

City of Caney Workshop

Monday, April 24t, 2023 at 6:30 p.m.

1. Topic 1: Chicken Ordinance

Presented by City Clerk, Amber Dean

1. We have had several citizen calls asking about a status update on the Chicken Ordinance. Paul has reviewed and revised the ordinance presented, and it is approved by him.

2. Topic 2: Substance Abuse Policy

Presented by City Clerk, Amber Dean

1. Paul Kritz is currently reviewing and updated the Substance Abuse Policy to make things clearer. Once he has completed the policy. I will bring it to Council for review.
2. Our Incode Software does have a feature that will randomly select the employee who is getting tested.

3. Topic 3: Waste Connection's Contract

Presented by City Clerk, Amber Dean

- a. Waste Connections just completed a Poly-cart Audit. We had 47 accounts not being billed for 2 poly-carts. This has been corrected.
- b. Waste Connections is going to complete a Dumpster Audit next
- c. Our contract with Waste Connections expires on 12/1/2023. We must send a notice of non-renewal beginning of July, if not then the Contract will automatically renew for 5 years. Do we want to go out for bids?

4. Topic 4: General Updates on Council Topics

Presented by City Clerk, Amber Dean

- a. Adding Sewer Units to the Utility Bill- We are working with Incode to make the utility bills clearer. We are hoping to break out the bill to show the following items on separate lines
 - i. Water Base Fee
 - ii. Water Usage and Rate
 - iii. Sewer Base Fee
 - iv. Sewer Usage and Average Rate
 - v. Trash
 - vi. Water Protection Fee
- b. Park Swings- We order 2 baby swings, and 9 regular swings for the park. The Sign for the South Park has been installed as well as the sign for the park on Wood Street.
- c. Park Bathroom- The Public Works crew repaired the leak on Wednesday, April 19th, 2023. Public Works advised they keep the bathrooms locked to avoid vandalism. Is this something you want to continue? Or unlock them?
 - i. Public Works also removed the lattice near the park bathrooms.

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5. Topic 5: Insurance Policy Update

Presented by City Administrator, Kelley Zellner

1. Deanna Hazen with LaForge Insurance will be in attendance to go over items and answer any questions you may have.
2. See attached documents for more details

6. Topic 6: Emergency Water Line

Presented by City Administrator, Kelley Zellner

1. With the current drought condition, Caney Valley River levels and Timberhill River levels, we are going to reach out to Chautauqua 4 to run the emergency water line.

7. Topic 7: Water Conservation

Presented by City Administrator, Kelley Zellner

1. With the current drought condition, Caney Valley River levels and Timberhill River levels, we are going to need to enter into a water conservation.
2. The Mayor may have to issue a proclamation entering the City of Caney into a Water Watch later this week.
3. Which brings us to the Pool Topic? We need to discuss if we are going to open or delay the pool opening until June or July?

8. Topic 8: Water Rate

Presented by City Administrator, Kelley Zellner

1. The House Bill has passed but we are still short between \$40,000-\$50,000 in our O&M.
2. We need to consider raising the water rates to cover the shortfall.
3. Attached document shows for options for consideration.

9. Topic 9: Bulk Water

Presented by City Administrator, Kelley Zellner

1. I have spoken with Paul Kritz about increasing our Bulk Water rate. He stated that an ordinance will not need to be passed, that we can increase the Bulk Water rate to the usage rate. We would like to match the Bulk Water Rate to the usage rate, instead of the current cost of \$1.00 per 748 gallons

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 1, OF THE CODE OF THE CITY OF CANEY, KANSAS, BY AMENDING EXISTING SECTION 2-102 (KEEPING ANIMALS) AND ADDING A NEW SECTION 2-112, REGARDING THE KEEPING OF CHICKENS WITHIN THE CITY OF CANEY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CANEY, KANSAS:

SECTION 1. Section 2-102 of the Code of the City of Caney, Kansas is hereby amended to read as follows:

2-102. Keeping Animals.

Except as otherwise provided in this Article, the keeping within the city limits of any animal or fowl is hereby prohibited.

SECTION 2. Chapter 2, Article 1, of the Code of the City of Caney, Kansas is hereby amended by adding a new Section 2-112, as follows:

2-112. Chickens.

Notwithstanding any provisions of this Article to the contrary, chickens may be kept and maintained within the city limits, subject to the requirements set forth in this section. For purposes of this section 1-112:

Chicken means an individual animal of the species *Gallus gallus domesticus*;

Permittee means a person to whom a permit has been issued by the city under this section;

Hen means a female chicken; and

Rooster means a male chicken.

(a) Permit required. No person shall own, keep, or harbor a chicken within the city limits without a permit issued pursuant to this section.

(b) Locations permitted. Only persons residing in residential zoning districts shall be eligible for a permit under this section.

(c) Number allowed. A permittee shall not own, keep, or harbor more than six (6) hens, unless the permittee's dwelling is situated upon more than one (1) acre, in which case the permittee shall be allowed to own, keep, and harbor an additional three (3) hens for each full additional one (1) acre of property that is under the permittee's control and possession.

