



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

December 11, 2007

Sharp

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

PRESENT: Mayor Judee Wells, Councilmembers Steve Eulau, Richard Leider, Aaron Sharp, and Bruce Young. Councilmember Carol Clemett arrived at 8:10pm.

EXCUSED: None.

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

GUESTS: Julia Morse, WABA.

MINUTES: Councilmember Sharp moved to approve the November 13, 2007 minutes as amended. Councilmember Leider seconded.

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

WARRANTS: Councilmember Leider moved to approve the December 11, 2007 warrant list, including warrant numbers 7513 through 7542, in the amount of \$26,225.89.

Councilmember Sharp seconded.

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

CLERK'S REPORT:

2005-2006 AUDIT: Clerk-Treasurer Spens reported that State Auditor Jamie Franzen has completed most of her work on the audit of the Town's financial records in January 2008 and that she expects to schedule an exit conference with Town officials later that month. Ms. Spens added that, at this time, the only items for discussion are the over-expenditures of the budget in both audit years – both of which are explainable.

WATER REPORT: Water Dept. Supervisor Durr reported that things are operating normally with the Water Department. Councilmember Sharp noted that the water-valve box in the road at 5 Corners appears to be collapsing and is causing puddles to form in the street. Mr. Durr will check for a leak in the vicinity.

MARSHAL'S REPORT: Nothing to report.

WABA REPORT: Julia Morse reported that WABA has completed work on the beach path and is in the process of renovating the beach bathrooms. She also reported that WABA's Annual Dinner has been moved back to St. Thomas after catering challenges surfaced for the other facility. She added that there will be time on the agenda of the dinner meeting for the Mayor to speak.

Ms. Morse also reported that WABA's Centennial Celebration is taking shape: a parade is planned for July 4th, an architectural tour for June 14th, and other activities and decorations are in the planning stages.

EMERGENCY PREPAREDNESS: No report.

PUBLIC HEARING: PROPOSED ORDINANCE NO. 354 AMENDING THE 2007

BUDGET: Mayor Wells opened the public hearing at 7:20pm. Clerk-Treasurer Spens explained that expenditures exceeded budget in the Street Fund, primarily because the street overlay project cost \$10,000 more than anticipated. She added that this cost increase was due to oil-price increases. Mayor Wells asked for questions or comments from the public. As there were none, she closed the public hearing at 7:22pm.

MOTION: Councilmember Eulau moved to approve Ordinance No. 354 amending the 2007 Budget. Councilmember Sharp seconded.

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

PROPOSED ORDINANCE NO. 355 ADOPTING A BUDGET FOR 2008:

Councilmember Leider explained the fine-tuning that went into this final budget and noted that it is conservative with respect to revenues due to an anticipated decline in construction activity in the Town. He also noted that the budget for the Water Department depends on a proposed rate increase that will be handled by resolution as the next agenda item.

MOTION: Councilmember Sharp moved pass Ordinance No. 355 adopting a budget for 2008 and setting the salary range for the Clerk-Treasurer. Councilmember Leider seconded.

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

PROPOSED RESOLUTION NO. 239 SETTING FEES FOR VARIOUS SERVICES AND PERMITS WITHIN THE TOWN:

Clerk-Treasurer briefly outlined the changes to the Town's fee structure that were needed in the Water Department. Councilmember Leider commented that the Town's water is still very inexpensive relative to other neighboring cities and that our water quality is much higher. Clerk-Treasurer Spens will write a brief article for the newsletter that illustrates this point by comparing the cost of water in BAV and in Bellevue for the minimum water volume and the average volume used by BAV customers.

MOTION: Councilmember Leider moved to adopt Resolution No. 239 setting fees for various services and permits within the Town. Councilmember Sharp seconded.

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

UNDERGROUND UTILITIES: Councilmember Leider stated that he has nothing further to report at this time except that the vote on a similar project in Medina did pass but by a very narrow margin. He added that education will be key to helping residents fully understand the benefits of this project versus its costs. Councilmember Eulau commented that members of this Council come from varied backgrounds and most seem to support the project. He added that getting the support of Town residents may not be as difficult as it seems.

Councilmember Sharp remarked that the cost to underground individual service lines may be the deal stopper, since the cost must be borne by the individual property owner and is solely

dependent on the length of trench needed to accomplish the undergrounding. The Council discussed the possibility of requiring all new construction projects to place the utility service from the distribution poles to the residence underground but decided to table further discussion until more is known about how residents feel about this project.

