

Minutes of  
Regular Meeting of the Governing Body  
City of Baldwin City, Kansas  
Monday, February 15, 2010, 7:30 p.m.  
American Legion Hall, 803 High Street

**Call to Order**

The governing body of the City of Baldwin City, Kansas, met for a regular session at 7:30 p.m. at the American Legion with Mayor Ken Wagner presiding. In attendance were Council Members Robin Bayer, Ted Brecheisen, Tom Farmer, Mike Magers and Bonnie Plumberg. City employees present were Jeff Dingman, Greg Neis, Bill Winegar, and Darcy Higgins. Also in attendance was City Attorney Matt Hoy.

CALL TO ORDER

**Public Comments**

Dan McMillan thanked the city for the snow removal and maintenance of the streets throughout the winter.

**Consent Agenda**

Mayor Wagner presented the consent agenda as follows:

CONSENT AGENDA

- A. Consider the draft minutes of the February 1, 2010 Regular Meeting
- B. Consider Appropriation Ordinance No. 2010-2B: claims against the City for goods provided and services rendered.

Councilmember Bayer moved to approve the consent agenda. Councilmember Plumberg seconded the motion. The motion carried 5-0.

**New Business**

Mayor Wagner asked to convene a work session for discussion of the Planning Commission's recommendations for updates to the city's zoning regulations and subdivision regulations. Councilmember Plumberg moved to convene into a work session. Councilmember Farmer seconded the motion which carried 5-0.

WORK SESSION:  
PROPOSED ZONING  
REGULATIONS

- Article 1: Councilmember Bayer questioned §1-105(6) asking how prevalent the situation was, §1-106(3) asking for clarification, and §1-107 asking how many people would be affected by this section.
- Article 2: Councilmember Bayer questioned the 30 ft setbacks in §2-107, and subsequent single-family residential districts, saying there were concerns with the established setbacks by builders and developers. Councilmember Brecheisen questioned the fact that sidewalks are not a requirement in the Residential Low Density District. City Administrator Dingman explained that the committee discussed this item at length and conceded that there was considerable cost savings to developers in not requiring sidewalks, curbs and gutters in new developments in the RLD districts. A compromise with local interest voiced during the process was to require sanitary sewer connections in RLD districts, but relax requirements for street development to allow open ditches and no sidewalks on local-class streets. Councilmember Bayer said he felt discussion should be held surrounding the requirement for connecting to the sanitary sewer system for development in the RLD district.
- Article 3: Councilmember Bayer questioned the setbacks in §3-107.
- Article 4: No comments
- Article 5: Councilmember Farmer asked whether any lots do not meet the minimum width or depth requirements in §5-107(5), to which City Administrator Dingman answered yes.
- Article 6-7: No comments
- Article 8: Councilmember Bayer asked if the University District is intended to be expandable, to which Dingman answered yes. Dingman said it pertains to any property the University owns whether or not that property is adjacent to the main campus, citing the sports complex as an example.
- Article 9: Councilmember Bayer asked how avant-garde Baldwin is in proposing the Old Town Overlay district compared to other communities. David Yearout said more communities are working towards this.
- Articles 10-14: Councilmember Bayer asked if the existing Commercial Developments meet the new regulations and if not what the repercussions are. Mayor Wagner asked if it would be possible to have a Business Overlay District similar in application to the Old Town

Overlay District in Article 9. Wagner felt a Business Overlay District would reduce issues of nonconformity similar to the attempt to reduce nonconforming uses in residential areas.

Articles 15-18: No comments

Article 19: Councilmember Bayer asked at what point an engineer needed to conduct a storm-water run-off study and if it was driven by lot size. Yearout said the requirements are set by construction standards. It is not driven by lot size.

Article 20: Mayor Wagner said that a Farm Implement Dealership could not meet the standards set forth in §20-104(3), based on the size of the product they sell. Councilmember Bayer asked if light or photometric studies will be required. Yearout said it is not mandated within the document. Councilmember Bayer questioned if §20-108 required a study, to which Yearout answered no, it simply requires a plan for lighting layout, not a photometric study to measure the output of the lights.

Article 21: Mayor Wagner asked how the Performing Arts Center, Churches and Schools met the rule of 1 parking space per a set number of seats or bench spaces. Councilmember Bayer asked if the parking regulations proposed were a bit stringent for a community the size of Baldwin City to which Yearout answered no. Yearout said there is very little change in proposal to what the city currently uses.

Councilmember Bayer moved to lay on table further discussion of the proposed Zoning Regulations until Monday, February 22 at 6:00 pm in a special meeting. Councilmember Magers seconded the motion which carried 5-0.

**Schedule and announce upcoming Council Committee Meetings and other events.**

- A. Public Works/Utilities Committee will meet at 8:30 am, February 23 at Public Works
- B. Public Health and Safety Committee will meet at 4 pm, February 26 at City Hall
- C. Community Development Committee will meet at 4 pm, March 8 at City Hall

**Adjournment**

There being no further business, Councilmember Bayer moved to adjourn the meeting. Councilmember Magers seconded the motion which carried 5-0. The meeting adjourned at 10:17 p.m.

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Darcy Higgins, City Clerk