

**City of Baldwin City
PO Box 68
Baldwin City, Kansas 66006
Council Meeting Agenda**

**Baldwin City Public Library
800 7th Street
Baldwin City, KS 66006**

**TUESDAY
January 17, 2017
7:00 PM**

A. Call to Order- President Kathy Gerstner

B. Consent Agenda

1. Consider the Draft Minutes of the January 3, 2017 Regular Meeting
2. Mooses BBQ and Kansas Belle Dinner Train CMB license renewal

C. Public Comment:

Members of the public are welcome to comment on items relating to City business not listed on this Agenda. Please stand and wait to be recognized by the Mayor. As a general practice, the comments may or may not be acted upon by the Council during the meeting, or Council may refer the items to staff for follow up.

*If you wish to comment on an item listed on the Agenda, a **sign-up sheet** is provided for you to sign in and provide your address. You will be called on when the Agenda item of interest is under discussion by the Council.*

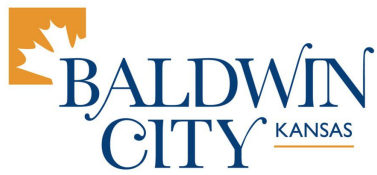
D. Special Reports or Presentations

E. Old Business

1. Ordinance 1358, zoning text amendments
2. Buy local purchasing policy

F. New Business

G. Committee and/or Commission Reports



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-
1. Budget and Finance/Kathy Gerstner, David Simmons
 2. Community Development Committee/Steve Bauer, Tony Brown
 3. Public Health and Safety Committee/David Simmons, Kathy Gerstner
 4. Public Works Committee/Christi Darnell, Steve Bauer
 5. Utilities Committee/ Tony Brown, Christi Darnell

H. City Administrator and Staff comments

1. First Street Update - Glenn Rodden
2. Fire Department - Terry Baker

I. Council & Mayor Comments

J. Executive Session

K. Adjourn

City of Baldwin City
Minutes from the January 3, 2017
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: Kathy Gerstner, Tony Brown, David Simmons, Christi Darnell, Glenn Rodden-City Administrator, Laura Hartman-City Clerk. Also attending were Brad Smith, Greg Neis and City Attorney, Matt Hoy. Steve Bauer and Kathy Gerstner were absent.

A. Call to Order:

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

B. Consent Agenda:

Christi Darnell moved and David Simmons seconded to approve the consent agenda. Motion carried with a vote of 3 yes and 0 no.

C. Public Comment: Casey Simoneau, 417 Washington spoke about vehicle sales language in Ordinance 1359 and is in favor of having vehicle sales along the highway. Hank Booth, Baldwin City Economic Development Corporation, spoke about the language of Ordinance 1359.

D. Special Reports or Presentations – none were given

E. Old Business: Council had discussion about Resolution 2017-01, Building Permit discount for 2017. David Simmons moved and Christi Darnell seconded to approve Resolution 2017-01, Building Permit discount. Motion carried with a vote of 3 yes and 0 no.

F. New Business – Mayor Pearse asked Ed Courton if he would like to respond to public comments or speak to what was on the agenda for this ordinance. Ed explained the amendments to text reflected in Ordinance 1358. David stated we cannot vote on this ordinance tonight. David said that saying we are not having certain businesses here makes us elitist and we should be careful about these decisions. Patron Bill Harmon said he was involved in the zoning years ago and the promise that was made regarding zoning and leniency. Tony Brown said he is split on his thoughts, initial thought is not being restrictive but maybe deal with these on an individual basis. Tony asked if there was data on used car lots that come and go to support that statement. Ed responded it would be difficult to do without having the software to collect such data, but would do some research and see what he could find out. Ed expressed we currently have a very nice corridor, we want to protect that. He added staff is not saying they do not want used car lots, but need to have guidelines on where and how those are set up. Council will continue discussion at the next regular council meeting, January 17, 2017.

G. Committee Reports:

Budget and Finance- Kathy Gerstner – David said there was no report

Community Development Committee – Tony said the committee will meet on January 18, 2017, 7:00 p.m.

Public Health and Safety Committee- David said the committee will meet on January 19 at 4:00 p.m. to continue discussion about mobile home parks.

Public Works Committee- no report

Utilities Committee- Tony said a meeting will be scheduled in the next couple of weeks.

H. City Administrator and Staff Comments –

Brad spoke on the buy local policy and stated this policy is currently in draft form for council to review. Mayor asked for comments from the public from those that signed up to speak. Dave Hill spoke about the car lot topic. Dave spoke on the topic of buy local. He stated the 20-mile range is wrong and hoped this statement was outdated. Second, the 5% margin is fair however the \$5000.00 limit is unfair. Dave said he is here to support our local business. He said he would like to eliminate the cap and the mile range. Bill Harmon thanked staff for having this discussion. Bill said it cost more to stay in Baldwin and would like to stay in Baldwin. He repeated that he appreciated Council having this discussion. Gary Lamoreux said he doesn't know of any business that can survive in a small town if the support from the city and school district is not in place. Gary would like to see the City ask him first before going elsewhere. Hank Booth said the message is the important issue. The school district, Baker and the City need to look right here in Baldwin City first. Hank stated losing 2 or 3 business in our town would be detrimental. David Simmons spoke about the 20-mile range and said the priority should be purchasing in Baldwin City. David used an example of a snow globe and the effect of spending outside of the City. The snow being the money and staying within the globe, being the city. He said he doesn't see any need for a limit. Council continued discussion. Mayor Pearse said we should have all council members present to continue discussion. Christi Darnell asked if we currently consider local contractors when we have larger projects. Brad responded there are not a lot of local contractors that could bid on those types of projects. Christi said she would like this to be part the discussion when all council members are present. Mayor Pearse said will need to have rules in place and that is what we are working towards with this policy. Discussion was tabled to the next regular Council meeting, January 17, 2017.

I. Council & Mayor Comments – no comments given

J. Executive Session – Christi Darnell moved and Tony Brown seconded to go into attorney-client privilege with Matt Hoy, Glenn Rodden and Ed Courton and return to open session at 8:12 p.m. Motion carried with a vote of 3 yes and 0 no.

K. Adjourn - Christi Darnell moved and David Simmons seconded to adjourn the regular meeting. Motion carried with a vote of 3 yes and 0 no. Time 8:12 p.m.

Approved by the governing board on _____, 2017.

Attest:

Laura E. Hartman, City Clerk

ORDINANCE NO. 1359

AN ORDINANCE AMENDING ZONING ORDINANCE #1247 OF THE CITY OF BALDWIN CITY, KANSAS AND AS SET FORTH IN CHAPTER 16 OF THE MUNICIPAL CODE OF THE CITY OF BALDWIN CITY, KANSAS, BY AMENDING SECTIONS 12-102 (17) AND 26-108 (1) (C) CITY OF BALDWIN CITY, KANSAS, DOUGLAS COUNTY, KANSAS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALDWIN CITY, KANSAS, THAT:

SECTION 1

Zoning Ordinance #1247 of the City of Baldwin City, Kansas, and as set forth in Chapter 16 of the Municipal Code of the City of Baldwin City, Kansas be and the same is hereby amended as follows:

Section 12-102 (17) is hereby deleted in its entirety and replaced by the following text:

“All other commercial or retail stores and activities not otherwise prohibited or restricted by these Regulations, including but not limited to the following: Antique shop; Appliance store and/or repair shops; Art schools, gallery or museum; Building materials sales; Car wash; Catering establishment; Clothing and apparel store; Curio or gift shop; Department store; Drinking establishment; Dry goods store; Dyeing and cleaning works; Furniture store; General service and repair establishment; Grocery store or supermarket; Hardware store; Lumber yard; Meat market, including processing facilities; Motor vehicle service and/or repair; Painting and/or decorating shop; Parking lots operated as a business; Plumbing and heating shop; Radio and television sales and/or service; Sewing machines sales, service and/or instruction; Sporting goods sales; Taverns; Tire sales and service including vulcanizing, but not manufacture; Toy store; Variety store”

Section 26-108 (1) (c) is hereby deleted in its entirety and replaced by the following text:

“No accessory building or use shall occupy a required front yard (except basketball goals, flag poles and fences as permitted). The ground floor area of all accessory buildings shall not exceed 1,200 square feet or the residence footprint, whichever is greater. No detached structure shall exceed the height of the residence, unless approved by a conditional use permit.”

