



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

October 14 2025

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

EXCUSED: None.

STAFF: Clerk/Treasurer Sue Ann Spens, Town Engineer Stacia Schroeder.

GUESTS: Water Department Supervisor Eric Antonelli, Eugenia Yen

Mayor Howes called the meeting to order at 7pm.

MINUTES: Councilmember Stowe moved to approve the September 9, 2025 minutes as amended. Councilmember Dix seconded.

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

Councilmember Wheeler moved to approve the October 7, 2025 Special Meeting minutes as amended. Councilmember Stowe seconded.

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

CLAIMS: Councilmember McCarthy moved to approve the Final October 14, 2025 Claims Register for check numbers 16899 through 16913 in the amount of \$29,721.20.

Councilmember Wheeler seconded.

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

CLERK'S REPORT:

AMERICA 250TH: Clerk/Treasurer Spens noted that she shared these topics on Mayor Howes' behalf. Mayor Howes remarked that the flyers were also shared with WABA, and she wondered if the Council was interested in any joint activities. Washington State is encouraging cities to participate, if possible, but such participation is totally voluntary. There is no funding available. She added that Susan Bogert is exploring this further on WABA's behalf. It was the consensus of the Council to consider a joint activity.

COYOTE RESPONSE: Clerk/Treasurer Spens reported that the notice about reporting coyote issues has been in the newsletter and on the Town website since mid-summer. She asked if the Council felt she should run the notice again. It was the consensus of the Council that the information had been shared adequately with residents.

PARKING ALONG SE 30TH STREET: Clerk/Treasurer Spens reminded the Council that this question was discussed briefly last month. After another brief discussion, it was the consensus of the Council to include this area in an upcoming survey to confirm where WABA's property is along this corridor vs. Town property and the Town boundary with City of Bellevue.

MARSHAL'S REPORT: Mayor Howes noted that the Town Marshal is continuing to monitor parking throughout the Village.

WATER REPORT: Water Department Supervisor Eric Antonelli reported that he and Bob Durr have been unable to locate a backflow-prevention device on the intertie despite plans showing it exists. Councilmember Wheeler commented that such a device is not standard on commercial connections. Mr. Antonelli also reported that Water Superintendent Roger Lillejord flushes the hydrants at the low points in the water system twice each year and has just completed that task.

WABA REPORT: WABA's Winter Dinner will be held on February 1, 2026 at the Bellevue Club.

APPEARANCES: None.

PUBLIC HEARING: 2026 PRELIMINARY BUDGET: Mayor Howes opened the public hearing at 7:24 pm. As there was no public comment, she closed the hearing at 7:25 pm.

Clerk/Treasurer Spens explained that tonight's focus is on the Town's anticipated revenues, especially the 2026 Property Tax Levy. Mayor Howes noted that the Town has deferred an increase in the levy several times over the last few years, but that with rising costs for our contract services and the possibility of a softening economy, she is recommending that the Town request the full levy amount available. Councilmember agreed, and Clerk/Treasurer Spens will prepare a levy ordinance for consideration next month that requests the full amount.

Councilmembers also reviewed other revenue sources and agreed that using conservative estimates, given the level of uncertainty, was wise.

Clerk/Treasurer Spens mentioned that Washington State recently expanded the list of services subject to sales tax. She will review the new law and share that information with Villagers in the next newsletter. She will also remind residents to use Beaux Arts and their zip+4 in their return address to ensure that Beaux Arts receives all of the sales tax to which it is entitled.

PROPOSED ORDINANCE NO. 482 GRANTING A FRANCHISE TO CITY OF BELLEVUE TO CONSTRUCT A WATER TRANSMISSION LINE: Mayor Howes reminded everyone that the first reading of this franchise ordinance was completed during a Special Council Meeting on October 7, 2025. She then recapped the highlights of this agreement:

- The franchise agreement has a 15-year term with one opportunity for a 5-year extension.
- The annual franchise fee will be approximately \$20,000, and the agreement includes a fee adjustment for inflation.

- Bellevue must provide the Town with a GIS-based survey showing the location of their existing transmission lines no more than 60 days after the agreement is fully executed.
- The agreement addresses both the existing A/C line, which will be abandoned in place, and the new ductile iron lines.
- The agreement does NOT address the intertie, which will be handled in a separate agreement.

On discussion, Councilmembers learned that the area of the franchise agreement is the full width of the Arterial right-of-way, any future expansion Bellevue may desire can be limited through the permit process, and the agreement is exclusive to the below-ground water transmission line.

MOTION: Councilmember Stowe moved to pass Ordinance no. 482 granting a franchise to City of Bellevue to construct, maintain, et al a water transmission line through the Town. Councilmember Wheeler seconded.

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

2025 SURVEY OF SE QUADRANT: Councilmember Stowe opened the discussion by noting that the survey area does not include the Town boundary along SE 30th, which involves a strip of WABA property. He asked that this area be included in the next survey, since we get questions about where the private/public boundary sits.

