



TOWN OF BEAUX ARTS VILLAGE
TOWN COUNCIL MINUTES

April 14, 2009
Leider

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

PRESENT: Mayor John Rose, Councilmembers Carol Clemett, Steve Eulau, Mike Hillberg, Richard Leider, and Aaron Sharp.

EXCUSED: None.

STAFF: Clerk-Treasurer Sue Ann Spens.

GUESTS: WABA President Dan Bridges, Steve Hauck.

MINUTES: Councilmember Eulau moved to approve the March 10, 2009 minutes as written. Councilmember Leider seconded.

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

WARRANTS: Councilmember Leider moved to approve the April 14, 2009 warrants, numbers 7997 through 8030 in the amount of \$18,760.82. Councilmember Clemett seconded.

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

CLERK'S REPORT:

NEW LAUREL PLANTINGS ALONG SE 29TH STREET: Clerk-Treasurer Spens reported that she noticed three new laurels planted along SE 29th Street in front of the Bates' fence. After some discussion, it was the consensus of the Council that Clerk-Treasurer Spens write a brief letter to Ms. Bates reminding her that the new laurels will be subject to the same maintenance requirements for safety and visibility as the existing laurels.

WABA FIRE PIT: Mayor Rose recapped the situation regarding the new fire pit at the beach as follows: It is Town Planner Mona Green's opinion per Ordinance No. 100 that WABA should have obtained a Letter of Exemption from the requirements of the Shoreline Master Program prior to constructing the new fire pit and table. It is Building Official Crystal Kolke's opinion that no building permit was needed for this installation but an electrical permit from the State may have been needed. Ms. Kolke has asked WABA to supply evidence that the electrical permit was either obtained or not needed.

Mayor Rose then asked the Council what role, if any, they wish to play in the enforcement of Town ordinances, e.g. Ordinance No. 100. He added that he feels Council involvement in enforcement actions takes an inordinate amount of their time, detracts from other important policy matters at hand, and puts the Council in difficult positions, particularly with their neighbors.

After a brief discussion, it was the consensus of the Council that enforcement actions should be handled by the Mayor and staff, whenever possible.

Mayor Rose offered Dan Bridges the opportunity to comment but cautioned that, based on this consensus, the question of whether permits, letters of exemption, etc. should be required was not a question before the Council. Mr. Bridges questioned whether the Town should be relying on the opinions of the Town Planner for questions that may be legal rather than interpretive. Mayor Rose noted that he takes his supervisory responsibilities seriously and appreciates feedback on matters involving staff performance.

NO-WAKE SUPPLIES: Clerk-Treasurer Spens reported that the aluminum buoys are on order with Ottercraft, the company that fabricates aluminum buoys for King County. She noted that, because our order is small, we are paying a premium of about \$100 per buoy, so she will try to consolidate our order with one for either King County or Mercer Island, both of whom purchase these buoys from Ottercraft. She also reported that wrappers and beacon lights for these buoys are on order with Rolyan Buoys. She added that all of these items will ship to the King County Marine Patrol maintenance shop for assembly and then King County will install the buoys at the north and south corners of the new no-wake zone.

CITY OF BELLEVUE IMPROVEMENTS TO 108TH AVE NE: Clerk-Treasurer Spens reported that she and Deputy Clerk Kulp are receiving calls from firms who are scoping Bellevue's proposed project for 108th Ave NE. She noted that at the March meeting, the Council's discussion of this project ended when Councilmember Sharp indicated that Bellevue's mayor wished to speak with Mayor Rose. She asked if that discussion had happened, and if so, what transpired. Mayor Rose answered that he has not been contacted by anyone from City of Bellevue. Councilmember Sharp offered to call his contact at Bellevue Transportation to learn more about the status of this project.

MARSHAL'S REPORT: No report. Councilmember Clemett commented that the King County website shows crime statistics for larger sections of the county but not exclusively for Beaux Arts and asked if the Council can get a copy of the monthly crime statistics for the Town. Clerk-Treasurer Spens will investigate further to learn if statistics for Beaux Arts are available online.

WATER REPORT: No report.

WABA REPORT: No report.

Councilmember Clemett commented that WABA hasn't sent a representative to a Council meeting for several months and wondered if we should invite them to begin attending again.

Mayor Rose reported that former President Joann Bromberg is working with WRIA8 to obtain a grant for work at the beach related to salmon-habitat enhancement.