SECTION 23

ADOPTED AND APPROVED by the Governing Body of the City of Baldwin City on this _____ day of _____, 2017

APPROVED:

Marilyn Pearce, Mayor

ATTEST:

Laura Hartman, City Clerk

Approved as to Form: _____
Matt Hoy, City Attorney

- C. It is the policy of the City of Baldwin City to “Buy Local” whenever it is reasonable. It is recognized to be good public policy. Also, each dollar invested in the local economy is recognized to have a “multiplier” effect as the invested dollar is spent by the recipient again in other local areas that in turn again spend it locally, etc. The implementation of this policy will be the responsibility of the department heads, City Administrator and City Council, within their respective spending authority. In cases where all other considerations are equal, and the additional cost in dollars and/or percentage terms is reasonable, the choice to buy local is preferred. The following guidelines are to be observed when considering a “buy local” preference.
- a. A business is considered to be local when it has established a permanent place of business within the Baldwin City limits for at least six months. The place of business must be a physical facility and excludes a portion of a home or apartment, motel rooms or post office boxes.
 - b. The business must not have any outstanding fines, code violations or other amounts due to the City, other than current utility balances and shall have all appropriate City licenses current and in good standing.
 - c. For purchases:
 - i. Under \$500.00, every effort will be made to buy local, when possible;
 - ii. Between \$500.00 and \$5,000.00, the buy local policy will be used unless a savings of 5% or more can be achieved;
 - iii. From \$5,000.00 and over, the buy local preference will not apply.
 - d. The policy does not apply to bids for the construction of sidewalks, curb and gutter, pavement (either new or repair), improvements to roads and streets, public buildings and facilities or any public improvements commissioned by the City Council.
 - e. The policy does not apply to cooperative purchasing agreements or where the source of funds prohibits such a policy. For example, funds provided by a grant could restrict application of such a policy.
 - f. If two or more “local” businesses submit bids of an equal amount, the award shall go to the business determined by coin flip. The procedures of the coin flip process will be determined by the City Administrator.

E 1750 ROAD PRELIMINARY ESTIMATE

NO.	ITEM	UNIT	QUANTITY	Unit Cost	Subtotal
1	CLEARING AND GRUBBING	L.S.	1	\$5,000.00	\$5,000.00
2	MOBILIZATION	L.S.	1	\$15,000.00	\$15,000.00
3	REMOVAL OF EXISTING STRUCTURES	L.S.	1	\$2,000.00	\$2,000.00
4	UNCLASSIFIED EXCAVATION	C.Y.	3927	\$8.00	\$31,416.00
5	COMPACTION OF EARTHWORK (TYPE B, MR-90)	C.Y.	180	\$12.00	\$2,160.00
6	6" TYPE AA COMPACTION (MR-3-3)	C.Y.	1155	\$6.00	\$6,930.00
7	HMA (COMMERCIAL GRADE)(SURFACE)	TON	817	\$65.00	\$53,105.00
8	HMA (COMMERCIAL GRADE)(BASE)	TON	2383	\$65.00	\$154,895.00
9	24" CROSS ROAD PIPE (ACSP)	L.F.	45	\$55.00	\$2,475.00
10	24" END SECTION	EA.	2	\$400.00	\$800.00
11	36" CROSS ROAD PIPE (ACSP)	L.F.	35	\$65.00	\$2,275.00
12	36" END SECTION	EA.	2	\$1,050.00	\$2,100.00
13	18" ENTRANCE PIPE (ACSP)	L.F.	130	\$45.00	\$5,850.00
14	18" END SECTION	EA.	8	\$350.00	\$2,800.00
15	24" ENTRANCE PIPE (ACSP)	L.F.	35	\$55.00	\$1,925.00
16	24" END SECTION	EA.	2	\$400.00	\$800.00
17	21"x15" ENTRANCE PIPE (ACSMAC)	L.F.	30	\$55.00	\$1,650.00
18	21"x15" END SECTION	EA.	2	\$425.00	\$850.00
19	24"x18" ENTRANCE PIPE (ACSMAC)	L.F.	30	\$58.00	\$1,740.00
20	24"x18" END SECTION	EA.	2	\$450.00	\$900.00
21	AGGREGATE DITCH LINER	TON	20	\$30.00	\$600.00
22	EROSION CONTROL MAT	S.Y.	950	\$2.50	\$2,375.00
23	BIODEGRADABLE LOGS (9")	L.F.	500	\$8.00	\$4,000.00
24	SILT FENCE	L.F.	200	\$5.00	\$1,000.00
25	PERMANENT TRAFFIC SIGN	L.S.	1	\$2,000.00	\$2,000.00
26	TRAFFIC CONTROL	L.S.	1	\$2,000.00	\$2,000.00
27	CONSTRUCTION STAKING	L.S.	1	\$4,000.00	\$4,000.00
28	TEMPORARY SEED, FERTILIZER AND MULCH	L.S.	1	\$2,000.00	\$1,400.00
29	PERMANENT SEED, FERTILIZER AND MULCH	L.S.	1	\$2,000.00	\$2,000.00

