

**City of Baldwin City**  
**Minutes from the March 7, 2016**  
**Regular Council Meeting**

The Baldwin City Council met in Regular Session at 7:00 p.m. at the Baldwin City Public Library, 800 7th Street, with Mayor Marilyn Pearse presiding.

Present were Council members Tony Brown, David Simmons, Kathy Gerstner, Christi Darnell and Steve Bauer.

Also present were Glenn Rodden, City Administrator, Brad Smith, Finance Director, Laura Hartman, City Clerk, staff members Tina Rakes, Chris Croucher, Bill Winegar, Rob Culley and Greg Neis.

A. Call to Order:

Mayor Marilyn Pearse called the regular council meeting to order at 7:00 p.m.

B. Consent Agenda:

Christi Darnell moved and Kathy Gerstner seconded to approve the consent agenda as presented. Motion carried with a vote of 5 yes and 0 no.

C. Public Comments

Lela Gruebel, North Star Housing - 31711 Grain Valley, Blue Springs, Mo. Lela stated the previous meetings dealing with re-zoning had not been conducted as in the past in the Mayor's absence. Lela said she attempted to speak after everyone had spoken during public comment, she was told public comment was closed. She stated concerns about how the Planning Commission lacked giving notice. Lela stated Council contradicted itself based on the previous voting of approval of the re-zoning, then council voted against the ordinance after hearing public comment. Lela said she was not pleased and was not given a fair opportunity to comment. She thanked the council for the opportunity to hear her out this evening.

Roger Boyd, 520 Third Street. Roger spoke on the issue with Ash Trees and what is occurring in Lawrence with those trees being infected by the Emerald ash borer. Roger stated that of 4355 trees surveyed that 102 are green ash. Roger said within 5-7 years most of the trees will be dead. Roger also mentioned he is the Chair of the City Tree board. Currently the borer is not in Baldwin, but it is just a matter of time. Roger said he wanted to bring this to the Councils attention before it becomes an issue here in Baldwin.

Hank Booth, Chamber of Commerce Director offered his service to set in on going through the applications for the Community Development Director.

D. Special Reports or Presentations

Steve Friend was present to update Council members on the 2015 pool report. Steve said it is a nice cooperative effort between the City and the Recreation Commission. Steve introduced Tammy Michaels. Tammy has brought stability to the program along with accountability. Steve reviewed the pool report with Council members.

E. Old Business

1. Ordinance 1335, Animal Control and Regulation was brought to Council for a second reading. Kathy Gerstner moved and David Simmons seconded to approve the second reading of Ordinance 1335, Animal Control and Regulation. Motion carried with a roll call vote of: Tony Brown-Aye, David Simmons-Aye, Kathy Gerstner-Aye Christi Darnell- Aye and Steve Bauer- Aye.
2. Ordinance 1339, Annual PCA Base Cost Adjustment was brought to Council for a second reading. Tony Brown moved and Kathy Gerstner seconded to approve the second reading of Ordinance 1339, Annual PCA Base Cost Adjustment. Motion carried with a roll call vote of 5 ayes and 0 nays. Christi Darnell, aye, David Simmons, aye, Tony Brown, aye, Steve Bauer, aye, Kathy Gerstner, aye.

#### F. New Business

1. Bill Winegar submitted a bid for action regarding a replacement mower. Bill said he was disappointed with having one bid, but that is what we have. Christi Darnell moved and Kathy Gerstner seconded to accept the mower replacement bid from Heritage Tractor in the amount of \$17,957.00. Motion carried with a vote of 5 yes and 0 no.
2. Council members approved City staff to revise an agreement between the City and RG Fiber at the February meeting. Matt Hoy spoke about the agreement. He said he had discussion with Mike Bosch on a couple of changes. Mike Bosch also spoke on the wording removal concerning having an office in Baldwin City. Statute prohibits this language. Council had discussion about some of the content of the agreement and asked for a clarification. Matt Hoy and Mike Bosch addressed those concerns. Steve Bauer moved and Tony Brown seconded to approve the RG Fiber License Agreement. Motion carried with a vote of 4 yes and 0 no, 1 abstention. David Simmons abstained.
3. KMEA (Kansas Municipal Energy Agency) requested the Council appoint a KMEA Director #2 to serve on the Board of Directors. Steve Bauer moved and Kathy Gerstner seconded to appoint Glenn Rodden to KMEA Director #2 to serve on the Board of Directors. Motion carried with a vote of 5 yes and 0 no.

#### G. Committee and/or Commission Reports

Budget and Finance – Kathy Gerstner/David Simmons: The Committee met Feb 25. Kathy said we have started the process of working on the current budget. The committee also talked about CIP. Kathy said the Council would need to look at the CIP. Council discussed having a work session to discuss the CIP. A work session was scheduled for March 28, 2016 at 6:00 p.m.

Community Development Committee – Steve Bauer/Tony Brown – The Committee met last month, and will meet tomorrow night to discuss the comprehensive plan at 7:00 p.m.

Public Health and Safety Committee – David Simmons/Kathy Gerstner: The Committee met tonight at 6:00 p.m. and discussed the current Emergency plan manual and the fact it is out of date. Chris Croucher and Bill Winegar will work together to update the manual.

Public Works Committee – Christi Darnell/Steve Bauer: no report given

Utilities Committee – Tony Brown/Christi Darnell- A meeting is scheduled at 7:00 a.m. Friday, March 11, 2016 at Public Works building.

#### H. City Administrator and Staff Comments

1. Laura Hartman presented the City Website to Council Members. Laura worked on updating the current site, changing the look and making the site user friendly. The site includes new features to enhance the usability of the each page. Transparency to the public will be better available for those that use the website.
2. Glenn Rodden informed council he met with Steve and Tony to discuss the Community Development Director job description. Glenn said we are using the job description currently in place. Glenn also added the position has been posted for about 3 weeks and we have a dozen applications as of today.

#### I. Council & Mayor Comments

David commented on Lela Gruebel remarks made during Public Comment and agreed with what she was saying. David asked if we have another re-zoning, that we have something in front of us from the planning commission showing their process and decision. David felt like his vote was a negative motion and stressed he wanted positive motions. He also requested the details on the Golden Factors should the council be asked to consider a re-zoning ordinance.

- J. Executive Session: Consultation with an attorney. Kathy Gerstner moved and Christi Darnell seconded to go into executive session for attorney-client privilege with Matt Hoy and Glenn Rodden, in order to discuss a matter deemed privileged in the attorney-client relationship, the open meeting to resume at 9:00 p.m. Motion carried with a vote of 5 yes and 0 no.
- Christi Darnell moved and Kathy Gerstner seconded to extend executive session for Attorney-client privilege with Matt Hoy and Glenn Rodden and return to open session at 9:10 p.m. Motion carried with a vote of 5 yes and 0 no.
  - Kathy Gerstner moved and David Simmons seconded to extend executive session for Attorney-client privilege with Matt Hoy and Glenn Rodden and return to open session at 9:15 p.m. Motion carried with a vote of 5 yes and 0 no.
  - Kathy Gerstner moved and Christi Darnell seconded to extend executive session for Attorney-client privilege with Matt Hoy and Glenn Rodden and return to open session at 9:20 p.m. Motion carried with a vote of 5 yes and 0 no.

#### K. Adjourn

Kathy Gerstner moved and Christi Darnell seconded to adjourn the regular meeting. Motion carried with a vote of 5 yes and 0 no. Time 9:21 p.m.

Approved by the governing board on 03.21.2016

Attest:

Laura E. Hartman

Laura E. Hartman, City Clerk