0 Abstain. Motion carries.

**REPRESENTATIVE VISITS TO COUNCIL:** Mayor Howes reported that she continues working to schedule one or more of our state representatives to attend a Council meeting. She hopes to have State Representative Tana Senn attend in November, but she hasn't received any confirmation of that date.

**ROW MAINTENANCE CONTRACT:** Mayor Howes reported that Marc Schaadt has indicated an interest in taking on the Street responsibilities formerly performed by Bill Beck, including installing name and street signs, performing other handyman services, and similar duties. Clerk/Treasurer Spens will find the list of Bill Beck's duties and forward it to Mayor Howes.

**NEXT MEETING:** The next Council meeting is scheduled for Tuesday November 14, 2023 at Councilmember Saal's house.

**ADJOURN:** Councilmember Stowe moved to adjourn the meeting at 9:45 pm. Councilmember Wheeler seconded.  
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens  
Clerk/Treasurer