(d) Roosters prohibited. It shall be unlawful to own, keep, or harbor a rooster within the city limits.

(e) Setbacks. Coops and cages housing hens shall not be located within (1) 25'

from the door or window of any dwelling or occupied structure other than the permittee's dwelling, (2) 5' of a side or rear yard lot line, (3) a front yard, or (4) 10' of the permittee's principal dwelling.

(f) Enclosures. Hens shall be provided with a covered, predator-proof coop or cage that is well ventilated and designed to be easily accessed for cleaning. The coop or cage shall allow at least two (2) square feet of space per hen. Any coop or cage exceeding 100 square feet in size shall be considered an accessory structure as defined in the city's zoning regulations and must meet all standards outlined therein. Hens shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the permittee's property and to prevent predators from accessing the birds.

(g) Sanitation. The coop or cage, and the outdoor enclosure, must be kept in a sanitary condition and free from offensive odors. The coop or cage, and the outdoor enclosure, must be cleaned regularly to prevent the accumulation of waste.

(h) Slaughtering. No person shall engage in the outdoor slaughtering of chickens. The remnants from slaughtering shall be properly disposed of, in accordance with applicable laws.

(i) Permit applications.

(1) Each applicant seeking to obtain a permit under this section shall apply for a permit, in writing, on such form as the city clerk may prescribe, and shall pay a non-refundable fee to the city clerk in the amount of \$25.00.

(2) Each application for a permit shall be signed by the applicant, who shall be at least eighteen (18) years old, and who shall be in actual control or possession of the dwelling on the subject property. The application shall include or be accompanied by the following information:

(A) The name, address, telephone number, and date of birth of the applicant.

(B) A description of the location and size of the subject property.

(C) The number of hens the applicant proposes to keep on the subject property.

(D) A description and precise dimensions of the coop or cage and outdoor enclosure to be maintained on the subject property, along with a description or depiction of the precise location of the enclosure in relation to the property lines and adjacent properties.

(E) If the applicant proposes to keep hens in the yard of a multi-family dwelling, the applicant must include a signed statement from all owners and all tenants of the multi-family dwelling, indicating their consent to the applicant's proposal for keeping hens on the premises.

(F) Such other information as is required by this chapter or reasonably required by the city to determine the applicant's eligibility and qualifications for a permit in accordance with the criteria, standards, and qualifications set forth in this section.

(j) Issuance or denial of permit. The city clerk shall process each valid and administratively complete application for a permit within ten (10) business days. No permit shall be approved for any person ineligible pursuant to the provisions of this section. No permit shall be approved for any person who has been convicted, or who resides with any person in the subject property who has been convicted, of a crime related to maltreatment, mistreatment, neglect, or cruelty to any animal.

(k) Duration of initial permit; renewal.

(1) Any permit issued pursuant to this article shall be for a term of the remainder of the calendar year in which the permit is issued. A permit may be renewed by making timely payment of an annual renewal fee in the amount of \$25.00 to the city clerk on or before December 31 of each calendar year. If the annual renewal fee is not made during the time provided herein, the permit shall expire on December 31 and a new application shall be required.

(2) A permit issued under this section may be revoked or temporarily suspended by the city administrator, or his/her designee, for any of the following reasons:

(A) A violation of, or failure to comply with, any provision of this section or any other applicable provisions of this code; or

(B) Any fraud, misrepresentation, or false statement contained in the application for the permit.

(l) Appeal. Any person aggrieved by the city clerk's denial of an initial permit application, or a decision of the city administrator to suspend or revoke a permit, shall have the right to appeal such decision to the City Council within ten (10) days after the notice of the action or decision has been mailed to the applicant or the permittee, as applicable. An appeal to the City Council shall be taken by filing with the city clerk a written statement setting forth the grounds for the appeal. An appeal shall be considered by the City Council at a regular meeting to be held within thirty (30) days of receipt of the written appeal. The City Council may affirm, overrule, or modify the decision. Any person aggrieved by the City Council's decision on appeal may seek judicial review in the manner provided by law.

(m) Inspection. As a condition of the permit, the permittee agrees to the entry and inspection of any premises, building, enclosure, or other premises where the hens are kept or allowed to inhabit. Such inspection shall be conducted at reasonable times, with or without notice, by such city representatives designated by the city administrator as being responsible for administration of this section.

(n) Transferability. A permit issued under this section shall not be assignable or transferable under any circumstances from one person to another person.

(o) Penalty. Any person who shall be convicted of violating any provision of this section shall be punished by a fine of not more than \$500.00. Each day that a violation occurs shall constitute a separate offense and shall be punishable hereunder as a separate violation.

SECTION 4. This ordinance shall take effect and be in force from and after the publication of a summary ordinance once in the official newspaper of the City of Caney, Kansas.

Passed and approved by the governing body of the City of Caney, Kansas this ____ day of _____, 2023.

