



## TOWN OF BEAUX ARTS VILLAGE

### TOWN COUNCIL MINUTES

October 14, 2014  
Hillberg

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

**PRESENT:** Mayor Richard Leider, Councilmembers John Gillem, Mike Hillberg, Wade Morlock, and Tom Stowe.

**EXCUSED:** Councilmember Peggie Bates.

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

**GUESTS:** Walter Scott, Town Marshal; Rick and Kathy Corra, Pam Whatmore, Paula Dix, Cynthia Hudson, Joan Bromberg, Linda Mui, Steve Miller.

**MINUTES:** Councilmember Hillberg moved to approve September 9, 2014 minutes, as amended. Councilmember Gillem seconded.

Vote: 4 For, 0 Against, 0 Abstain.

**WARRANTS:** Councilmember Hillberg moved to approve the October 14, 2014 warrants, numbers 9693 through 9717 in the amount of \$26,418.97. Councilmember Morlock seconded.

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

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

**2015 KING COUNTY AERIAL PROJECT:** Clerk-Treasurer Spens reported that King County is coordinating a regional aerials project. With Mayor Leider's authorization, Beaux Arts will participate in the project to gain access to the information gathered, which should be useful for several mapping tasks. Recent communication about the project reveals that the cost to us should not exceed \$300.

**MARSHAL'S REPORT:** Marshal Scott reported that the latest fee calculation from the King County Sheriff's Office (KCSO) shows an increase of about 10%. He reminded the Council that a few years back he spoke with Bellevue Police Department (BPD) and received verbal indications that BPD would be willing to consider providing services to Beaux Arts under contract at a price commensurate with what we are paying KCSO. If we should decide to switch providers, our contract with KCSO requires notice of termination 18 months in advance. He asked the Council if they would like him to approach BPD to open another dialog. It was the consensus of the Council that Marshal Scott should contact BPD and begin discussing possible service scenarios.

**WATER REPORT:** Councilmember Stowe reported on behalf of Water Supervisor Bob Durr reported that the estimated cost to install a new signal wire from the water tank to the pump is \$6,000.

**WABA REPORT:** No report.

**APPEARANCES:** Cynthia Hudson introduced herself and stated that she is interested in becoming involved in Town activities.

**PUBLIC HEARING: 2015 PRELIMINARY BUDGET:** Mayor Leider opened the public hearing at 7:15pm and commented that this preliminary budget includes some known revenue and expense estimates but needs additional information and input, including input from each Councilmember for their specific oversight areas. He also noted that it shows a slight surplus, though that may change when updated information is added for project such as the ROW Master Plan, the Stormwater Comprehensive Master Plan, and other routine maintenance costs.

The Council spent time reviewing each fund by line item and offering adjustments that are already known. Mayor Leider reminded the Council that there will be another public hearing of this type in November. During that hearing, the Council will discuss a more refined proposed budget and will pass an ordinance to set the property-tax levy for 2015. The Council will also hold an Executive Session in November to discuss personnel performance. The Council will adopt the final budget at the December Council meeting.

As there were no comments from the public, Mayor Leider closed the public hearing at 7:40pm.

Councilmember Stowe commented on a topic related to the budget: Sound Cities Association is looking for comments from cities about whether SCA should support an increase in the levy cap. SCA has been discussing this topic because many cities are struggling to balance their budgets and assert that increasing the levy limit from 1% to 2% or the CPI would allow them to at least keep up with the cost of inflation. Councilmembers questioned whether the limit increase would apply only to cities or would also extend to other taxing authorities. It was the consensus of the Council that they would be willing to consider supporting such a measure ONLY if the levy increase is strictly limited to cities.

**PROPOSED RESOLUTION NO. 292 AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO OUR CONTRACT WITH KOLKE CONSULTING:** Clerk-Treasurer Spens reminded the Council that this matter came before them last month and that they wanted the contract for building-department services with Kolke Consulting to include a section stating that the unchanged portion of the original contract, including Amendment No. 1, remains in effect. This change has been made, and the contract is ready to sign.

**MOTION:** Councilmember Hillberg moved to adopt Resolution No. 292 authorizing the Mayor to execute Contract Amendment No. 2 of the agreement with Kolke Consulting Group. Councilmember Stowe seconded.  
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

**PROPOSED RESOLUTION NO. 293 AUTHORIZING THE ADOPTION OF THE**

**KING COUNTY HAZARD MITIGATION PLAN, INCLUDING THE BEAUX ARTS JURISDICTIONAL ANNEX:** Clerk-Treasurer Spens reminded the Council that at the beginning of this year they reviewed the proposed Beaux Arts Annex to the King County Hazard Mitigation Plan and approved it for submitting to King County. King County then aggregated the plans received from cities throughout the County and shepherded the collective plan through the approval process with the State of Washington and FEMA. The approval process is now complete, and the County has asked each of the participating cities to Volume 1 of the King County Plan and their jurisdictional annexes.

**MOTION:** Councilmember Hillberg moved to adopt Resolution No. 293 accepting all of Volume 1 and the Town of Beaux Arts Village's portion of Volume 2 of the King County Regional Hazard Mitigation Plan Update. Councilmember Gillem seconded.  
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

**CONFIRMATION OF PAULA DIX TO THE PLANNING COMMISSION:** Mayor Leider reported that he has appointed Paula Dix to the Planning Commission replacing Dick Stratton. Because Mr. Stratton's term expires in December 2014, Ms. Dix appointment is for the remaining months of Mr. Stratton's term and to a full six-year term after that.

