



## TOWN OF BEAUX ARTS VILLAGE

### TOWN COUNCIL MINUTES

October 10, 2006

Young

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

**PRESENT:** Mayor Pro Tem Tom Robinson, Councilmembers Carol Clemett , Richard Leider, Aaron Sharp and Bruce Young.

**EXCUSED:** Mayor Judee Wells.

**STAFF:** Clerk-Treasurer Sue Ann Spens, Water Department Supervisor Bob Durr.

**GUESTS:** Joann Bromberg, WABA representative; Robin Stefan.

**MINUTES:** Councilmember Leider moved to approve the September 12, 2006 minutes as amended. Councilmember Young seconded.

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

**WARRANTS:** Councilmember Leider moved to approve the October 10, 2006 warrant list, including warrant numbers 7150 through 7172 in the amount of \$14,420.19. Councilmember Clemett seconded.

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

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

**ZONING CODE QUESTION:** Clerk-Treasurer Spens reminded the Council of Mona Green's memo describing an apparent discrepancy in the Zoning Code involving garages placed in basements not being treated the same as Basement living space with respect to GFAR. She added that Ms.Green would like to have the Planning Commission study the Town's current GFAR regulations and revise them so that a below-grade garage would be treated in the same fashion as below-grade living space.

It was the consensus of the Council that this discrepancy doesn't seem to make any sense and that the Planning Commission should review and revise the current Zoning Code as needed. It was also the consensus of the Council that making too many changes to the Zoning Code in a short time period can create burdens to homeowners who may have building-design plans underway, thus any other proposed Zoning Code changes (include proposed setback changes) will be held until the Planning Commission has completed its review of this question and made its recommendations to the Council.

Mayor ProTem Robinson will contact Town Planner Green and Planning Commissioner Roberts to discuss the details of this question.

**OUTGOING MAILBOX:** Clerk-Treasurer Spens reported that she is continuing to work with the USPS to get approval of one of two sites for the proposed outgoing mailbox: either on SE 28<sup>th</sup> just west of its intersection with 105<sup>th</sup> OR at 5 Corners. She added that the mailbox has been received and our installer is just waiting for USPS approval of an installation site.

**MARSHAL'S REPORT:** No report. Councilmember Clemett commented that at least one of the Town's lighted no-wake buoys is broken. Clerk-Treasurer Spens will contact the King County Marine Patrol about getting it replaced. Councilmember Sharp suggested that WABA Dockmaster David Dempster may know what buoys we have in storage by the WABA storage shed, so Clerk-Treasurer Spens will contact him also.

**WABA REPORT:** WABA representative Joann Bromberg reported that WABA is having difficulty getting Green Books to new residents. Clerk-Treasurer Spens will deliver the empty Green Book binders that she has in storage to Julia Morse. Ms. Morse will make copies of the book's contents to fill the binders and deliver them.

Ms. Bromberg mentioned that WABA has received a request from the WABA History Committee to provide permanent storage for WABA records and asked that the Council consider allowing WABA to share whatever space the Town may be developing for its own records-storage needs with WABA.

Ms. Bromberg reported that WABA is planning a fall beach clean-up for some weekend after the Town's planned Fall Clean Up on November 4<sup>th</sup>.

Ms. Bromberg outlined WABA's ongoing efforts to complete an inventory of the woodland area at the beach. She noted that WABA has hired an arborist, Elizabeth Walker, to complete this inventory, which will include information about the species of trees found in the woodland, the health of individual trees, and a plan for ongoing tree maintenance at a cost of about \$5,000. She added that Ms. Walker is an arborist, an urban planner, and an urban forester so she is uniquely qualified to do this type of work in our area.

Ms. Bromberg then commented that the Town has WABA's permission to prune the madrona trees near the electric lines serving the water pumphouse. Councilmember Young will coordinate this work with WABA Beachmaster Jan Johnston. Clerk-Treasurer Spens will ensure that the charges are paid by the Water Department.

**WATER REPORT:** Water Supervisor Bob Durr reported that the water department has a new connection to the Leffingwell house. He also stated that he has submitted budget estimates for water-department maintenance.

**EMERGENCY PREPAREDNESS:** Mayor ProTem Robinson reported that he will meet with Councilmember Young, Town Marshal Walter Scott, and Deputy Marshal Scott Harpster to continue work on implementing SCAN (Bellevue's neighborhood emergency-response planning tool) in Beaux Arts.

**TREE-MANAGEMENT PLAN DISCUSSION:** Clerk-Treasurer Spens reminded that Council that the most recent round of this discussion began in May of this year, though the topic has been under discussion off and on for several years. She added that a recent mass cutting on a property along 107<sup>th</sup> Ave SE, which is inside the 400-foot circle for an eagle nest in the vicinity, has stirred a number of citizens to action.

Councilmember Leider and Mayor ProTem Robinson commented that they had held a promised meeting to discuss what actions might be appropriate for the Town.

Councilmember Leider summarized their meeting by outlining the process they believe the Council should use in gaining public input and determining the appropriate end result.

1. Reaffirm and establish, i.e. identify, the need for taking action.
2. Identify the parameters and criteria for the decision, i.e. what would be affected.
3. Determine if private and public property are to be addressed, and if so, will they be treated the same or differently.
4. Develop an approach to accomplishing the anticipated outcome. Will it be a community approach, i.e. imposed voluntarily through educating citizens to the value of trees, particularly in Beaux Arts, or will it be legislated?
5. Seek to leverage the Town's approach with the positive gains WABA has realized in their recent work to preserve their woodland.

Mayor ProTem Robinson added that if we choose the community approach, residents of the Town will have to commit to orienting new residents to the value that Beaux Arts, as a community, places on its trees. Robin Stefan pointed out that on the former Saltonstall property the damage (i.e. the tree cutting) was done without any regard for our tree culture. She added that the Town has lost around 40 significant trees in the last four years, not including those that the Town has removed from ROWs because they were dead or dying. She noted that the Town's Comprehensive Plan discusses our urban forest and its preservation at great length and specifies that it is one of the attributes that makes Beaux Arts unique.

Joann Bromberg commented that the arborist WABA has hired is developing a tree replacement plan and could do something similar for the Town, if desired.

Councilmember Sharp commented that he feels there are two issues at work here. He explained that he believes the Town first needs to address trees on the Town ROW since the Town has a great liability should a dead or damaged tree fall and cause property damage and the cost of maintaining our trees on the ROW is increasing. He added that then the Town can address what should be done about trees on private property independently.

Councilmember Leider recommended that the Council move forward with a process for solving the situation as rapidly as possible and that the Council work to frame a discussion for public input by December or January at the latest. He stated that the process should result in rules that most can agree with. He added that he would like to see a draft framework that sets forth: process, definitions, timelines, a statement about the intended result, and costs.

Mayor ProTem Robinsons commented that the framework should include examples our how rules would affect various lots throughout the Village, given the diversity in lot size and development in the Village.

Councilmembers Sharp and Leider recommended that the Town write a letter to the Washington State Department of Fish and Wildlife reaffirming the Town's strong support of the Department's work to restore eagle habitat and strongly encouraging that the DFW to continue enforcing its eagle regulations.

Robin Stefan offered to organize a committee not including Councilmembers to study the ordinances in places such as Hunts Point, Mercer Island, Woodway, etc. and determine which pieces should be included in the Beaux Arts Tree Management Ordinance. It was the consensus of the Council that she do so. Clerk-Treasurer Spens will obtain the ordinances Ms. Stefan needs and get her copies immediately.

**PUBLIC HEARING: PRELIMINARY BUDGET FOR 2007:** Mayor ProTem Robinson opened the public hearing at 8:10pm.

Clerk-Treasurer Spens briefly reviewed the budget worksheets provided to the Council pointing out the disparity between our reduced revenue streams and increased expenditures.

The Council took some time to brainstorm possible sources of additional revenue. The consensus was that:

1. Clerk-Treasurer Spens will look into the potential for instituting a utility tax and ways to improve cost recovery in the building department, and
2. Water Supervisor Bob Durr will look at the current rate schedule for the water department and determine if a rate increase is needed. Councilmember Leider suggested that this review produce a 3 to 5-year Plan for balancing revenues to expenditures in the Water Dept Fund.

Mayor ProTem Robinson asked for additional comments from the public. As there were none, he closed the public hearing at 8:55 pm.

Clerk-Treasurer Spens reported that she will incorporate the Council's suggestions in to a proposed budget for review next month and will prepare a levy ordinance based on the full 1% increase in property taxes.

[Councilmember Clemett had to leave for a business call at 8:55pm]

**PERMANENT RECORDS STORAGE:** Clerk-Treasurer Spens directed the Council's attention to a letter written by the WABA Historical Committee in which they ask the Town to develop a permanent records-storage area for the Town that would also be large enough for them to use. She also explained that the space available in the water shed on the water-tower property is probably not large enough for the WABA Historical Committee to share if they need space to work – she added that the space would be more than adequate for records storage though.

She then outlined a brief plan for developing storage space in the shed at a cost of about \$7,000 – at least half of which is the cost to bring electric power to the shed as the lot currently has no power service.

Given the current uncertain state of the budget, it was the consensus of the Council to table further discussion of this project until next February.

**MAYOR AND COUNCILMEMBER REPORTS:**

**SPEED HUMPS ON SE 28<sup>TH</sup> STREET:** Councilmember Sharp reported that he is working to dovetail the installation of a new speed bump on SE 28<sup>th</sup> Street with some work that WABA is trying to schedule. He noted that doing so will lower the unit cost for both the Town and the WABA project, which is of benefit to everyone.

**SPEED CONTROL IDEAS:** Councilmember Sharp suggested that the Town evaluate the possible use of lighting speed-limit signs during the upcoming year.

**TREE-TRIMMING:** Councilmember Young noted that a tree near D'Alessio is scheduled for trimming later this month.

**3Q TREASURER'S REPORT:** Councilmember Leider noted that he has reviewed the 3<sup>rd</sup> Quarter Treasurer's Report, including supporting documentation and found it to be complete and in order.

**UNDERGROUNDING UTILITIES:** Councilmember Leider reported that he is putting together a brief memo that outlines the costs and benefits of undergrounding the Town power distribution lines.

**NEXT MEETING:** Clerk-Treasurer Spens reminded the Council the November meeting is scheduled for November 14<sup>th</sup> at Councilmember Robinson's house.

**ADJOURN:** Councilmember Leider moved to adjourn the meeting at 10:20 pm.  
Councilmember Sharp seconded.  
Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens  
Clerk-Treasurer