



**TOWN OF BEAUX ARTS VILLAGE**  
**TOWN COUNCIL MINUTES**

January 12, 2010  
Eulau

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

Clerk-Treasurer Spens administered the Oath of Office to the five newly elected or re-elected members of the Council: Mayor Richard Leider, Councilmember Mike Hillberg, Councilmember Matt Leber, Councilmember Aaron Sharp, and Councilmember Tom Stowe.

**PRESENT:** Mayor Richard Leider, Councilmembers Steve Eulau, Mike Hillberg, Matt Leber, Aaron Sharp, and Tom Stowe.

**EXCUSED:** None.

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

**GUESTS:** Water Supervisor Bob Durr, Susan Kennedy, and Donna Stowe.

**MINUTES:** Councilmember Hillberg moved to approve the December 8, 2009 minutes as amended. Councilmember Sharp seconded.

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

**WARRANTS:** Councilmember Sharp moved to approve the December 31, 2009 warrants, numbers 8246 through 8265 in the amount of \$6,225.43. Councilmember Hillberg seconded.

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

Councilmember Hillberg moved to approve the January 12, 2010 warrants, numbers 8266 through 8281 in the amount of \$12,987.48. Councilmember Sharp seconded.

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

**CLERK'S REPORT:**

**CONCERNS ABOUT WHATMORE PROPERTY ACCESS ISSUES:** Clerk-Treasurer Spens reported that Mayor Leider has authorized Town Planner Mona Green to spend up to ten hours reviewing concerns that WABA and Town officials have concerning the Whatmore property and its access to property owned by the same family that sits in the City of Bellevue. Clerk-Treasurer Spens explained that Planner Green will research the impact of the ownership of these properties on the WABA strip of property that runs along the Town's northern border, whether the current access to the Bellevue property through the Beaux Arts lot is allowable under our current codes, and other issues relating to these questions. She added that Planner Green will research property records and WABA records and will interview relevant parties before writing a summary of her findings for the Mayor's consideration.

**PENDING KING COUNTY INVOICE FOR ARTERIAL STRIPING:** Clerk-Treasurer Spens reported that the County accepted the Town's offer of \$500 to settle this invoice (in lieu of the

\$1,010 originally charged) and payment was approved with the December 31, 2009 warrants. She added that the County has indicated that they wish to negotiate a new Interlocal Agreement with the Town that would allow us to hire their striping crew, if we decided that was our best value option. She will follow up with the initial discussions needed for that agreement and bring in Councilmember Sharp, if needed, for the technical aspects.

**PLANNING COMMISSION AND BOARD OF ADJUSTMENT VACANCIES:** Clerk-Treasurer Spens reminded the Council that each of these bodies has had a vacancy for several months and that the vacancies have been advertised in the Town Bulletin several times. Mayor Leider stated that he will work to find residents willing to fill the vacancies.

**MARSHAL'S REPORT:** No report.

**WATER REPORT:** Water Supervisor Durr reported that the float sensor in the water tank froze during the cold snap, which meant we used Bellevue water for several days in December. He commented that if the Town decides to run power to the maintenance shed for any reason (including possible document storage), he will look in to replacing this mechanical float with a powered sensor that would not be affected by cold weather.

**WABA REPORT:** No report. Mayor Leider expressed concern that no WABA representative has appeared at a Council meeting in almost a year. He will speak with members of the WABA Board about the lack of communication between the Town and WABA.

**EMERGENCY PREPAREDNESS:** No report.

**108<sup>th</sup> COMMITTEE REPORT:** Councilmember Sharp reported that the 108<sup>th</sup> Committee has met twice since their formation at the December Council meeting and that the meetings have been enlightening and productive. He distributed notes from those meetings and asked the Council to review and comment on whether stated vision meets the Council's approval. He added that the committee plans to have a draft version of the vision statement completed in February.

After some discussion about how detailed the vision statement should be, Mayor Leider commented that once the Town has a vision statement, the Council can use it to determine if any of Bellevue's plans mesh with our vision so that we might use their budgeted funds to improve our ROW according to that vision.

Councilmember Sharp also reported that Steve Costa, the project manager for Bellevue, is excited that the Town has set up this subcommittee and has offered to attend a committee meeting to answer questions and address concerns. He added that Mr. Costa is also looking at maintenance easements.

Susan Kennedy asked about the orange lines that have been painted on the ROW. Councilmember Sharp answered that the lines are part of the preliminary survey that Bellevue is conducting along the 108<sup>th</sup> corridor. He added that Bellevue will survey our portion of the ROW at the same time and give us access to that information to use in developing the Town's

vision.

**PROPOSED RESOLUTION NO. 255 AWC RMSA INTERLOCAL AGREEMENT:**

Clerk-Treasurer Spens reported that the Association of Washington Cities (AWC) has asked all of the members of the Risk Management Service Agency (RMSA), which provides insurance to the pooled members, to sign this Interlocal Agreement. She added that Town Attorney Stewart has reviewed the agreement and approved it as to form.

**MOTION:** Councilmember Stowe moved to adopt Resolution No. 255 regarding an Interlocal Agreement with the AWC RMSA. Councilmember Hillberg seconded.