Mayor Howes remarked that the Council can and should consider changes to future survey work, but for tonight she would prefer to focus on the many encroachments or private improvements on Town property that are revealed by this survey. In particular, she would like the Council to determine how to address these encroachments, suggesting three possible actions:

1. Do nothing.
2. Write letters notifying the owners of the encroachments that the Town may request removal in the future.
3. Execute encroachment agreements with each property owner and record the agreements against the property. This is the method the Town uses when property owners request a ROW Permit to place a private improvement on right-of-way adjacent to their property, e.g., a driveway apron.

Councilmember Stowe reminded all that no property owner may file an adverse possession claim against the Town's property and that the Town has no obligation to compensate an adjacent owner for improvements the Town chooses to remove from Town property.

Mayor Howes explained that her biggest concern is the number of private fences sitting on Town property. She suggested that owners of such fences should be required to move the fence to their property line when the fence needs to be replaced. The Council decided to take more time to consider how best to address this concern.

Councilmember Stowe suggested that, in the meantime, the survey should be posted to the Town website so that property owners can see the encroachments and a note should be

included in an upcoming newsletter letting Villagers know the survey is available for review. More quadrants of the survey can be added as they develop.

CRITICAL AREAS ORDINANCE: Town Engineer Stacia Schroder presented the current draft of the Town's proposed Critical Areas Ordinance and reviewed each section, including the map exhibits, in some detail. She noted that the draft was submitted to various state agencies for review, but only the Department of Fish and Wildlife has provided their comments; Departments of Commerce, Ecology, and Natural Resources have not commented on any version of the ordinance.

In reviewing the map exhibits, Ms. Schroeder explained the source of the materials, commenting that most of the language of the ordinance comes from other area jurisdictions. She also noted that the application of this information to an individual project will be on a case-by-case basis; the designations are not sweeping in nature and will be used to help property owners site their improvements in places that meet their needs while recognizing and respecting the identified critical areas.

The Council decided to continue this discussion next month, so they have more time to review and consider the large amount of information presented in the draft ordinance.

PROPOSED CHANGES TO FEES FOR SERVICES AND PERMITS: Clerk/Treasurer Spens explained that she updated the proposed Fee Schedule based on last month's comments, but because not every question was answered, she wanted one more review before proceeding. Councilmembers had a few suggested revisions, which will be incorporated into a resolution for adoption in November.

On discussion, Councilmembers suggested some revisions, which Ms. Spens will incorporate into a Fees Resolution for Council discussion and possible action in October.

PROPOSED TOPICS FOR FUTURE PLANNING COMMISSION STUDY: Mayor Howes reminded the Council that it had previously discussed preparing a list of study topics for the Planning Commission to tackle once their work on the Comprehensive Plan Update and Middle Housing were complete.

One obvious topic is to study the Tree Code and recommend updates. The study should encompass trees on both private and public property. Specifically, the challenges the Town has encountered in recent years include:

- Clarifying penalty fines for the unauthorized removal of trees from private AND Town property, including a method of collection if the person removing the tree is uncooperative. BAVMC 12.15.090 prohibits removal of trees from Town property but does not specify a penalty for that action.
- Developing a process for monitoring the planting and maintenance of mitigation trees to ensure their long-term survival.
- Addressing the removal of hazardous trees as well as determining appropriate mitigation requirements for lots that do not have the minimum number of tree units required by the Tree Code per BAVMC 16.25.050 (3).

- Reviewing the designation of significant trees (i.e., size, species, etc.) and the 20% rule to determine if updates are needed.

In addition, Mayor Howes suggested the following topics and asked the Council to add to the list and help prioritize it:

1. An historical designation for the water tower that might lead to new funding sources for its preservation and what those funding sources might be.
2. Other public improvements, whether new or existing, that should be considered for inclusion in an upcoming Capital Investment Plan.

Other land-use ideas, particularly those that may have stemmed from the Planning Commission's intensive work on the Comprehensive Plan.

MAYOR AND COUNCILMEMBER REPORTS:

GREENSPACE WORK: Councilmember Dix reported that she has obtained bids to remove a tree on 105th Ave SE. After some discussion, it was determined that she should store the chips from this removal at the Water Tower lot. She has also arranged for poisoning the knotweed along that street.

GLEN PATH: Councilmember Dix reported that the additional plants for Glen Path have been delivered and will be installed on October 22 – 25.

FALL CLEAN UP: The Fall Clean Up will be on Saturday November 8th. Marc Schaadt will again be directing activities. If anyone has project ideas, Mayor Howes asked that they be shared with her as soon as possible.

TREASURER'S REPORTS: Councilmember McCarthy reported that he has completed his review of the 2Q and 3Q 2025 Treasurer's Reports and has signed them indicating that they are complete and accurate.

EMERGENCY MANAGEMENT: Councilmember Saal reported that the Great Shake Out will be held at 10:16 am on October 16th.

NEXT MEETING: The next regular Council meeting is scheduled for Tuesday November 11, 2025 at Councilmember Saal's house.

ADJOURN: Councilmember Saal moved to adjourn the meeting at 9:30 pm.

Councilmember McCarthy seconded.

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

Respectfully submitted,

Sue Ann Spens
Clerk/Treasurer