PRIVATE IMPROVEMENTS ON TOWN ROWS: Councilmember Sharp described recent discussions and actions about a similar topic by the Bellevue City Council, adding that they are considering an ordinance to prescribe the amount of greenery that must be preserved on the right of way as a means of preserving the character and livability of their neighborhoods. It was the consensus of the Council that these proposals are probably beyond the scope of the current concerns but may be useful to the Planning Commission in studying the situation. [Councilmember Clemett arrived at 8:10pm.]

Councilmember Sharp then asked for feedback on the Right-of-Way Use Outline he prepared and distributed. After some discussion, it was the consensus of the Council that Councilmembers Sharp and Leider prepare a revised copy of this outline for the Council's review in January.

TREE MANAGEMENT PLAN: Councilmember Clemett recapped the Planning Commission's public hearing for the proposed Tree Management Ordinance held on November 20, 2007. She mentioned that the hearing was long and, at times, contentious, but that all members of the public who wished to speak had ample opportunity. She added that the committee received much quality feedback that they used to revise the proposed ordinance so that the Planning Commission could review an amended version on December 10, 2007. She remarked that additional comments from the public were heard at that meeting even though it was not a continuation of the public hearing, noting that the committee preferred to hear as many comments as possible. She then reported that a final version will go back to the Planning Commission in January for review and that she expects the Planning Commission will forward a proposed ordinance with their recommendation for Council action in February.

Councilmember Leider asked how members of the committee feel about the current version of the regulations now that the Planning Commission and general public have had a say. Councilmember Clemett answered that they have heard a wide range of views from both and still feel strongly about retaining rules to protect landmark trees but may be willing to compromise on that piece in order to get some regulations in place. She added that members of the committee have expressed concerns about the Council's level of commitment to passing a tree ordinance and that the committee supports this final version as a good balance between what is good for the Town and what residents will support.

MAYOR AND COUNCILMEMBER REPORTS:

STREET SWEEPING: Councilmember Sharp reported that recent rains and the work of some individual residents have stripped the streets of most of the tree leaves and other autumn debris, so he will not have the streets swept.

REIMBURSEMENT OF 2006 WINDSTORM EXPENSES: Councilmember Sharp reported that he has completed and mailed the remaining paperwork to obtain reimbursement of outstanding expenses related to the 2006 windstorm. He commented that the paperwork is

related to the state's reimbursement of 12.5% of our total expenses from state emergency-response funds.

HAZARDOUS TREE SURVEY: Councilmember Young reported that arborist Tina Cohen has completed a survey for hazardous trees on Town ROWs and that seven trees have been added to the watch list. He also reported that one tree in need of cabling requires assistance from Puget Sound Energy, who must de-energize the power lines near the tree before the cabling can be done and then must re-energize the power lines at an expense of about \$3,000.

TOWN ARBORIST: Councilmember Clemett asked if the Council has thought about who to retain as Town Arborist, which is one of the requirements of the proposed Tree Management Ordinance. Councilmember Youngs suggested that the Council consider Ms. Cohen as she is knowledgeable and reasonable. Councilmember Leider suggested that the Council needs a scope of work for the position before individuals can be considered for it.

CENTENNIAL PARK: Councilmember Clemett reported that the citizen committee working on plans for this park has decided to hire a landscape architect to propose plans for the proposed park space and that they hope to have a project budget to present to the Council for review in February.

CANDIDATE FOR APPOINTMENT AS MAYOR: Mayor Wells reported that she spoke at length with John Rose, who is interested in replacing her as Mayor. She explained that he would like to appear before the Council to present his vision and priorities for the Town and would like there to be plenty of notice to residents about this presentation. She added that he wants to be sure that Villagers are aware of the opportunity to serve as Mayor, if they are interested, so that all will have the chance to make their interest known. She added that this presentation should happen at the January meeting.

POTENTIAL TREE COMMITTEE / COUNCILMEMBER CONFLICT ON INTEREST: The Council asked Clerk-Treasurer Spens to ask Town Attorney Stewart if any conflicts of interest exist because two members of the Council are also members of the Tree Committee. They specifically asked her to find out if these Councilmembers must excuse themselves from Council discussions of the proposed legislation and subsequent votes on it.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that the next regular Council meeting is scheduled for January 8th at Steve Eulau's house.

ADJOURN: Councilmember Eulau moved to adjourn the meeting at 9:25pm and convene an Executive Session to discuss personnel issues. Councilmember Sharp seconded.
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer