



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

April 11, 2023
Stowe

PRESENT: Mayor Aletha Howes, Councilmembers Paula Dix, Tom Stowe, and Brad Wheeler.

EXCUSED: Councilmembers James McCarthy and Stacy Saal.

STAFF: Clerk/Treasurer Sue Ann Spens.

GUESTS: Bruce Agnew, Carrie Oliver, WABA; Tom Garvey, WABA, Steve Earwaker, Susan Bogert, Donna Stowe.

Mayor Howes called the meeting to order at 7pm.

MINUTES: Councilmember Wheeler moved to approve the March 14, 2023 minutes as amended. Councilmember Stowe seconded.

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

CLAIMS: Councilmember Wheeler moved to approve the April 11, 2023 Claims Register for check numbers 16263 through 16282 in the amount of \$20,881.06. Councilmember Stowe seconded.

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

CLERK'S REPORT:

TREE REMOVAL FUND: Clerk/Treasurer Spens asked the Council about their interest in creating a separate fund to account for funds intended only for purchasing replacement trees, e.g., fines for unapproved removals of trees on Town rights-of-way. After some discussion, the Council decided to leave things as they are for now.

ELECTIONS: Clerk/Treasurer Spens reminded the Council that the following Council positions will be up for election this fall:

Position No. 1 – Stacy Saal – an unexpired 2-year term

Position No. 2 – James McCarthy – a regular four-year term

Position No. 4 – Paula Dix – a regular four-year term

Online filing for these positions will open on May 15, 2023 at 9am and close on May 19, 2023 at 4pm. Information about filing can be found at: [Online candidate filing - King County](#).

MAINTENANCE SHED PROJECT: Clerk/Treasurer Spens reported that the Town has received notice from L&I that we can release retainage for the shed project. Town Engineer Schroeder is asking the Council to accept the project as complete to close out the job.

MOTION: Councilmember Stowe moved to accept the Maintenance Shed project as

complete. Councilmember Wheeler seconded.
Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

PUBLIC SPACES / TRAILS REGULATIONS: Clerk/Treasurer Spens reported that the ordinance to establish rules for the public trails is still in process. She expects it to be ready for Council action next month.

MARSHAL'S REPORT: Mayor Howes commented that March was a quiet month. KCSO helped identify a truck that damaged a fence so the owner can seek reimbursement for the damages.

WATER REPORT: Nothing to report.

WABA REPORT: WABA will hold their Beach Clean Up on April 22nd or April 29th, depending on the weather. BARF Racing begins on May 31st, the Spring Kick Off will be held on June 8th, and the Summer Picnic on July 22nd. Work is underway on a major dock-maintenance project. WABA Membership hosted two meetings to discuss pending housing legislation that may force the Town to allow multi-unit housing and is focusing their attention on the membership and beach-use impacts of such changes.

APPEARANCES: None.

BELLEVUE LAKE-LINE MANAGEMENT PLAN: Mayor Howes introduced Angela Chang with Bellevue Utilities and reminded attendees that tonight's presentation is primarily a listening session. Ms. Chang began by describing the extent of Bellevue's wastewater lines that run along the shore of Lake Washington from Yarrow Point to just south of the East Channel Bridge and outlining Bellevue's plans for assessing the condition of the system of pipelines and pumps. Ms. Chang explained that the project will result in a Lake Line Management Plan that Bellevue Utilities can use to plan and prioritize future repairs and/or replacements. She also commented that Bellevue Utilities seeks comment on the programmatic EIS through the end of May 2023. Specific information about the project and how to comment on the EIS can be found at BellevueWA.gov/lake-line-project.

COMPREHENSIVE PLAN UPDATE – STATUS REPORT: Clerk/Treasurer Spens noted that Town Planner Stacia Schroeder submitted both a status report outlining progress made to date on the Comprehensive Plan Update and a copy of the packet for the upcoming Planning Commission meeting for the Council's information. She will continue to provide quarterly updates and will alert the Council more frequently when there are issues needing Council input.

NOISE DISCUSSION: Mayor Howes reported that she spoke with the King County Sheriff's Office to learn what enforcement options may be available to us. She learned that:

- KSCO has no noise measuring equipment and uses a "reasonable standard" to determine if a violation may exist, i.e., if the noise significantly interferes with conversation at least fifty feet away or more.
- They have posted a Noise Code Fact Sheet on their website for residents in

unincorporated areas explaining the County's noise regulations. KSCO suggests that this document may be useful to Beaux Arts residents also.

- KSCO recommends that residents pursue mediation if they are not able to resolve the issue with just a neighborly discussion as civil infractions are problematic for them to enforce.
- To rise to the level of public nuisance, the noise must be frequent and repetitive,

On discussion, Councilmembers again commented that passing a rule is simple but enforcing it remains a problem. To identify a noise violation, the Town would need standardized equipment, which neither we nor KCSO has, to measure noise relative to acceptable levels to determine if a violation exists. The Town would also need personnel to stop the violation if one exists. It does not sound as if KSCO is available to do that.

LEGISLATIVE UPDATE: Mayor Howes offered a brief update on middle-housing and related legislation. She added that she will invite State Senator Lisa Wellman to a future Council meeting to discuss the Town's concerns.

MAYOR AND COUNCILMEMBER REPORTS:

OPEN SPACE ORDINANCE: Councilmember Stowe commented that he would like the Council to review the Town's Open Space regulations. Clerk/Treasurer Spens will provide a copy for Council review and discussion in May.

SEWER LINE EASEMENT: Councilmember Wheeler remarked that there may be an easement over WABA property for a Bellevue Sewer Line that WABA needs to review.

GLEN PATH IMPROVEMENTS: Councilmember Dix reported that the survey of the path should be complete by the end of the week.

TOWN CLEAN UP: Councilmember Dix reminded Council that the Town's Spring Clean Up is set for Saturday May 20th. She is working on locations for the dumpsters that will be placed throughout Town.

TOWN PHONE FOR MAYOR: Councilmember Stowe remarked that the current legislative issues have made it clear to him that the Mayor needs a designated Town phone. Clerk/Treasurer Spens will arrange with Verizon to add a third phone to our account.

ROW/STREET VACATION REQUEST: Mayor Howes reported that a couple of residents are interested in purchasing the unused street right-of-way between their homes and will be submitting a request that it be vacated.

PARTICIPATION PLAN FOR COMP PLAN UPDATE: Mayor Howes commented that the Planning Commission is preparing a participation plan for the Comp Plan update that is underway. This is a necessary element of the update process. When the draft plan is ready, the Planning Commission will attend a Council meeting to present and discuss the plan.

NEXT MEETING: The next Council meeting is scheduled for Tuesday May 9, 2023 at

Councilmember Saal's house.

ADJOURN: Councilmember Wheeler moved to adjourn the meeting at 9:20 pm.

Councilmember Stowe seconded.

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

Respectfully submitted,

Sue Ann Spens

Clerk-Treasurer