



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

December 10, 2019

Juhle

Mayor Gillem called the meeting to order at 7pm.

PRESENT: Mayor Gillem, Councilmembers Kathy Corra, Paula Dix, Aletha Howes, Hans Juhle, and Tom Stowe.

EXCUSED: None.

STAFF: Clerk/Treasurer Sue Ann Spens.

GUESTS: Eileen Keiffer, Madrona Law Group; Water Supervisor Bob Durr.

MINUTES: Councilmember Dix moved to approve the November 12, 2019 minutes, as amended. Councilmember Howes seconded.

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

CLAIMS: Clerk/Treasurer Spens explained that the November Claims Register changed slightly due to a reduction of \$3.84 in the expected payment to the Dept. of Retirement Systems. Councilmember Howes moved to approve the Corrected November Claims Register for check numbers 15326 through 15346 in the amount of \$55,652.10.

Councilmember Stowe seconded.

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

Councilmember Stowe moved to approve the Final December Claims Register for check numbers 15347 through 15376 in the amount of \$40,725.10. Councilmember Howes seconded.

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

CLERK'S REPORT:

CHANGE IN ATTORNEY'S OFFICE: Clerk/Treasurer Spens reported that Town Attorney David Linehan and four other attorneys, including Eileen Keiffer, have left Kenyon Disend to form their own firm. Considering the excellent service Mr. Linehan and Ms. Keiffer have provided to the Town, Mayor Gillem has chosen to move to the new firm and has signed an agreement with Madrona Law Group for ongoing legal services.

REPORT OF EMS RESPONSE ISSUE: Clerk/Treasurer Spens reported that a resident's complaint about a misdelivered package sparked a discussion among the Town and WABA clerks about the situation. We determined that there was no action for us to take; however, we learned that in at least one instance the Bellevue Fire Department responding to an EMS call arrived at the back side of the resident's property. Her discussion with Fire Chief Jerome Hagan and Captain Bill Evans revealed that the likely cause was that the GPS system directed the responding vehicle to approach the property from 104th Ave SE only to discover that it could not make the sharp turn from SE 27th Place to 106th Place SE. Capt. Evans is

reviewing what changes can be made to their GPS program to direct response to approach from 108th Ave SE. He remarked that the change may take some time, but in the interim, all emergency-response personnel at Fire Station No. 1 crews will be asked to incorporate this update into their routing decisions.

AIRBNBS: Clerk/Treasurer Spens reported that a resident has again asked whether the Council will study the issue of AirBNBs and other short-term rentals. She reminded the Council that when this question came up about six months ago, both the Council and the Planning Commission had some time-sensitive concerns to address first and the study was temporarily tabled. After some discussion, it was the consensus of the Council that the Planning Commission should study the questions. Specifically:

- What is the real problem we are trying to solve – do the rentals pose a problem or is it the behavior of some AirBNB renters that is of concern?
- Do other communities regulate this activity? If so, how?
- Does regulating this activity impact other rentals, including accessory-dwelling units (ADUs)?
- Does WABA have specific concerns the Town should address?

Clerk/Treasurer Spens will share the Council's request with the Planning Commission.

2017-18 AUDIT: Clerk/Treasurer Spens reported that the State Auditor's Office has completed their audit of our financial records for 2017 through 2018 later this month. The Town's exit conference is scheduled for Friday December 20, 2019. Councilmembers are welcome to attend; however, if more than two choose to do so, she needs to know in advance so she can post public meeting notices.

SHORELINE MASTER PROGRAM: Clerk/Treasurer Spens reported that the Department of Ecology now considers our Shoreline Master Program complete. They are moving forward with their formal review process.

MARSHAL'S REPORT: No report.

WATER REPORT: Bob Durr reported that he has found a replacement for Bill Beck's Water Superintendent duties, Roger Lillejord. He and Clerk/Treasurer Spens have put together a contract for this work that now needs the Town Attorney's review. Once that is complete, Mr. Lillejord will sign the contract. He asked the Council to authorize Mayor Gillem to execute the agreement pending the Town Attorney's approval as to format and the contractor's signature so that execution of the contract can proceed as quickly as possible.

Clerk/Treasurer Spens noted that the Town still needs someone to handle the street-related duties. Now that Marc Schaadt is under contract to keep the ROWs clear, the remaining tasks are simple ones, e.g. installing new street signs, posting new name signs, repainting markings on the roadway when they wear away. She added that Hunts Point uses a handyman-type contractor for this work, so perhaps that's what we should consider.

WABA REPORT: No report.

APPEARANCES: None.

PROPOSED ORDINANCES REGULATING 5G CELLULAR WIRELESS

FACILITIES: Clerk/Treasurer Spens introduced Eileen Keiffer, who has been re-writing the proposed 5G ordinances. Ms. Keiffer outlined the scope of changes she had incorporated from earlier Council comments and questions and explained the limitations that the federal FCC regulations impose. The Council proceeded to ask several questions, including how to cover any out-of-pocket expenses the Town incur as part of completing a review of any applications and whether the Town can mandate underground installations vs. overhead.

Mayor Gillem concluded the discussion by asking if the Council had specific questions for the Planning Commission to address as part of their review. As there were none, it was the consensus of the Council that these ordinances should be returned to the Planning Commission for their final review at a public hearing and recommendations to the Council for action. Clerk/Treasurer Spens commented that the Planning Commission is anticipating the return of these materials and is likely to hold a public hearing in either January or February to keep the ordinances moving forward. The Council agreed that if the Planning Commission wants Ms. Keiffer to attend one of their meetings, it would be appropriate.

PROPOSED ORDINANCE NO. 444 ADOPTING THE 2020 BUDGET: Clerk/Treasurer Spens explained that all Council suggestions for line item changes have been incorporated into this final version. She added that the only known discrepancy is the cost of Bill Beck's replacement for work in both the Street and Water Departments.

MOTION: Councilmember Stowe moved to pass ordinance No. 444 adopting an annual budget for fiscal year 2020, including setting the salary ranges for the Clerk/Treasurer and Deputy Clerk for 2020. Councilmember Juhle seconded.
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

PROPOSED RESOLUTION NO. 314 PARKS LEVY AGREEMENT: Clerk/Treasurer Spens reminded the Council of her report last month that King County was preparing this agreement and that executing this agreement makes us eligible for \$26,000 in funding for park acquisition and maintenance.

MOTION: Councilmember Dix moved to adopt Resolution No. 314 authorizing the Mayor to execute the Parks Property Tax Levy Agreement with King County. Councilmember Corra seconded.
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

STORMWATER UPGRADE PROJECT STATUS REPORT: Councilmember Stowe reported the following:

- He is meeting every two weeks with Town Engineer Schroeder to review project status. He needs to submit a request for reimbursement of eligible expenditures to date and a quarterly status report to the State.
- The SE 27th Street Easement Agreement is ready for WABA to sign. WABA President Susan Bogert is currently out of town, so this will be completed when she returns.
- He is working to schedule an Open House to explain the project to residents and answer their questions. Clerk/Treasurer Spens will poll those residents who will be directly

impacted by the construction with potential meetings dates on 1/14, 1/15, and 1/16 in appropriate two-hour time slots between 5 and 9 pm. During the two-hour Open House, residents may arrive and leave as they wish – there will be drawings to describe the project and he, Mayor Gillem, and Town Engineer Schroeder will be available to answer questions. Kathy Corra offered the use of her home for this meeting so the Town doesn't have to rent a space.

- Town Engineer Schroeder will handle the design work in-house as this minimizes both the time needed and the expense.
- Construction is expected to last about six weeks. During that time, residents along the affected part of SE 27th Street will not be able to access their homes by car.

MAYOR AND COUNCILMEMBER REPORTS:

ROW MAINTENANCE OVERSIGHT: Councilmember Dix reported that she met with Marc Schaadt to discuss adjustments in his right-of-way maintenance work. Based on that meeting, Mr. Schaadt will include regular monthly weed control at the south entrance to Town, along the Angle and Academy paths, and the street ends on 106th PI SE and 107th PI SE beginning by February 1st.

NEW PLANTINGS: Based on guidance from the King Conservation District, Councilmember Dix plans to add plantings to the woods south of the Academy Path. She will use plants acquired at the KCD Bareroot Sale. She also plans to apply to another partnership grant through KCD and asked for feedback from the Council about where to focus her next planting efforts.

TREE WORK: Councilmember Dix reported that Applied Ecology will deliver and plant trees in mid-December.

MAIL THEFT: Councilmember Juhle reported that he is hearing more concerns about the increasing frequency of mail theft throughout the area and in the Village. He noted that even residents with locking mailboxes have been affected. He wondered if the Planning Commission should be tasked with looking into the possibility of security cameras or other security measures that can be taken to reduce this activity. After some discussion, it was the consensus of the Council that this review should be conducted by the Council, because it involves public property. Councilmember Juhle will put together a brief presentation describing current technology and ballpark costs for the Council's consideration.

107TH AVE SE @ SE 29TH SAFETY CONCERNS: Councilmember Stowe mentioned the safety complaint received from a resident about this intersection; he remarked that he has looked at it before and not reached any conclusions about the best remedy. He explained that the intersection is uncontrolled, which means that all vehicles should approach it at a slow speed and with caution recognizing that the first vehicle to enter the intersection has the right-of-way. To further exacerbate the situation, this intersection sits just beyond one of the main entrances to the Town and has a large tree sitting in it. The expected traffic pattern is for vehicles to treat it the way they would a roundabout, always keeping the tree on the driver's side of the vehicle as they pass it, but many drivers fail to do so. He will take another look with Town Engineer Schroeder to determine if there are any simple solutions to help resolve the problem.

ROW MAINTENANCE SUPPORT: Mayor Gillem reported that he received an updated proposal from Mr. Schaadt incorporating the agreed-upon increase in work and asked the Council to authorize him to execute a contract extension for this work pending final approval of the Town Attorney.

MOTION: Councilmember Stowe authorized the Mayor to execute an extension of the agreement for ROW Maintenance Services with Marc Schaadt. Councilmember Juhle seconded.

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

THANK YOU TO KATHY CORRA FOR COUNCIL SERVICE: Mayor Gillem extended his thanks to Kathy Corra for her two-year term on the Council, thanks that were echoed by members of the Council. Mayor Gillem is working to finalize a replacement for this now-vacant Council seat.

NEXT MEETING: The next regular Council meeting is scheduled for 7:00 pm on Tuesday January 14, 2020. Final location will be determined once the date of the Storm Water Open House is known.

ADJOURN: Councilmember Corra moved to adjourn the meeting at 9:45 pm. Councilmember Howes seconded.

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

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer