



## TOWN OF BEAUX ARTS VILLAGE

### TOWN COUNCIL MINUTES

July 14, 2020

Remote Meeting via Zoom

**SWEARING IN OF NEW COUNCILMEMBER:** Clerk/Treasurer Sue Ann Spens administered the oath of office to newly appointed Councilmember James McCarthy. Councilmember McCarthy's appointment is to vacant Position No. 2 and expires on December 31, 2021, at which point, he can run for election to position's unexpired two-year term.

**PRESENT:** Mayor Gillem, Councilmembers Paula Dix, Aletha Howes, Hans Juhle, James McCarthy, and Tom Stowe.

**EXCUSED:** None.

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

**GUESTS:** None.

**MINUTES:** Councilmember Juhle moved to approve the June 9, 2020 minutes.

Councilmember Howes seconded.

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

**CLAIMS:** Councilmember Stowe moved to approve the Final July 14, 2020 Claims Register for check numbers 15510 through 15537 (excluding 15535 to be approved in August) in the amount of \$100,418.15. Councilmember Juhle seconded.

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

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

**WABA PLAY STRUCTURE IMPROVEMENTS:** Clerk/Treasurer Spens reported that Town Planner Stacia Schroder has determined that the improvements WABA proposes for the play structure at the beach are consistent with the authorized use of that property and that the work proposed falls within the required limits to be eligible for a Shoreline Exemption. This means that no Shoreline Substantial Development Permit is needed and explains why the public hearing originally advertised for tonight's meeting has been cancelled. WABA is already working to obtain a building permit for the structure.

**COVID STATISTICS FROM SOUND CITIES ASSOCIATION:** Clerk/Treasurer Spens reminded the Council that she recently shared an email from Councilmember Howes that included a link to COVID-19 statistics compiled by the Seattle-King County Public Health Department: <https://www.kingcounty.gov/depts/health/covid-19/data/daily-summary.aspx>. The link is also included on the Town's website for residents who may be interested.

**NO AUGUST MEETING:** Clerk/Treasurer Spens noted that the Council usually takes a brief hiatus in August, only holding an August Council meeting if there are pressing matters

to address. The Council's next regular meeting is scheduled for Tuesday September 8, 2020. Whether the meeting will be held remotely or in-person will depend on the pandemic guidelines in force at that time.

**MARSHAL'S REPORT:** No report. Mayor Gillem noted that there were no calls to KCSO for service in June. He added that there were some minor issues at the beach over the July 4<sup>th</sup> holiday, but they did not involve the Town.

**WATER REPORT:** No report.

**WABA REPORT:** No report

**APPEARANCES:** None.

**PROPOSED RESOLUTION NO. 316 ADOPTING THE UPDATED HAZARD MITIGATION PLAN:** Councilmember Howes briefly reviewed the timeline followed in updating the Town's original Hazard Mitigation Plan. Once adopted, the Town's plan becomes an annex to the King County Plan upon adoption.

**MOTION:** Councilmember Howes moved to adopt Resolution No. 316 authorizing the adoption of the King County Regional Hazard Mitigation Plan. Updates. Councilmember Stowe seconded.

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

**PROPOSED RESOLUTION NO. 317 AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT FOR ROAD MAINTENANCE SERVICES:**

Councilmember Stowe explained that the reasons for entering into this agreement are several:

- The agreement gives the Town access to competitive pricing for our paving projects. Our small size makes it challenging to attract the attention of and bids from paving contractors.
- Work performed by County employees is automatically done at prevailing wage, which relieves the Town of some of the documentation requirements imposed when private contractors perform public work.
- The County has done minor road work for the Town in the past, mainly striping, and they are aware of our size and unique challenges.

Clerk/Treasurer Spens explained that the version before the Council tonight was first sent to Town Engineer Stacia Schroeder last November. Ms. Schroeder is working to confirm that this version is the most current one. Ms. Spens noted that Town Attorney Linehan has not reviewed the agreement so any action taken to adopt this resolution tonight must be taken pending the Town Attorney's approval as to form.

After a brief discussion, the Council decided to postpone action on the resolution and agreement until September in anticipation of the County's confirmation that this is the most current version and of the Town Attorney's opinion.

## **2021-2026 CAPITAL IMPROVEMENT PLAN / TRANSPORTATION**

**IMPROVEMENT PROGRAM:** Councilmember Juhle outlined the draft CIP / TIP before the Council tonight, explaining that he had not yet altered the cost estimates. Councilmember Stowe noted that some project costs will change with bids.

After some discussion, Councilmember Juhle asked councilmembers to submit any new projects and edits to him in time to prepare a final CIP / TIP for adoption in September. Clerk/Treasurer Spens will arrange for the public hearing to be held even if the September meeting is held remotely and will send councilmembers a reminder to submit their suggestions directly to Councilmember Juhle.

**TEGELER REQUEST TO REMOVE TREE IN RIGHT-OF-WAY (ROW):** Mayor Gillem explained that this item was a late addition to the agenda so that the Council could take their normal hiatus in August without asking Mr. Tegeler to wait an extra month for their decision.

Clerk/Treasurer Spens reminded the Council that they approved a Boundary-Line Adjustment (BLA) in 2018 that made the lot Mr. Tegeler is building on a legal building site. She noted that one of the conditions for the BLA concerned the driveways serving each lot and specified that the driveway for this middle lot, now 2820 – 105th Ave SE, be sited as far north and away from the 105<sup>th</sup> SE / SE 29<sup>th</sup> intersection as feasible.

Mr. Tegeler explained that the site for the driveway is constrained by several factors: the Council's conditions on its placement, the topography of the lot, and the location of trees on the property and its adjacent ROW. He directed the Council's attention to a sketch depicting a proposed driveway location and the various trees in the vicinity of the driveway. He also showed an illustration showing three potential driveway locations and described why he believes the one he proposes is the best choice overall, i.e. it preserves the most healthy trees overall while providing sufficient distance from the 105<sup>th</sup> SE / SE 29<sup>th</sup> intersection. He also noted that they plan to plant two evergreen trees in the ROW as mitigation at a location that is acceptable to the Town. The Town Arborist will advise on appropriate species and locations.

**MOTION:** Councilmember Howes moved to approve the removal of the tree identified in Mr. Tegeler's materials as #44 from the ROW with the mitigation plantings noted in his proposal. Councilmember Dix seconded.  
Vote: 5 For, 0 Against., 0 Abstain. Motion carried.

Clerk/Treasurer Spens will send Mr. Tegeler an email detailing this approval with copies to building staff.

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

- A Quarterly Status Report has been submitted to Washington State and will be followed shortly by a request for reimbursement from the FEMA grant.
- The project starter on is June 15<sup>th</sup> with a 60-day work window in the contract. The

contractor is on time to complete the project within that window.

- Bonner Brothers has installed most of the stormwater piping. When that installation is complete, they will sawcut the edges and then patch-pave as needed.
- Bill Beck's oversight has been exceptionally helpful as has Jordan Schroeder's site assistance.
- Comments about the stop sign that was installed on southbound 104<sup>th</sup> Ave SE at SE 27<sup>th</sup> Street have been generally positive, though the sign was knocked down a couple of times.
- He will arrange for a reminder to be sent to affected residents about the start date and work window.

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

**COVID-19 UPDATE:** Councilmember Howes reported on concerns expressed by a resident about the Town's communications with residents about COVID-19, specifically about statistics regarding numbers of cases in the Village. She wanted the Council to know that the Town's website has included links to the King County Dashboard since March and that it is this source that recently expanded its data offerings to include information by jurisdiction. She also reported that she has distributed some masks and more masks are coming.

She also noted that more information is circulating about the impacts of the pandemic and shutdown on mental health and stress. She commented that one of our residents who is a physician has offered to sponsor a webinar for Town residents addressing the issues relating to the pandemic. The Council expressed a strong interest in this offer. Councilmember Howes will work out details and coordinate advertising for the event.

**GREAT SHAKE OUT DRILL:** Councilmember Howes reported that plans are underway for another Great Shake Out drill in October. The status of the pandemic will determine how the exercise will be run.

**REPLACEMENT OF MISSING BUOYS:** Mayor Gillem reported that King County is moving forward with replacing our four missing and one drifting no-wake buoys and has made us a #1 priority for the work schedule. He noted that while the buoys are made available at no cost, the Town will have to pay King County about \$5,100 for their installation, however it is likely that this cost can be covered by Criminal Justice funds.

**MOTION:** Councilmember Stowe moved to authorize the expenditure of up to \$10,000 to re-install no-wake buoys at a distance of 300 feet from the Beaux Arts shoreline.

Councilmember McCarthy seconded.

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

Mayor Gillem will alert the Council of the timing of this work as soon as it is known.

**LAUREL HEDGE AT SE 29<sup>TH</sup> / 106<sup>TH</sup> PL SE:** Mayor Gillem reported that after many years of on-going challenges keeping this hedge from interfering with traffic visibility, the adjacent property owner has agreed to allow the Town to completely remove it from the corner and to keep the remainder pruned sufficiently. The laurel to be removed will be along SE 29<sup>th</sup> St from the intersection to the gate and along 106<sup>th</sup> Pl SE from the intersection to the driveway

serving the corner property.

Councilmember Dix will contact Arborwell to get a price quote for this removal. She remarked that laurel often returns if it is just cut down to a stump, so she will ask them to provide an add-on price to grind the stumps.

**MOTION:** Councilmember Juhle moved to authorize an expenditure not to exceed \$20,000 to cut down the laurel and remove the stumps per Mayor Gillem's instructions.

Councilmember Howes seconded.

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

Mayor Gillem and Councilmember Dix will work together to complete this project, with Mayor Gillem handling communications with the resident.

Councilmember Dix asked if similar work can be done to tame the laurel hedge on SE 29<sup>th</sup> at 107<sup>th</sup> Ave SE. Mayor Gillem suggested that we wait until the work at SE 29<sup>th</sup> and 106<sup>th</sup> is finished.

**KING COUNTY SHERIFF PROPOSAL:** The County Council is proposing that the King County Sheriff become an appointed position rather than an elected one. Councilmembers expressed concerns about this proposal, particularly whether an appointed Sheriff would provide the same level of service to the contract cities.

**NEXT MEETING:** There is no August meeting planned. The next regular Council meeting is scheduled for 7:00 pm on Tuesday September 8, 2020. Based on King County's current status in the Safe Start plan, this is likely to again be a remote meeting, and posted agendas will provide information for public participation.

**ADJOURN:** Councilmember McCarthy moved to adjourn the meeting at 9:05 pm.

Councilmember Howes seconded.

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

Respectfully submitted,

Sue Ann Spens  
Clerk-Treasurer