February 12, 2019
Stowe

Mayor Gillem called the meeting to order at 7pm.

PRESENT: Mayor Gillem, Councilmembers Paula Dix, Aletha Howes, Hans Juhle, and Tom Stowe.
EXCUSED: Councilmember Kathy Corra.
STAFF: Clerk/Treasurer Sue Ann Spens
GUESTS: WABA President Susan Bogert; Bruce Agnew and Janice Connolly.

MINUTES: Councilmember Stowe moved to approve the January 8, 2019 minutes, as amended. Councilmember Dix seconded.
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

CLAIMS: Councilmember Juhle moved to approve the February 12, 2019 Claims Register for check numbers 15117 through 15146 (including check nos. 15118, 15120, 15131, 15143, and 15145 voided for printing errors) in the amount of $38,143.10. Councilmember Stowe seconded.
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

CLERK’S REPORT:
PLANTING STRIP FLYER: Clerk/Treasurer Spens reported that the Planning Commission has prepared a flyer to explain briefly the allowed uses of the Planting Strip (as defined in the Town’s ROW Code). They are asking the Council to review the flyer and determine if it satisfies the Town’s needs for educating residents about the use of this property. If not, they welcome comments. If so, they ask that the Council approve it for distribution.

NEWSLETTER SAMPLES: Clerk/Treasurer Spens reminded Councilmembers that some had concerns about the overall length and appearance of the Town’s newsletter, specifically that it might not be as tempting to readers who had limited time. She offered several sample of newsletters from neighboring small cities, noting that several cities use Constant Contact to produce and distribute them electronically. After a brief discussion, Councilmembers decided to take a look independently at a recent issue of the newsletter and make specific suggestions.

NEXT MONTH’S AGENDA: Clerk/Treasurer Spens noted that preparing this month’s agenda was difficult because there were a number of “housekeeping items” that needed attention and a couple of big topics to discuss, one of which came from a Councilmember in the week before the meeting. She proposed that the Council take a few minutes at the end of each meeting to determine which topics should be added or carried forward to next month’s agenda, particularly ideas that may have been broached during Appearances and
Councilmember Reports. She also asked that Councilmembers wishing to add a topic to the agenda provide at least some information about the topic they wish to discuss at least two weeks prior to the meeting. That gives her plenty of advance warning to leave enough time in the meeting for a proper discussion.

APRIL COUNCIL MEETING: Clerk/Treasurer Spens noted that the April Council meeting again falls during the Bellevue School District’s Spring Break and asked for a headcount for the regular April 9th meeting date. The Mayor and two members of the Council will be away that date, so the April regular meeting will be continued one week to April 16, 2019.

KCSO HELP WITH PARKING ENFORCEMENT: Clerk/Treasurer Spens reported that she explored various possibilities with the King County Sheriff’s Office to gain assistance in enforcing the Town’s parking rules and learned that there are only two instances when the Sheriff is able to assist:
1. If the parking rule that is being broken is one that is also set by state statute.
   Unfortunately this isn’t much help to us since the state’s rules deal primarily with highways and apply outside incorporated cities and towns.
2. If the Town posts signs specifying the rule/rules that apply in a specific location. Any person, whether resident or visitor, must be given a reasonable chance of knowing that parking in a given location is limited, prohibited, or controlled in some way.

Capt. Jesse Anderson with the KCSO Contracting Unit said that he is happy to discuss the topic further or have us chat with Captain Lance Dauber at Precinct 3, but he added that we don’t seem to have a significant problem, just occasional “flare-ups” in certain locations, so perhaps our soft enforcement is working.

BEAUX ARTS WEBSITE: Last month, Council asked if there is a way to determine the actual number of visits to the Town’s website. Clerk/Treasurer Spens reported that there is supposed to be a way using Google Analytics, but she is having difficulty working out the details. Councilmembers decided that this is a low priority issue that can wait for another time.

KENYON-DISEND FEES TO DATE: Clerk/Treasurer Spens reported that Invoice # 187964 dated 11/30/2018 in the amount of $1,518.00 billed against our retainer bringing our new retainer balance to $3,256.37.

COUNCIL INFORMATION FILE: Clerk/Treasurer Spens commented that she distributed an electronic file containing essential information and asked that Councilmembers provide updates if any are needed. She will also update and re-distribute the file as information changes.

MARSHAL’S REPORT: No report.

WATER REPORT: No report. Councilmember Stowe reported that he and Water Supervisor Bob Durr have given Town Engineer Stacia Schroeder the go-ahead to issue a bid package for the proposed project. When bids are available, we can finalize the Interfund Loan paperwork which includes writing an ordinance that specifically authorizes the loan and spells out repayment terms. Mayor Gillem and Clerk/Treasurer Spens will begin looking for
proposed ordinance language to bring to the Council in April.

Mayor Gillem also reported on feedback that he had received in response to his email message about the water-rate increase. He noted that most of the feedback as positive; he received and responded to one negative email by explaining the need for the increase and did not hear anything more from the sender.

**WABA REPORT:** WABA President Susan Bogert reported that WABA held its annual meeting in early February 2, 2019 and approved an annual budget, held trustee elections, and obtained approval on the proposed utility easement on SE 27th Street (with an option to work out final wording of the document). She noted that the WABA Board is discussing projects from the Commons Plan, looking at the possibility of offering swim lessons at the beach, and will be treating milfoil again this year.

Regarding the easement, Ms. Bogert asked if the Town would be willing to offer WABA street cleaning services (e.g. sweeping, possible snow removal) as consideration for the granting of the easement. Councilmember Stowe answered that the easement agreement already includes consideration: the continued supply of utilities to the properties along that portion of SE 27th Street.

**APPEARANCES:** Bruce Agnew and Janice Connelly presented an idea for developing the unused path right-of-way (ROW) that is the extension of SE 28th Street connecting 107th SE and 108th SE. They explained that Sound Transit is proposing a bridge to the East Link light-rail station that will make it easier for Enatai residents to gain access to the light-rail station without having to drive and park a car. The proposal currently depicts the western end of this bridge ending near the New Hope Church on the northeast corner of SE 28th and 108th SE. If the Town developed a path along this path ROW, it would connect easily to the bridge and the East Link Station.

Councilmember Stowe noted that a recent discussion of opening a path along this path ROW for access to the 108th walking path elicited concerns from the neighbors along 107th Ave SE, particularly privacy and safety. He also noted that the ROW is very steep in some places along this corridor.

Ms. Connelly commented that Bellevue may have mitigation money to help offset the cost of developing an idea and added that her husband, Bruce, has contacts who may be able to assist.

Ms. Connelly also asked about road noise from I-90 and whether any ideas for mitigating it were being pursued. She added that Mr. Agnew also has contacts in the Washington legislature that may be able to help find a means for mitigating the noise, including but not limited to quiet pavement.

The Council agreed that both ideas have merit and thanked Mr. Agnew and Ms. Connelly for looking into them further.

**PROPOSED RESOLUTION NO. 309 ARCH WORK PROGRAM AND BUDGET FOR 2019:** Mayor Gillem opened the discussion by reminding the Council that the Town
Councilmember Stowe moved to adopt Resolution No. 309 approving the ARCH administrative Budget and Work Program for 2019. Councilmember Howes seconded. Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

PROPOSED ORDINANCE NO. 439 AMENDING BAVMC 3.20 TO ADOPT A CREDIT-CARD POLICY: Clerk/Treasurer Spens explained that during the discussion of changes to the Town’s banking policies, she realized that the Council never adopted a formal credit-card policy, as required by state law. In addition, the Council had asked that the claims-review process be expanded to clarify that two signatures are required on all Town-issued checks. She commented that Ordinance No. 439 remedies both issues.

MOTION: Councilmember Howes moved to pass Ordinance No. 439 amending BAVMC 3.20 to update the claims-approval process and to add a policy for credit-card use. Councilmember Juhle seconded. Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

OUTDOOR BURNING CODE: Clerk/Treasurer Spens reminded the Council that last summer the Bellevue Fire Department received a complaint from a Beaux Arts resident about another resident’s use of a fire pit on their property. In the course of investigating the complaint, the Bellevue Fire Marshal discovered that the Town’s Outdoor-Burning Code, BAVMC Chapter 8.15, is no longer consistent with state regulations.

She explained that the remedy is to either:

- repeal Chapter 8.15 in its entirety and let the sections of the International Fire Code that are adopted as part of the Town’s Building Code serve as the legal basis for prohibiting outdoor burning, except for recreational purposes in appropriate receptacles, OR
- amend Chapter 8.15 to prohibit open fires but allow recreational fires.

She noted that her preference is the latter, but asked the Council for their guidance. It was the consensus of the Council that the second option provides residents with clear information about what is and isn’t involved without having to examine other resources. Clerk/Treasurer Spens will work with Town Attorney Linehan to draft appropriate language for the Council’s review and action in March or April.

PROCUREMENT POLICY: Clerk/Treasurer reminded the Council that we first opened the discussion of this policy in earnest last month and that the Council had asked for some time to thoroughly review the document before proceeding.

Councilmembers asked for the following revisions:
1. Department Heads listed as having purchasing authority should be expanded to include the Water Department Supervisor and the Public Works Supervisor.
2. Section 3.1.4 should be expanded to include employees AND Councilmembers, since Beaux Art Councilmembers all manage their individual budgets and many of their...
purchases.
3. References to Town Hall should be eliminated and replace with either website postings or mailstand postings.

Clerk/Treasurer Spens will make these revisions and bring the updated version to the Council for further review and possible approval at the March meeting.

**TOWN PROPERTY MANAGEMENT**: Councilmember Dix noted that she asked for this agenda item because of her concern for the lack of maintenance afforded to some of the Town’s recent projects to improve the ROW, including the Academy Path, the Angle Path, and the SE 30th / 105th SE Entrance to the Village. She stated that her concerns can be distilled to the following questions:
1. Do we need a Maintenance Department for upkeep of Town Property?
2. Is the work performed by Marc Schaad sufficient or do we need more?
3. If we need more, do we outsource the work or hire an employee?
4. How much work can we reasonably expect to complete in just two Town Clean-Ups per year?

Mayor Gillem commented that last year’s discussion of this topic was the starting point of an ongoing investigation of these ideas. He added that the work Marc Schaad performed last year was based on a scoping document that addressed just the basics with the understanding that it would need review and updating. He added that he prefers to approach the question programmatically and would like Councilmembers Dix and Juhle to review the previous scoping documents and determine if we are just considering maintaining the Town’s planting areas or more, e.g. Bill Beck’s task list.

Councilmember Juhle added that it seems like Councilmember Dix is assuming the responsibility for performing much of the actual clean-up work, when she isn’t expected to do so. Instead, she should continue to identify the areas and tasks that need more attention. He added that Marc Schaad serves a “proof of concept” for the Town’s assumption of more of the ROW Maintenance responsibility. If we decide to expand this responsibility, there may be other more cost-effective means of achieving this.

**MAYOR AND COUNCILMEMBER REPORTS**:
**TREE MANAGEMENT**: Councilmember Dix reported that work she reported on last month is complete.

108th SLOPE STABILIZATION PROJECT: Councilmember Dix reported that this project has a $20,000 budget. After meeting with Lauchlin Bethune and learning that he needs a topographic survey and a geotechnical survey before he can begin to design an appropriate landscape, she thinks that budget number may be light. She added that Mr. Bethune pointed out there is no place to site the equipment used for the project, so a portion of 108th Ave SE would be temporarily closed and the work may damage a portion of the asphalt walking path. Donna Stowe commented that she found a lot of information about grant opportunities in recent years that may prove useful. She will share that information with Councilmember Dix.

EASEMENT PROJECT: Councilmember Stowe reported that he needs between $5,000 and
$7,500 for legal and possibly survey work to complete the utility easement documents. 

MOTION: Councilmember Stowe moved to authorize the expenditure of funds not to exceed $7,500 for legal and other services needed to complete documentation for the utility easements along SE 27th Street. Councilmember Dix seconded. 

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

4Q2018 TREASURER’S REPORTS: Councilmember Juhle reported that he has completed his review of the 4th Quarter 2019 Treasurer’s Reports with supporting documentation and found them to be complete and accurate.

EMERGENCY PREPAREDNESS: Councilmember Howes gave a brief synopsis of the challenges posed by this Winter Storm and reported that King County opened the Emergency Operations Center for a period of time to coordinate emergency information and responses. She added that the biggest concern for many jurisdictions were related to snow removal.

STORM DRAINS: Councilmember Stowe asked that Deputy Clerk Kulp send out an email blast asking resident to clear slush and debris away from the storm drains near their homes so that water from the melting snow can easily pass down the drain.

NEXT AGENDA: Mayor Gillem noted that the following topics should be continued on the March agenda: Outdoor Burning, Procurement Policy with an adopting resolution, 2018 Budget Performance and Review, and Town Property Management.

NEXT MEETING: The next regular Council meeting is scheduled for 7:00 pm on Tuesday March 12, 2019 at Councilmember Dix’s house.

ADJOURN: Councilmember Stowe moved to adjourn the meeting at 9:30 pm. Councilmember Howes seconded.

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

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer