



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

April 8, 2014
Leider

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

PRESENT: Mayor Richard Leider, Councilmembers Peggie Bates, Wade Morlock, and Tom Stowe.

EXCUSED: Councilmembers John Gillem and Mike Hillberg.

STAFF: Clerk-Treasurer Sue Ann Spens.

GUESTS: WABA President Karen Deitrick, Paula Dix.

MINUTES: Councilmember Stowe moved to approve March 11, 2014 minutes, as amended. Councilmember Bates seconded.

Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

WARRANTS: Councilmember Morlock moved to approve the April 8, 2014 warrants, numbers 9555 through 9581, in the amount of \$22,483.09. Councilmember Stowe seconded.

Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

CLERK'S REPORT:

ROW ENCROACHMENT AGREEMENTS: Clerk-Treasurer Spens explained that the current ROW Code requires residents to execute a ROW Encroachment Agreement before they can install certain semi-permanent improvements on the ROW adjacent to their property. The Town then asks the resident to record the document with King County so that future owners will be made aware of the agreement. Recently the Town met with resistance from a resident who balked at the \$32 filing fee when he learned that the County doesn't require the filing, only the Town. Deputy Clerk Kulp and I think it could make things simpler if we just add the filing fee to the ROW Permit fee and take over the responsibility for filing these documents. It was the consensus of the Council that this change makes sense. Clerk-Treasurer Spens will revise the Fee Resolution and present a copy to the Council in May for approval.

MARSHAL'S REPORT: No report.

WATER REPORT: No report.

WABA REPORT: WABA President Karen Deitrick asked the Council who is the current Council liaison to WABA. She feels a Council presence at WABA meetings is valuable to many of their discussions. It was pointed out that the liaison is a rotating position.

In general announcements, Ms. Deitrick reported that WABA will host an Easter egg hunt on

Saturday April 19th. She noted that the Board is still looking for a Beach Mom for the summer and that they plan to re-hire last summer's lifeguard.

Ms. Deitrick remarked that the Board remains concerned about the WABA strip that separates the Whatmores' property in Beaux Arts from their property in Bellevue. The Board wants to resolve this, but they aren't sure how to proceed. Mayor Leider and Councilmember Stowe will gather the information they have collected while working with the Whatmores to resolve access and water-supply issues and share it with the WABA Board.

Ms. Deitrick also reported that the WABA Board isn't interested in deeding the beach roads to the Town, but would like the Town to consider construction and maintenance easements to combine road repairs in these areas with the Town's planned road repairs.

APPEARANCES: None.

PROPOSAL FROM AT&T TO INSTALL WIRELESS ANTENNAE ON THE WATER TOWER: Council discussion focused on how best to solicit public input and decided that it is important to continue broadcasting to residents via multiple newsletter notices that encourage residents to send comments via email and attend Council meetings. The Council wants community input on the concept, if possible before AT&T applies for any permits. Clerk-Treasurer Spens noted that she received two emails in response to the first newsletter mention: one in support of the proposal and one against any cell-tower installation. She will continue to publish notices in the newsletter encouraging residents to learn more about the proposal and provide feedback.

The Council discussed the next steps in this process noting that:

- As part of applying for permits, AT&T will need to complete the SEPA process. This process triggers full noticing to property owners within 500 feet of the proposed site.
- As part of reviewing the proposal, the Council will review proposed lease terms extensively.

The Council discussed possible objections to the project:

- Whether there are batteries and what effect, if any, they may have.
- The levels of heat, noise, contamination, etc. that the equipment may generate.
- What other equipment might need to be co-located and what additional infrastructure that involves, e.g. equipment sheds, power requirements, etc.
- How frequently AT&T anticipates maintenance visits.
- What measures will be taken to ensure the security of the Town's water supply.

Paula Dix commented that she has reviewed the WABA deed and isn't certain the deed will allow the Town to use this property for anything other than its current use for water-distribution.

RESOLUTION NO. 288 PARKS LEVY AGREEMENT: Clerk-Treasurer Spens explained that King County voters originally approved a six-year special property tax for parks in August 2007, and in January 2009, the Town entered an agreement with King

County to receive our share of this revenue. In August 2013, the County sought and received voter approval of a six-year extension of this levy and now asks the Town to execute a new agreement to receive our share. She noted that the tax will be imposed on our residents, whether we choose to receive our share or leave it for the County's use.

MOTION: Councilmember Stowe moved to adopt Resolution No. 288 authorizing the Mayor to execute the Parks Property Tax Levy Agreement between King County and the Town of Beaux Arts Village. Councilmember Bates seconded.

Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

STRATEGIC PLANNING:

Goal 1. Town Hall

Council discussion focused on determining whether to:

- Seek legal advice regarding the Quit Claim Deed that the Town holds for the water-tower property and whether that deed will allow the construction of improvements, including a Town Hall - OR -
- Prepare a simple proposal for a Town Hall that would allow the Council to gauge public opinion about a Town Hall first. If enough support exists, the Council would then seek the legal advice mentioned above.

If enough public support exists and the legal hurdles can be cleared, the Town and WABA would need to execute a Memorandum of Understanding (MOU) that would probably require approval of WABA membership.

Mayor Leider and Councilmember Stowe will work on a draft MOU using their experience with input from Thom Graafstra, a land-use attorney who has been advising the Town of other land-use issues. This draft will come to Council for further review and discussion before it is presented to WABA for consideration.

Goal 7 - Emergency Preparedness

Councilmember Bates will be taking over this responsibility and will work with Councilmember Gillem on the transition. The Town's Comprehensive Emergency Management Plan (CEMP) is due for review this year; updates are already complete, but the plan has not been submitted to the State for review yet.

MAYOR AND COUNCILMEMBER REPORTS:

POTELCO POLE-REPLACEMENT PROJECT: Councilmember Stowe reported that this project is nearly complete. One new pole has been added to the original proposal, and two others may be added if needed. In addition, a tree on 106th Ave SE was removed to accommodate a pole replacement.

STORMWATER PLAN FUNDING: Councilmember Stowe reported that he is still waiting to hear from the King County Flood Control District about our grant-funding application.

MEETING WITH REP. ADAM SMITH: Mayor Leider reported that he met recently with Representative Adam Smith.

BUILDING PERMIT PROCESS: Mayor Leider reported that a recent meeting with all staff who participate in the permit process to determine how to ensure that the Beaux Arts Building Department provides the best service possible, particularly in regards to timeliness, responsiveness, reasonableness of fees, etc. The meeting resulted in a punch list of tasks to:

- Improve the information available to applicants throughout their project,
- Improve the overall process so that applicants understanding what they need to do and how long the process should take, and
- Set expectations for applicants and permitting staff so that everyone is on the same page working toward the same goal.

AT&T CELL ANTENNA: Mayor Leider reported that AT&T is waiting for comments from the Town Attorney regarding the proposed lease agreement and terms.

WHATMORE MATTER: Mayor Leider noted that the Town and the Whatmores are now waiting to hear from WABA regarding concerns about the WABA strip that separates the Whatmore's property in Beaux Arts from its Bellevue parcel.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that the next Council meeting is scheduled for 7:00pm on Tuesday May 13, 2014 at John Gillem's house.

ADJOURN: Councilmember Morlock moved to adjourn the meeting at 8:40 pm.
Councilmember Stowe seconded.

Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer