



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

September 12, 2023

Howes

PRESENT: Mayor Aletha Howes, Councilmembers Paula Dix, James McCarthy, Stacy Saal, Tom Stowe, and Brad Wheeler.

EXCUSED: None.

STAFF: Clerk/Treasurer Sue Ann Spens.

GUESTS: Bruce Agnew, Aaron Howes, Eugenia Yen, Joann Bromberg, Susan Bogert, Steve Earwaker, and Walter Scott.

Mayor Howes called the meeting to order at 7pm.

MINUTES: Councilmember Wheeler moved to approve the July 11, 2023 minutes as written. Councilmember Saal seconded.

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

CLAIMS: Councilmember Saal moved to approve the corrected July 11, 2023 Claims Register for check numbers 16319 through 16336 in the amount of \$24,337.92.

Councilmember Stowe seconded.

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

Councilmember Stowe moved to approve the August 8, 2023 Claims Register for check numbers 16337 through 16352 in the amount of \$33,972.38. Councilmember Wheeler seconded.

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

Councilmember Wheeler moved to approve the September 12, 2023 Claims Register for check numbers 16353 through 16366 in the amount of \$24,399.40. Councilmember Stowe seconded.

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

CLERK'S REPORT:

FIRST CALL FOR 2024 BUDGET INPUT: Clerk/Treasurer Spens reminded the Council that our first public hearing on the 2024 Budget will be held at the October meeting. She encouraged Councilmembers to begin preparing cost estimates for any projects they may wish to include in that budget. She added that next month's discussion will focus on revenues, particularly the property-tax levy.

2Q2023 TREASURER'S REPORT: Clerk/Treasurer Spens reported that Councilmember McCarthy has reviewed and approved the 2nd Quarter 2023 Treasurer's Reports.

MARSHAL'S REPORT: Mayor Howes reported on behalf of Town Marshal Jochums that we are experiencing an increase in thefts, particularly of unattended items on boats, in vehicles, etc. She also reported that there was a recent armed robbery in the vicinity of Pitt Park at 8:30am and cautioned all to remain vigilant.

WATER REPORT: Councilmember Wheeler reported that the Town has been on Bellevue water for three days due to a blown circuit in the well pump equipment. Water Supervisor Bob Durr and Water Superintendent Roger Lillejord have completed needed repairs.

WABA REPORT: Mayor Howes reported on behalf of WABA President Jeff Avansino that, in response to recent state legislation, WABA is putting the Town on notice of their plan to impose a single-family-residential limit on all properties within Beaux Arts Village as that is a stipulation in WABA's original covenants. They are researching how best to accomplish this.

APPEARANCES: Eugenia Yen commented on a citizen's petition circulating through Beaux Arts concerning an old growth cedar on private property located on SE 28th Street that is in development. The developer has obtained a permit to remove the tree, and the petition sought to encourage the developer to reconsider and preserve the tree. Ms. Yen stated that while the group of citizens behind the petition understand that the developer is under no obligation to honor their request, they feel the Town should amend the Tree Code to better focus on preserving trees and tree health, especially of the mature trees in Beaux Arts, and to formally adopt the recommendations in the Forest Strategic Plan developed as a result of a recent King Conservation District inventory project. She urged the Council to ask the Planning Commission or another committee to study the issue and recommend changes. She also asked the Council to consider placing a moratorium on the removal of significant trees.

Joann Bromberg remarked that she supports the appointment of a committee to study this.

Bruce Agnew added that he is exploring potential sources of funding for tree-preservation studies, including asking County Councilwoman Balducci about KCD help, reviewing options for private philanthropic funding, and considering legislatively allocated funding sources.

Susan Bogart stated that she prefers the Town spend extra effort saving our large trees versus planting smaller mitigation trees, because the larger trees sequester more carbon and provide more shade.

PUBLIC HEARING: ORDINANCE NO. 466 ADOPTING A SIX-YEAR CAPITAL IMPROVEMENT PLAN / TRANSPORTATION IMPROVEMENT PROGRAM FOR 2024 THROUGH 2029: Councilmembers reviewed the spreadsheet outlining current projects on the CIP / TIP and made additions and revisions as needed. Councilmember McCarthy captured those revisions on the spreadsheet to be attached to the ordinance as Exhibit A.

MOTION: Councilmember Stowe moved to pass Ordinance No. 466 adopting a CIP / TIP

for the years 2024 through 2029, inclusive, with Exhibit A as amended. Councilmember McCarthy seconded.

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

2ND AMENDMENT TO THE CDBG INTERLOCAL AGREEMENT: Clerk/Treasurer explained that the changes specified in this amendment were required by the US Dept of Housing and urban Development and that the amendment must be agreed to by all parties to the agreement in King County or the county will no longer be eligible for CDBG funding.

Councilmember Stowe asked if signing this amendment makes the Town liable for costs that may arise from CDBG projects outside our area. He will put together an email explaining his concerns, and Clerk/Treasurer Spens will forward that email to the Town Attorney for additional input. Given the time-sensitive nature of King County's request, she asked that the Council authorize the Mayor to execute the agreement pending a favorable response from the Town Attorney.

MOTION: Councilmember Wheeler moved to authorize the Mayor to sign the 2nd Amendment to the Interlocal Cooperation Agreement between King County and the Town of Beaux Arts Village pending a variable response from the Town Attorney regarding this liability question. Councilmember Dix seconded.

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

HEARING EXAMINER PROPOSALS: Clerk/Treasurer Spens stated that she asked for proposals from three candidates for hearing examiner, one of whom was recommended by the Town Attorney. She noted that only two provided proposals, each with similar fees. After some discussion, the Council decided to offer a contract for Hearing Examiner services to Mark Scheibmeir of Scheibmeir, Kelly & Nelson PS. Clerk/Treasurer Spens will ask Town Attorney Linehan to prepare a contract for Council approval in October.

WATER RATE STUDY: Councilmember McCarthy reported on his ongoing work on this study and distributed materials outlining what he has determined to date. Based on his work so far, he recommends that any rate adjustment include an increase in the base fee, explaining that the Water Department needs to both cover operating costs and build reserves for equipment replacement.

On discussion, two questions were raised: Do we need to consider hiring a Water Dept Supervisor? How do we accommodate fixed-income residents?

The Council will continue this discussion in October.

TREE CODE CONCERNS: Mayor Howes reminded the Council that because of last month's discussion about improving our enforcement of the tree code in relation to the building code, the Council decided to consider the following possible changes:

1. Increase the fine for unauthorized removal of any tree.
2. Add routine inspections for tree-removal permits. Determine appropriate frequency of inspections.

3. Include periodic inspections of any required tree protection associated with a building permit.
4. Address the consequences of removing tree protections before allowed, including requiring replacement, imposing fines, and issuing stop-work orders.

After discussing these changes, it was the consensus of the Council that Mayor Howes should work with Town Building Official Crystal Kolke and Deputy Clerk Addie Tych to determine the process details needed for items 2 through 4.

In addition, the Council will consider the questions and concerns they want the Planning Commission to study as part of their review of the current code and their recommendations for amending it.

MAYOR AND COUNCILMEMBER REPORTS:

QUANTUM FIBER: Councilmember McCarthy reported that Quantum Fiber is now available in Beaux Arts with 1gB upload and download speeds.

GREAT SHAKE OUT: Councilmember Saal reported that the Town will conduct an emergency response drill in conjunction with the Great Shake Out on October 21st at 10:21 am. Councilmembers who are in town on that day should bring their emergency response backpacks and muster at 5 Corners to review the steps for assessing and responding to an emergency.

NO PARKING SIGNS: Councilmember Wheeler is working with Town Engineer Schroeder to purchase and install a No Parking sign on the west side of 105th Ave SE between 2805 and 2815 to preserve visibility for vehicles trying to back out of driveways along the Arterial.

FEMA GRANT FOR WATER DEPARTMENT / STREET REPAIRS: Councilmember Wheeler reported that our request for FEMA funding to repair the street and water line along 104th Ave SE was denied.

GLEN PATH IMPROVEMENTS: Councilmember Dix reported that the project design is complete. Her next step is to conduct a community review meeting.

FALL CLEAN UP: Councilmember Dix reported that the Fall Town Clean Up will be on Saturday November 4th.

TREE WORK: Councilmember Dix reported that she is working to schedule Seattle Tree Care to perform needed tree work. She also reported that a Big Leaf Maple along the Angle Path will be removed, which will leave wood along path. She also remains concerned about the laurel hedge along SE 28th Street that is encroaching on a Town tree.

TREE CANOPY: Councilmember Dix is looking for funding to help pay for an updated tree canopy study.

FRANCHISE DISCUSSION: Councilmember Stowe will open a discussion about the Town's franchises in October.

LOBBYIST FOR LEGISLATIVE CONCERNS: Mayor Howes reported that the other Points Cities have determined that each city/town will need to execute a separate agreement for the lobbyist's services that specifies each city's individual needs. The group is working out the cost-share equation for these services. She expects our portion to be far less than the 20% even sharing, because we shared the concerns about SR-520 that the other four cities do.

LEGISLATIVE PRIORITIES: Mayor Howes would like feedback from the Council on legislative priorities. She stated that Public Safety and Infrastructure are on her list.

CONSULTANT CONTRACTS: Mayor Howes reported that she will be reviewing our staff consultant contracts.

NEXT MEETING: The next Council meeting is scheduled for Tuesday October 10, 2023 at Councilmember McCarthy's house.

ADJOURN: Councilmember Stowe moved to adjourn the meeting at 9:30 pm.
Councilmember Wheeler seconded.
Vote: 5 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk/Treasurer