On discussion, Councilmember Stowe pointed out that the agreement states that members are responsible for two appointments. Paragraph 13.2 requires the appointment of an employee to be responsible for the risk management function within the member entity and to serve as a liaison between the member and the RMSA, and paragraph 13.3 requires the appointment of an active safety officer and/or committee. It was the consensus of the Council that the final decision on who should fill those roles would be decided as part of the discussion of Council duties and responsibilities.

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

**PROPOSED RESOLUTION NO. 256 APPROVING THE 2010 ARCH BUDGET AND WORK PROGRAM:**

Mayor Leider commented that the Town has participated in the ARCH Coalition for many years as a means of meeting state mandates for developing affordable housing as set forth in the Growth Management Act. He reported that Arthur Sullivan, director of A Regional Coalition for Housing (ARCH) attended the last meeting of the Points Cities Mayors' group and presented statistics showing ARCH's success in recent years that are a direct result of the funding provided by cities on the Eastside. He also commented that Mr. Sullivan and his group are available to help the Town in drafting regulations that would allow the Town to encourage the development of affordable housing within our own boundaries, probably with accessory dwelling units (ADUs).

**MOTION:** Councilmember Sharp moved to adopt Resolution No. 256 approving the ARCH Budget and Work Program for 2010. Councilmember Stowe seconded.

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

**PROPOSED RESOLUTION NO. 257 SETTING FEES FOR VARIOUS SERVICES AND PERMITS WITHIN THE TOWN:**

Clerk-Treasurer Spens explained that she is bringing a revised version of the fee resolution to the Council to clarify the Inspection Deposit that is now required with the issuance of a building permit.

**MOTION:** Councilmember Eulau moved to adopt Resolution No. 257 setting fees for various services and permits within the Town. Councilmember Sharp seconded.

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

**PROPOSED RESOLUTION NO. 258 AMENDING THE MAXIMUM DOLLAR AMOUNT ALLOWED FOR USE OF THE SMALL WORKS ROSTER:** Clerk-Treasurer Spens reminded the Council that this issue was discussed briefly several months ago and was tabled until other more pressing tasks could be completed. She commented that last July the State Legislature revised the maximum dollar limits allowed for use of the Small Works Roster and this resolution memorializes those changes.

MOTION: Councilmember Hillberg moved to adopt Resolution No. 258 amending the maximum dollar amount allowed for use of a Small Works Roster. Councilmember Sharp seconded.

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

**PARKING ORDINANCE NO. 274:** Clerk-Treasurer Spens reminded the Council that last month the Council passed a Zoning Code which no longer includes rules for parking on the public right of way. She also reminded them that this change was appropriate because the Zoning Code is intended to regulate private property (not public) and because the process of making changes to the Zoning Code are cumbersome. She also noted that the Town's current parking rules are found in Parking Ordinance No. 274, which remains in effect.

Clerk-Treasurer Spens explained that the issue of whether to amend the Town's parking rules came up as a result of a couple of complaints about vehicles parking on Town ROW in ways that were not prohibited by the ordinance but were frustrating to some residents. She reiterated the suggestions that came of those complaints:

1. Prohibit parking on unused Path ROWs, particularly in a manner that impedes pedestrian traffic.
2. Consider limiting temporary parking by residents to 72 hours and allow residents who cannot meet this restriction to seek an exception through the Council.
3. Determine if the civil penalty is appropriately set at \$100 per day.

After some discussion about the events that prompted the proposed changes, it was the consensus of the Council that Councilmembers review the current ordinance and consider what action, if any, is necessary and appropriate.

**COUNCILMEMBER AREAS OF RESPONSIBILITY:** Mayor Leider commented that this topic is once again timely as the Council with the election of new and somewhat new members. He stated that he had contacted some Councilmembers individually to discuss their areas of interest and experience and how each could best be utilized while on Council and asked for additional input. Based on that input, Mayor Leider will put together an organizational chart for Council review.

Mayor Leider added that he remains very interested in having the Council meet for a Strategic Planning retreat that would help the Council set its goals and develop a plan to implement them. He added that envisions the Council meeting near Town but off-site for about a half day, that the meeting would be published and posted so to invite interested residents to attend, and that one outcome of the retreat should be a Five-Year Plan for capital improvements, etc. that support the Council's goals.

**MAYOR AND COUNCILMEMBER REPORTS:**

**ANIMAL CONTROL:** Councilmember Eulau asked the Council if they wish to revisit the question of amending the Animal Control ordinance to allow small livestock, e.g. goats. It was the consensus of the Council that knowing whether there is material interest among Town residents for such a change would be important to their decision and that perhaps Rachel and Trevor Eulau can conduct a poll of residents to measure the level of such interest.

**NEXT MEETING:** Clerk-Treasurer Spens reminded the Council that the next Council meeting will be held at 7:00pm on Tuesday February 9, 2010 at Mike Hillberg's house.

**ADJOURN:** Councilmember Hillberg moved to adjourn the meeting at 9:00 pm. Councilmember Sharp seconded.

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

Respectfully submitted,

Sue Ann Spens  
Clerk-Treasurer