**MOTION:** Councilmember Stowe moved to confirm the appointment of Paula Dix to Position No. 2 replacing Dick Stratton for a term that expires on 12/31/2014 and for an additional six-year term that expires on 12/31/2020. Councilmember Hillberg seconded.  
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

**AT&T CELL PROPOSAL:** Mayor Leider reported that there is no new information from AT&T about this proposal and that the Town continues to receive comments from Villagers and nearby Bellevue residents. He has developed a set of criteria for reviewing the proposal using a balance approach. The criteria address a number of aspects of the project including, economics, lease terms and conditions, environmental impacts, community impacts, and property/town resource impacts. He asked the Council to review the criteria and provide feedback on whether there are other considerations to be added and how best to use this tool. Councilmember Stowe suggested that the criteria be weighted since some considerations may have a larger impact than others.

Councilmember Stowe reported that he has been trying to tackle the question of whether celltowers have an impact on property values in the immediate vicinity and if so, how much. He has contacted The Appraisal Institute for help in the search. They helped him find two studies conducted in New Zealand on the topic, but neither study is for a co-locate type installation such as AT&T's proposal.

Councilmembers discussed whether it would be possible to obtain an independent unbiased assessment from an expert of the effect on property values, since that is a significant concern for many of the opponents to the proposal. It was noted that the results of the studies found on the Internet depend primarily on who is paying for them. Some say that cell towers reduce property value; others say that proximity to quality cell-phone service enhances property value. It was suggested that a survey of local appraisers could be helpful.

Mayor Leider suggested targeting the November meeting to finish developing the ground rules and criteria for making a final decision, including whether the Councilmembers' decision should be based on a "compelling" argument (i.e. a preponderance of the evidence) or a "beyond a reasonable doubt" argument. Councilmembers wondered if the Council's approval should be by unanimous vote or if the vote should include the entire community.

Councilmember Stowe commented that no matter what the Council decides in this instance, they should consider whether it would be helpful to develop and codify a process for handling future inquiries of this type.

Mayor Leider suggested that, because this topic has been under discussion for such a long time, the Council could decide not to continue the discussion any longer, but without a lease agreement to review, no other action is possible. The Council agreed to focus on developing the decision criteria and eliminating as much ambiguity as possible in determining the Council's path to a final decision.

#### **STRATEGIC PLANNING:**

##### Goal 4 - Town Character

Councilmember Hillberg will host the second community meeting with CREÄ Associates and Town residents next week to present the design concepts and alternatives and to get feedback from attendees. He hopes to see the next version of CREA's plans in November and a final deliverable in December.

##### Goal 9 – Public Utilities

Councilmember Stowe approached Stacia Schroeder of Northwest Civil Solutions about helping Beaux Arts develop a scope of work for our Stormwater Comprehensive Master Plan and for managing the process. She has done similar work for both Yarrow Point and Hunts Point and currently works as the Town Engineer for both cities. He recommends that the Town hire her on an hourly basis at \$120 per hour not to exceed \$10,000.

**MOTION:** Councilmember Stowe moved to authorize the Mayor to execute a contract with Stacia Schroeder to assist the Town in developing the scope of work for our Stormwater Comprehensive Master Plan. Councilmember Hillberg seconded.

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

#### **MAYOR AND COUNCILMEMBER REPORTS:**

**TOWN TREE WATCH LIST AND INVENTORY:** Councilmember Hillberg is continuing his work with Tree Solutions to update the tree inventory and watch list for trees on Town property.

**TOWN CLEANUP:** Councilmember Hillberg reminded all that the Fall Town Cleanup will be on Saturday November 1<sup>st</sup>.

**PAVING INTERLOCAL AGREEMENT:** Councilmember Stowe reported that he has been advised to speak with Craig Olson, the Public Works Director at City of Clyde Hill, about

combining our paving projects with Clyde Hill's to aggregate them to large projects and reduce the price through economies of scale.

**STEVE LITZOW:** Councilmember Stowe reported that he had the opportunity to speak with State Senator Steve Litzow recently. He shared the Council's concerns about under-funded mandates, e.g. the Shoreline Master Program Update, which cost the Town and the State a lot of money but had little to no benefit to the Town. He asked Senator Litzow to consider exempting some communities from these type of mandates either due to their size or their limited impact.

**SOUND CITIES INCOMING PRESIDENT:** Matt Larson, Mayor of Snoqualmie, in the incoming president of the Sound Cities Association. He has express an interest in and a willingness to participate in discussions about common community issues.

**SR-520 NEGOTIATIONS:** Mayor Leider reported that the four Points Cities (Clyde Hill, Hunts Point, Medina, and Yarrow Point) have asked him to represent them as an unbiased third party in their negotiations with WSDOT regarding maintaining the freeway lids. He says they want to pay him, and if they do he would like to donate the money to Beaux Arts. He asked Clerk-Treasurer Spens to investigate how to accomplish that.

**NEXT MEETING:** Clerk-Treasurer Spens reminded the Council that the next regular Council meeting is scheduled for 7:00pm on Tuesday November 11, 2014 at Peggie Bates' house.

**ADJOURN:** Councilmember Stowe moved to adjourn the meeting at 9:30 pm.  
Councilmember Hillberg seconded.  
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens  
Clerk-Treasurer