

**City of Baldwin City**  
**Minutes from the January 08, 2018**  
**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, Christi Darnell, A.J. Stevens and Kathy Gerstner. Also, attending: Glenn Rodden-City Administrator; Ed Courton, Community Development Director; Laura Hartman, City Clerk; Amara Packard, Deputy City Clerk; Brad Smith, Finance Director; Greg Neis, Police Chief; Gregg Schiffelbein, Police Department; Terry Baker, Fire Chief; Kenny Oshel, Public Works Director; Rob Culley, Electric Production and Chris Croucher, Electric Distribution.

**A. Call to Order:**

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

**B. Approval of Agenda:** Kathy Gerstner moved and Christi Darnell

**B. Consent Agenda:** Council considered Minutes of the December 23, 2017 meeting. Kathy Gerstner moved and Christi Darnell seconded to approve the December 23, 2017 minutes. Motion carried with a vote of 5 yes and 0 no.

**C. Public Comment:** no comments

**D. Special Reports or Presentations –**

1. **First Impression Program -** Marlin Bates, K-State extension office, provided an update to city council on this program. Marlin thanked the volunteers that agreed to be on the team to make a visit of another community in Kansas. Marlin informed Council of a meeting taking place on Wednesday, January 10, 2018 at 6:30 p.m. held at Baldwin City Library. February 27, 2018 is an action plan meeting and members are encouraged to attend.
2. **Jessica Mortinger, AICP, Senior Transportation Planner for the Metropolitan Planning Office (MPO)** was present to explain the MPO program. Jessica was asking for the council to appoint an ex-officio member to represent the council. Mayor Pearse indicated this action would take place later in the agenda.

**E. Old Business:**

1. **Economic Development Incentive Program -** Council tabled this agenda item from the December 23, 2017 meeting for further discussion after staff provides hard numbers for consideration of this program. Brad apologized for not having the numbers ready at this time. He stated with the holidays and sick days time has not allowed to properly pull those numbers together. Brad also let council know this item would not be a resolution, but rather an ordinance. He said he would refer to the City attorney for this ordinance. Brad does not recommend doing what we have been doing in the past in his financial opinion. Matt Hoy had recommended the process of one ordinance and then to make changes, do a Resolution. Kathy asked if we need to make a temporary decision to possibly relieve some tension that waiting may cause. David stated we could make this retroactive as we have done in the past. He agreed without the numbers, and knowing the process

recommendation from Brad just explained, we couldn't make a decision at this time. A.J. asked if we were actually going to discuss the fee schedule tonight. The general consensus from Council was there was not going to be a decision made tonight. A.J. asked if we could extend what we had been doing for the discount on the fees until we determine a direction. Mayor suggested both agenda items E. 1 and E. 2 be tabled to the next Council meeting. Kathy Gerstner moved and A.J. Stevens seconded to offer an economic development incentive doing the same as 2017 at 50% off building permit fees on new construction until Council has made the decision for the program. Motion carried with a vote of 5 yes and 0 no.

2. Fee Schedule - The Council tabled this agenda item from the December 23, 2017 meeting to continue discussion at this meeting. Council agreed to table this item for the next council and committee to study.
3. Dan Nelson Meter Request. Glenn Rodden provided a memo to Council as requested. Kathy Gerstner resolved the meter be moved to the back pole as recommended by Glenn. Mayor Pearse asked Chris Croucher his opinion. Chris suggested to also move the meter to the pole. Christi asked Mr. Nelson if this would be a satisfactory solution. Mr. Nelson still has concerns with his neighbors meter as it will be closer. A.J. stated he was not a doctor, but does acknowledge this is a valid concern. A.J. asked Mr. Nelson, if council obtained permission from the neighbor to move their meter, if that would be satisfactory. Mr. Nelson stated, yes, however it may not work either, but it is a process of elimination. David suggested to move the one meter first and see if there is change before going to the expense of moving both at this time. David Simmons moved and Kathy Gerstner seconded to move one meter at no cost to the homeowner. Motion carried with a vote of 5 yes and 0 no.
4. Rural Water District No. 4 agreement extension. This agreement was tabled for further review by council at a previous meeting. Brad was asked to provide additional information referred to in the agreement. Glenn explained to Council this was just an extension to an agreement that has been in effect for years. Kathy Gerstner moved and Christi Darnell seconded to approve the RWD 4 agreement as presented. Motion carried with a vote of 5 yes and 0 no.
5. 3-party agreement for E 1750 Road improvements - Glenn explained this is the final step to complete the process for the agreed upon improvements to 1st Street. Kathy Gerstner moved and Christi Darnell seconded to approve the 3 party-agreement for E 1750 Road improvements and application of the City Administrators signature to the agreement. Motion carried with a vote of 5 yes and 0 no.
6. A special recognition of the services of Mayor Pearse, Council member Gerstner and Darnell. Each were presented with a plaque and flowers by Council member, Tony Brown and City Clerk, Laura Hartman.

#### F. New Business:

1. City Clerk, Laura Hartman, administered the Oath or Affirmation of Officer or Employee to Casey Simoneau, Susan Pitts and Brian Cramer.
2. Election of Council President. David Simmons nominated A.J. Stevens for Council President. Mayor Simoneau asked for other nominations, there were none. Mayor Simoneau asked for a vote

for Council President. David Simmons moved and Susan Pitts seconded for A.J. Stevens to serve as Council President. Motion carried with a vote of 4 yes and 1 no.

3. City Attorney Appointment. Mayor Simoneau appointed Blake Glover as City Attorney. David Simmons moved and A.J. Stevens seconded to approve the appointment of Blake Glover to serve as City Attorney. Motion carried with a vote of 5 yes and 0 no.

Mayor Simoneau announced the following appointments:

1. Budget and Finance-Chair AJ Stevens and David Simmons

Community member-Dave Hill

2. Community Development Committee-Chair Tony Brown and Brian Cramer

Community member -TBD

3. Public Health and Safety Committee-Chair Brian Cramer and Tony Brown

Community member -TBD

4. Public Works Committee-Chair David Simmons Susan Pitts

Community member -TBD

5. Utilities Committee-Chair Susan Pitts and AJ Stevens

Community member -Ken Hayes

6. Legislative Committee- Chair David Simmons and Susan Pitts

Community member –TBD

AJ Stevens moved and Brian Cramer seconded to approve the appointments to Council Committees as presented. Motion carried with a vote of 5 yes and 0 no.

Mayor Simoneau asked for a volunteer to serve on the MPO. Brian Cramer volunteered to serve. A.J. Stevens moved and David Simmons seconded to approve Brian Cramer to serve as the Council representative on the MPO. Motion carried with a vote of 5 yes and 0 no.

Mayor Simoneau appointed Dustin Baker to fill the term of Casey Simoneau vacancy on the Planning Commission/Board of Zoning Appeals. David Simmons moved and A.J. Stevens seconded to approve the appointment of Dustin Baker to fill the vacancy on the planning commission/board of zoning appeals to complete the term of Casey Simoneau with a Term expiration May 2019.

4. Live Streaming City Council Meetings. The council discussed the option of live streaming of council meetings on the City Facebook page. Laura shared the meeting and conversation she had with Jay Wach and answered questions from Council. Council was in agreement to move forward. Laura will let Jay Wach, Baldwin City Radio know of the request of the Council.
5. Council had discussion about Net Metering/Parallel Generation Policy. Tony said the committee had lengthy discussion regarding this policy. Chris Croucher spoke on the process. He explained what is in the policy and how it will be administered. He contacted other cities to compare what they have. Chris wrote up the policy and Matt Hoy reviewed. The ordinance was in the council packet for council review. Tony commended the work Chris Croucher put into this policy. Tony stated there were two issues in updating this ordinance, one is capacity. We have reached the 1% already. The other had to do with the rate at which we buy back the energy. Mayor Simoneau asked what the proposal was as he was unable to see it in the packet. Chris said 4%. Mayor Simoneau asked what is the average residential? Chris responded, 6% average residential and commercial is 13%. Heritage will consume 99 kilowatts. Heritage is not currently online because of a couple issues on how the solar was built. There are some permits that need to be completed. Chris asked council to please let him know of any questions they might have after reading through the policy.

Mayor Simoneau asked for comments from council and the public. Scott White of Cromwell, 733 Tennessee Street, Lawrence, Ks. commented on this policy. He said for clarification the city is not required to have net metering, but there is a state statute on parallel generation. He shared concern of not allowing transferability when they sell their home. He added, he is in favor of true net metering, and the parallel generation to be transparent so everyone understands. Tony recommended to send it back to the new utility committee and look at the draft and see if there are any changes or other recommendations. He added Chris and the committee has hammered this out over several meetings. Council agreed to send this item back to the newly appointed utility committee for review.

#### G. Committee Reports:

Budget and Finance-

Community Development Committee -

Public Health and Safety Committee-

Public Works Committee-

Utilities Committee-

There were no reports, but an agreement that each Chairperson would set regular meeting dates and time and send those to Laura Hartman, City Clerk.

#### H. City Administrator and Staff Comments :

Laura distributed folders with information that the new council received during new council orientation.

Brad said there are financial reports in the packet. He suggested he would do a full year end report for council in February.

#### I. Council & Mayor Comments:

David Simmons said the no parking signs have been posted and now the citizens are receiving mail on a regular basis on Washington Street.

Mayor Simoneau asked to have a resolution for goals of the council stating holding utility rates for 6 months,

to develop a sidewalk plan and that council supports and would like to bring additional senior housing to the community. Mayor asked for council feedback. Council was in agreement this process would hold council responsible with their intention. City Attorney, Blake Glover would draft the resolution with assistance from Laura Hartman.

Mayor Simoneau stated he would like to see the city complete a third party utility rate study. Tony thought we had just conducted a rate study. Mayor clarified, he is looking for an electric comparative rate study. Chris Croucher said he will look this up and send to Mayor. Mayor also suggested we have an efficiency study on our governmental processes. The Mayor said would need to hire a third party to do these studies. Glenn said we would need to determine the scope of the study and state what you are looking for. Council agreed this would be a good idea and Glenn will get information for Council.

Mayor Simoneau said he would like the Council to meet in monthly work sessions with the first one to discuss the police department. Second, the Mayor would like Brad to provide all council with a financial report and provide council with information and understanding of the process of the budget. It was agreed to have a worksession in February to cover this topic.

Lastly, Mayor Simoneau stated he would like to have a work session to discuss the mobile home park situation and the work of the committee.


Mayor Simoneau asked council for feedback on these suggestions. Council agreed to not have a work session tied to a council meeting as it would run too late in the evening and not be as productive. Council agreed to have work sessions the last Tuesday of each month. Laura will secure a location and let council know. The time will be 7:00 p.m.

J. Executive Session – No executive session.

K. Adjourn – Susan Pitts moved and Brian Cramer seconded to adjourn the regular meeting. Motion carried with a vote of 5 yes and 0 no. Time 9:20 p.m.

Approved by the governing board on January 23, 2017.

Attest:

  
Laura Hartman, City Clerk