SUBTOTAL \$314,046.00
 10% CONTINGENCIES \$31,404.60
 GRAND TOTAL \$345,450.60

FRAUD									2				2
STOLEN PROPERTY													0
WEAPONS OFFENSE													0
SEX OFFENSE													0
VIOLATIONS	4	4	4	3	2	3			2		2	2	26
VIOLATIONS									2				2
DUI												1	1
CONDUCT	2	5	3	2	6	1	1	2	2	1		1	26
LARCENY (Under \$1000.00)	8	7	5	7	6	5	7	4	8	10	1		68
VAGRANCY													0
TRESPASS			3		1			1					5
WARRANT ARREST	3		2	3	2	9		1		4	3	1	28
MISC. OFFENSE	6	2	2	7	11	8	4	14	4	6		3	67
MISC. REPORTS	5	4	5	11	3	2	1	4	3	4	7	3	52
TOTAL REPORTS	47	28	40	43	52	40	17	33	38	40	23	14	415

ACCIDENTS

TOTAL ACCIDENTS

1 3 2 5 2 6 4 2 4 3 8 4

44

TICKETS

Speed	0	10	12	4	8	9	21	9	6	5	3	0	87
Failure to stop/Failure to Yield	1	1	4	2	0	1	0	3	1	4	1	3	21
Parking	2	33	1	5	3	1	2	5	5	13	3	9	82
Illegal/No Registration/Expired Tag	0	1	0	1	4	0	1	2	3	3	4	2	21
No DL in Poss./DL restrictions/DWS	2	2	1	2	3	2	5	5	2	1	1	1	27
Insurance	1	2	2	5	8	1	3	4	5	3	0	3	37
Possession Drugs/Paraphernalia	0	4	0	2	0	4	0	0	1	0	0	2	13
MIP/MIC/Open Container	2	0	0	0	0	0	1	0	3	0	0	0	6
DUI/PBT Refusal	0	0	0	0	0	0	0	0	0	0	0	1	1
Seatbelts/Child Restraints	0	0	4	0	24	5	0	1	2	0	0	0	36
Assault	0	1	0	0	0	0	0	0	3	4	0	1	9
Disorderly Conduct	0	0	1	0	1	0	0	0	0	0	0	0	2
Criminal Damage to Property	1	0	2	1	1	1	0	0	0	2	0	0	8
Animal-Neglect/Dog at Large/Pit Bulls	0	1	3	6	2	1	5	7	1	3	4	2	35
Other	6	13	6	11	5	3	12	6	13	12	4	10	101

TOTAL TICKETS

15

68

36

39

59

28

50

42

45

50

20

34

486
