

REGULAR COUNCIL MEETING
CITY OF UDALL
Monday, January 10, 2022

The Udall City Council met for the Regular Council Meeting on Monday, January 10, 2022, at 6:30 pm in the Udall Community Building. Stephen R **Brown**, Mayor, called the meeting to order. Council members present were: Janette **Adams**, Kenneth **Ault**, Matt **McAllister**, Brandon **Lawrence** and Carlton **Smail**. Quorum established. Also present were: Erik King, Eric Allen, Dina Willis, Valentine Gray, Tim Brooks, Randy Hoffman, Damon Wilson, Rose Mary Saunders, Crystal Hinnen, Members of the library board, Sue Rutter, Kendra Boyer, Mr and Mrs Daniel Rutschman, Kelsie Addington, Monica Rupp and Norma Ciscowski.

The meeting was CALLED TO ORDER by Steve R **Brown**.

The newly elected councilmen Randy **Hoffman** and Damon **Wilson** were given OATH OF OFFICE by Dina Willis. The newly elected mayor Kenneth **Ault** was given OATH OF OFFICE by Dina Willis.

New council members were assumed the appropriate positions at the council table.

The outgoing councilmembers Janette **Adams** and Brandon **Lawrence** were given Recognition Plaque for Service by Steve R. **Brown**.

The outgoing mayor Steve R. **Brown** was given Recognition Plaque for Service by new mayor Kenneth **Ault**.

NOMINATION AND SELECTION OF CITY COUNCIL PRESIDENT **Ault** called for the nomination of the City Council President. **Smail** nominated Matt **McAllister**. MOTION: by **Wilson**. second by **Hoffman**. All voted aye, motioned carried.

MODIFICATION OF AGENDA None

BUSINESS FROM THE FLOOR None

CONSENT AGENDA MOTION: by Wilson, second by McAllister. All voted aye, motion carried

OLD BUSINESS

1. Update to Wellness Center Status – **Ault** stated he and Erik King, Eric Allen and Dennis White did a walk through and made a punch list. Erik King passed out punch lists, some code violations still need to be fixed: Drip pans under hot water tank and drain lines coming out of them, lights/buzzer on fire door, emergency exit light in the fitness center does not work, and copper pipes from hot water heater are not supported and rat tray not on. Tom Arpin and Mr Harman will be here Wednesday 10am to go over punch list and code violations. Cosmetic issues on building not completed yet. **McAllister** wanted to know what building code they are basing their code on. **Ault** discussed about smoke alarms and carbon dioxide alarms. **Hoffman** brought up the elevation on the west side for it to drain correctly. **Ault** also brought up the issue of the concrete on the corner. **Hoffman** brought up the need for a fire exit door on south side of building. **Hoffman** brought up that there is water coming in by the back door if it is not fixed. **Ault** discussion on time to add \$250 penalty a day as discussed in previous council meeting for the date of completion not being met. We've ate a lot in change orders, we've done everything we could as a city to make this an easy process for them and they just aren't getting it done. **McAllister** did we have a discussion at the last meeting regarding the penalties that we were going to go ahead move forward with – that they already had an extension. **Ault** as far as I recall we were going to enact the penalties but we never had the vote because we were going to give them the benefit of doubt. **McAllister** one of the issues brought up if we were asking to add outlets that is beyond the scope of what was there, and cannot enact a penalty of that but if it's a matter of doing the job was scoped out and bid and up to code then we should be enacting them.

2. Rose Mary Saunders, Municipal Consultant, Ranson Financial Group - It was discussed we need to charge the \$250 liquidated damages; we need to check the minutes. What I also will suggest to city council members, On the punch list done on Dec 20th an extensive walk through was done – some are done, some have not. Final grating supposed to be done around the building do drainage could still flow the way it supposed to. I'm not giving them any +/- on that. They had plans and were to build it the way it was designed and that is what they signed in the contract. We did a walk-through Dec 23rd certificate of substantial completion was sent through the city. However, one of the things we talked about at 12/20 meeting was the city would not sign the certificate until the punch list was totally complete. Plus, all payrolls that I gave list to the contractor that day are corrected and submitted to our office and checked. I have not received those as of today, I received an email @ 330pm today saying they mailed it. From Kechi to our office is 5 miles, I can't believe someone couldn't of got in a car and drove it to us. But it seems it is not important to them. There is a pay estimate for tonight. I would recommend to city council is if you decide to approve it that it is contingent upon all paperwork being submitted to our office as requested and checked prior to that. To give you an idea the pay estimate on paper in packet \$41,800.86 for Application #12 to Harman / Huffman Construction. The reason I made the recommendation, it is one way for the city to hold the contractor to the fire – if you don't pay them until work is done as requested then it keeps them from saying we can do that, we can do that. Punch list from Dec 20th like I said some has been done, some has not. Project was originally supposed to be completed end of September in time for fall festival, Some of it is cosmetic. Recommended not sign substantial completion until it is done, up to city council for signature. Need to closeout contract by Feb 28th, 2022. Rain days determine by BG construction. Discussion on rain days. 3 walk throughs to date. Discussion on status of interior of building. MOTION by **Wilson**, to assess

damages at a charge of \$250 a day for excess days starting December 4th until present. Second by **McAllister**. All voted aye. Motion carried. Pay estimate App #12 discussion in the amount of \$41,800.86. Have not received PR corrections yet, pay estimate due tonight, should be contingent on all paper work being submitted, checked and punch list completed. Recommended not signing completion. MOTION by **Wilson**, to table paying Application #12 until receive certificate of completion. Seconded by **Smail**. All voted aye. Motion carried.

3. CDBG signatures - Rose Mary Saunders presented new authorization signature form for project to include Mayor **Ault**, Dina Willis, Shalie Byers and new council president. **Ault** stated that **McAllister** be added to it and the bank signature pages. Rose Mary had page signed by **Ault**, **McAllister** and Dina Willis. Form gave to Dina to get signature of Shalie Byers.

4. **Ault** discussed the 1-year moratorium and the drop-dead date as stated in the contract to bring to bonding company. **Ault** addressed the library board members present stating that this is being done to move the project forward and get the library moved in. Punch list discussed from Library member Monica Rupp who added some requests to the punch list.

NEW BUSINESS

1. Executive session to discuss non-elected personnel – MOTION by **McAllister**, council to withdraw to back room for a time of 15 minutes from 7:06pm to 7:21pm. Seconded by **Smail**. All voted aye. Motioned carried. Council exited to back room. Council returned at 7:21pm general meeting called back to order by **Ault**. No decisions were made. MOTION by **McAllister** for 2nd executive session for a time of 10 minutes from 7:23pm to 7:33pm. Seconded by **Wilson**. All voted aye. Motioned carried. Council exited to back room. Council returned to general meeting at 7:33pm and called back to order by **Ault**.
2. **Ault** stated that PD Captain Mike Kennedy's last day was January 16, 2022. He has had a 20+ year career in the PD. Candidates were interview by **Ault**, **McAllister** and Erik King. MOTION: by **Hoffman**, to hire Jessica Floyd as new Captain for Udall PD. Seconded by **Wilson**. All voted aye. Motion carried. **Ault** called Kendra Boyer to the podium to discuss the position. MOTION by **Wilson**, to hire Kendra Boyer as full-time 3rd shift PD officer at the rate of \$16.50 an hour. Seconded by **McAllister**. Kendra Boyer accepted position. **Wilson** brought up pay rate for Jessica Floyd of \$17. Dina Willis brought up Jessica name change to Crelly. AMENDED MOTION by **Wilson**, to hire Jessica Crelly at the rate of \$17 an hour as new Captain for Udall PD. Seconded by **McAllister**. All voted aye. Motion carried.
3. Resolutions
 - a. #340 Office Depositories for the City of Udall – MOTION by **Wilson**, seconded by **Smail**. All voted aye. Motion carried.
 - b. #341 Exempt form Fixed Asset Accounting – MOTION by **Hoffman**, seconded by **McAllister**. All voted aye. Motion carried.
 - c. #342 Designation of Official City paper - MOTION by **McAllister**, seconded by **Wilson**. All voted aye. Motion carried.
 - d. #343 Issuance, Sale and Delivery of G.O. Temp Notes Series 2022 – Striken from vote Not Applicable
4. Approval of Kelsie Addington as new library board member – MOTION by to approve Kelsie Addington to the library board for a term of 4 years. Seconded by **Smail**. All vote aye. Motion carried.

COUNCIL MEMBERS REPORTS

McAllister – someone backed into pole at the lake, school zones don't match – one goes on Saturdays

Wilson - None

Smail - None

Hoffman - Appointment of new council member – ask for apps and advertise. Due back before work session in February. Due February 7, 2022.

Ault - open up applications for 5th council member making them due a few day before work session. Council member apps due Monday 2/7/22 before work session 2/9/22. Will have candidates talk to us at work session.

Ault - Department assignments for council members will be at the next meeting on 2/14/22.

STAFF REPORTS

Erik King - None

Eric Allen - Bids for repairing plumbing line at City building, Wichita excavation \$4800 and Padgett Excavation \$7960 for same thing. MOTION by **Wilson**, to go with Wichita excavation to repair line. Seconded **McAllister**. All voted aye. Motion carried.

Eric Allen – JF Electric bid for 3rd and Blankenship project of \$11,908. MOTION by **Wilson**, seconded by **McAllister**. All voted aye. Motion carried.

Ault announced there would be an employee meeting 1/11/22 at lunch. Lunch will be provided.

ADJOURN MOTION by **Hoffman**, seconded by **Wilson**. All voted aye. Motion carried.