EMERGENCY PREPAREDNESS: Councilmember Eulau reported that he has set up a tentative meeting with Dave Hall, who works for the State helping cities to complete their Comprehensive Emergency Management Plans (CEMP) and that he has received a Word

version of the Woodway CEMP, which he will use as a template to draft one for Beaux Arts.

STORMWATER SYSTEM UPDATE: Councilmember Sharp first thanked Tom Stowe for his help in preparing the Request for Proposals and in reviewing the 10 proposals the Town received. He then distributed a spreadsheet that illustrates the project costs from each proposal. After briefly describing the proposals and explaining how to compare them, Councilmember Sharp recommended that we concentrate on getting the survey only done now. He will focus the remainder of his review on the three qualified firms with the lowest bids: Axis, CHS, and PACE. He noted that he does not consider White Shield qualified because they cannot produce AutoCAD drawings.

MOTION: Councilmember Leider moved to authorize Councilmember Sharp to move forward with contract negotiations for a survey of the existing stormwater system and to present the resulting contract to Mayor Rose for signature. Councilmember Clemett seconded. Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

PROPOSED RIGHT-OF-WAY-USE ORDINANCE: Councilmember Sharp suggested that the Council should decide whether to:

- work on the proposed ordinance themselves prior to a public hearing,
- collect Council comments on the proposed ordinance and forward them to the Planning Commission for further work, or
- hold a public hearing first and then revise the proposed ordinance based on public input.

After some discussion of the merits of each approach, it was the consensus of the Council that Councilmember Hillberg should take over work on this project since Councilmember Sharp is very busy with the Stormwater Project. It was also the consensus of the Council that Councilmember Hillberg review the proposed ordinance, collect comments from other Councilmembers about proposed changes, and compile an annotated version for further Council review.

POTENTIAL HOUSING ALTERNATIVES: Councilmember Leider distributed an outline of the proposed study of housing alternatives and mentioned that the committee to perform this study will include himself, Dick Johnson, Tom Stowe, Jan Johnston, and Lynn Hall. He added that the committee with review information from other communities to study their successes and failures and to help in answering the questions identified by the outline.

Councilmember Sharp asked when to offer input. Councilmember Leider answered with at the committee meetings or during Council meetings.

Councilmember Clemett asked how long the study is expected to take to complete. Councilmember Leider answered about three to four months, adding that the big question is where to site this housing. Mayor Rose noted that either the Council can identify suitable locations or siting can be opened up to all residents. Councilmember Sharp commented that he feels questions of siting should be open to all residents, otherwise the Council appears to be in a position of choosing winners and losers.

Councilmember Clemett asked about architectural standards. Councilmember Leider

answered that the committee will not consider these initially because they need to focus on whether the idea is viable and will generate support among residents first.

PROPOSED PARKING ORDINANCE: Clerk-Treasurer Spens briefly explained that currently our rules for parking on public property are set forth in the Town's Zoning Code. She explained that the Zoning Code is intended to regulate activity on private property not on public property. She added that a stand-alone parking ordinance will serve the Town better because the process to amend it is simpler than amending the Zoning Code and enforcement will be easier because the rules are not buried in another very large ordinance.

After some discussion, it was the consensus of the Council to review an electronic version of the ordinance and provide comments that Clerk-Treasurer Spens will compile for further review.

MAYOR AND COUNCILMEMBER REPORTS:

TOWN CLEAN UP: Councilmember Clemett reported that the Town Clean Up was well attended and several project were completed. She added that the 104th Path ROW is now planted and that the Leiders, the Ferrees and Gordon Roberts have agreed to water the plants. Clerk-Treasurer Spens will offer to adjust their water bills under the guidelines of the "Adopt-a-Tree" program.

CROSSWALKS: Councilmember Sharp reported that several families have commented to him that crosswalks on the 104th/28th/105th arterial are not adequate. He will not take action at this time but will study the matter.

TREE WORK: Councilmember Hillberg reported that he has identified a number of tree projects but will not commit to much more work before reviewing the budget funds available to tree work this year. He added that he would like see the removal of holly and similar invasive plants incorporated into Town Clean Ups as much as possible and when safe.

BOA VACANCY: Mayor Rose reported that Robin Stefan has resigned from the Board of Adjustment and that he is working on finding a replacement for confirmation at the next Council meeting.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that the next Council meeting will be held at 7:00pm on Tuesday May 12, 2009 at John Rose's house.

ADJOURN: Councilmember Sharp moved to adjourn the meeting at 8:35 pm. Councilmember Leider seconded.
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer