

City of Baldwin City
Minutes
Tuesday, March 15, 2022

A. Call to Order

The Baldwin City Council was called to Regular Session at 7:00 p.m. at the Baldwin City Public Library, 800 7th Street, with Mayor Casey Simoneau presiding.

Present were Council Members: Susan Pitts, Julie Constantinescu, Scott Lauridsen and Jerry Smith.

Also, attending: Glenn Rodden-City Administrator; Amara Packard-City Clerk; Lynn Hughes-Communications Director; Russ Harding-Building Official/Zoning Administrator; Rob Culley-Director of Public Works, Jeff Winkler-Power Plant Superintendent; and Dakota Loomis-City Attorney.

B. Approval of Agenda

Jerry Smith moved and Susan Pitts seconded to approve the agenda. Motion carried with a vote of 4 yes and 0 no.

C. Consent Agenda

Julie Constantinescu moved and Scott Lauridsen seconded to approve the consent agenda. Motion carried with a vote of 4 yes and 0 no.

D. Public Comment

E. Special Reports or Presentations

F. Old Business

1. Library Ordinance-2nd Reading

Council reviewed the changes to make sure everyone understood the changes.

Julie Constantinescu moved and Jerry Smith seconded to repeal Charter Ordinance #12.

Jerry Smith moved and Julie Constantinescu seconded to adopt Charter Ordinance #30 for the Library.

Julie Constantinescu-yes, Scott Lauridsen-yes, Susan Pitts-yes, and Jerry Smith-yes. Motion carried with a vote of 4 yes and 0 no.

2. Street Improvement Plan

Jerry Smith made a motion to allow Rob Culley to move forward with the intersection of 6th and High with pouring concrete and then on the apron side going to the east, put back in brick.

Scott Lauridsen stated that we should prioritize a comprehensive street plan while working on the budget.

Jerry Smith withdrew his motion. The council will have a work session the second Tuesday of April to start discussions on the comprehensive street plan.

3. Power/Generation

Jeff Winkler had talked to a couple of different companies and updated the council with some different ideas and equipment they had available. The council discussed there will be changes monthly as to what is available. Jeff will get more figures to send to the budget and finance committee to look at.

G. New Business

1. RG Fiber-Consent to Assignment

Mike Bosch, founder and CEO of RG Fiber was unable to make the meeting for health reasons, but he had one of his employees read a letter he had written to the council. Mike has been battling cancer since he founded RG Fiber, and last year his health took a turn for the worse. He needed to look into a transition plan to take care of their customers, employees and communities. Rg Fiber and Clearway Fiber have entered into an agreement to close no later than March 21st. Mike is asking for permission to assign the license agreement to Clearway Fiber and also give him permission to assign our master service agreement to Clearway Fiber.

Jerry Smith requested to see the original agreement from March of 2016 to see if there are any changes that need to be made to the agreements before they transfer ownership.

City Attorney Dakota Loomis said he can look into whether or not during the transfer of ownership it is allowable to amend the contract and report back to the council.

Jerry Smith made a motion that this agenda item get tabled until the next meeting.

Motion fails for lack of second.

Mike Bosch was on the phone and said that the right of way license agreement is not regulated on a local level. This would allow us to transfer their right to operate in the City under the exact same terms that centurylink and mediacom get to operate, to a different entity. The second agreement is the contract to provide services to the City of Baldwin. The terms to that agreement can be changed at any time and when he gets out of the hospital, he is happy to meet and go over anything the city is not happy with. The drops would not necessarily be handled in a license agreement nor master services agreement.

Susan Pitts moved and Scott Lauridsen seconded to approve the consent to assignment for RG Fiber for the master services agreement and the licensing agreement. 3-yes, 1-no-Jerry Smith.

Motion carries 3-1

I. Committee Reports

1. Budget and Finance - Scott Lauridsen/Cory Venable

Discussed power generation budget impact.

Discussed second view from Baker Tilly on the water and wastewater fund based on current rates and looked at several options of potential rate increases. Sewer and water rates will be on our next agenda for discussion.

Would like to look at power generation and funding options.

Next meeting 3/25/22 at 7:45am.

2. Community Development - Cory Venable/Susan Pitts
Next meeting will be 3/28/22 at 4:00.
3. Public Safety - Susan Pitts/Jerry Smith
Next Meeting will be 4/12/22 at 4:00.
4. Public Works and Utilities - Julie Constantinescu/Jerry Smith
Next meeting will be 3/17/22 at 9:00a.m.
5. Strategic Planning - Scott Lauridsen/Julie Constantinescu
No meeting scheduled. Would like to revisit the mission/vision statement.

J. City Administrator and Staff Comments

K. Council & Mayor Comments

Julie Constantinescu proposed that an ordinance come before the council to be discussed, then go to a vote at the second meeting. She thought there was a conflict of interest on the last ordinance that was passed. Dakota Loomis addressed some concerns that were discussed at that meeting. Dakota did not feel that anyone discussing the ordinance had a conflict of interest based upon substantial business interests. The ordinance that passed dealt specifically with package sales so that would be liquor at grocery stores, liquor stores etc. State law regulates when drinking establishments may sell, which is 6am to 2am. Jerry Smith did not feel he had enough information to vote. Scott Lauridsen supports two readings on an ordinance.

L. Executive Session

M. Adjourn

Susan Pitts moved and Julie seconded to adjourn the regular meeting. Motion carried with a vote of 4 yes and 0 no. Time: 8:25 p.m.

Attest:

Amara M. Packard
City Clerk