Joshua Elliott, Mayor

ATTEST:

Amber Dean, City Clerk

From: Deanna Hazen <deanna@ndb-insurance.com>
Sent: Tuesday, April 18, 2023 4:30 PM
To: Cityadmin@caney.kscoxmail.com
Cc: 'Joshua Elliott'; 'Patterson, Lori'
Subject: RE: Disposal Plant System

Kelley,

What was left today at the city hall what the renewal policy and endorsement for what changes has been approved so far. Unfortunately, even though we are still working the policy revisions the first payment is still due to keep the policy intact. The invoices were left with the policy, and I explain to Debbie that the refunded amount on the endorsement invoices can be subtracted from the down payment amounts. If there are any questions regarding the invoices, I am happy to help.

My plan was to present to the council once I had everything back from EMC. If you felt I was trying to avoid a conversation with you or the council, I apologize as that was not my intention at all. I absolutely want to work together for the good of the city.

As for the current premium, it has gone down from the initial renewal amount of \$155,704 to \$144,348 with the approved changes so far. The 2022 policy premium was \$131,495.

I am currently still working on the property reductions as each building must be reviewed by the corporate office and not just our underwriter. The chart below shows the current premium amounts.

	2023 Renewal	Revised
Commercial Property	\$74,146.00	\$65,784.00
Inland Marine	\$4,668.00	\$4,390.00
General Liability	\$7,609.00	
Business Auto	\$26,852.00	\$24,172.00
Government Crime	\$541.00	
Law Enforcement	\$5,896.00	
Umbrella	\$4,517.00	
Linebacker	\$7,699.00	
Workers Compensation	\$23,776.00	
	\$155,704.00	\$144,384.00

The changes that have been approved to date as follows:

Commercial Property:

Loc #5 – (Disposal Plan) reduce BPP to \$20,000 from \$299,535

Loc #6 – (Cemetery) reduce sign coverage to \$6,000 from \$16,672

Loc #7 – (Wark Park) update coverage on bathroom to \$57,645 from \$154,021

Loc #8 – (Water Plant) reduce BPP to \$125,000 from \$1,254,483

Loc #12 – (Fire Station) update coverage on fire barn to \$815,914 from \$1,344,26

Inland Marine:

Remove 2008 John Deere 310G Tractor

Commercial Auto:

Remove –

1989 Ford Fire Truck #1607

2004 Chevrolet Trail Blazer #7103

2010 Ford Crown Vic #8183

2010 Ford Crown Vic #0738

****Still pending and waiting for the endorsement to be issued:**

Commercial Property:

Property reductions

Inland Marine:

Lower equipment on firetrucks to \$60,000 from \$106,706

Remove Christmas Lights \$21,700

If any of you have questions, please feel free to out to me.

Thank you,

Deanna K. Hazen

NDB Insurance

410 E. Taylor

Caney, KS 67333

Ph: (620) 879-2311

Please be aware that no coverage can be bound or changed by leaving an email message.

	2022	2023 Renewal	Revised
Commercial Property	\$57,046.00	\$74,146.00	\$64,745.00
Inland Marine	\$4,305.00	\$4,668.00	\$4,390.00
General Liability	\$6,144.00	\$7,609.00	
Business Auto	\$22,532.00	\$26,852.00	\$24,172.00
Government Crime	\$541.00	\$541.00	
Law Enforcement	\$5,346.00	\$5,896.00	
Umbrella	\$4,066.00	\$4,517.00	
Linebacker	\$7,699.00	\$7,699.00	
Workers Compensation	\$23,816.00	\$23,776.00	
	\$131,495.00	\$155,704.00	\$143,345.00

Inland Marine

#	CLASS 801 EQUIPMENT - RATE .90	Manufacturer	Year	Value			
1	SALT DOG DISPENSER	SCH096C		\$1,800.00	\$17.00		
2	GENERATOR MODEL STAR 8000 WATT	HONDA		\$900.00	\$9.00		
3	35G COMPACT EXCAVATOR WITH HEAVY DUTY BUCKET	JOHN DEERE	2015	\$22,000.00	\$198.00		
4	MOWER	BAD BOY	2015	\$1,400.00	\$13.00		
5	TRACTOR W/FRONT END LOADER MDL LS525FL	KUBOTA	2016	\$9,500.00	\$86.00		
6	T4 COMPACT TRACK LOADER	BOBCAT	2016	\$29,000.00	\$261.00		
7	GENERAC SC 150 GENERATOR AND TRANSFER SWITCH			\$39,000.00	\$351.00		
8	FLATBED W/SNOW PLOWO	DODGE	2011	\$36,000.00	\$324.00		
10	BACKHOE LOADER	JOHN DEERE	2015	\$72,500.00	\$653.00		
SIGNS							
1	LIGHTED PLASTIC SIGN LOCATED AT 4TH AND MCGEE			\$5,200.00	\$11.00		
SCHEDULED PROPERTY FLOATER - RATE 1.40							
1	1 TORNADO WARNING SYSTEM (5 SIRENS)			\$13,000.00	\$182.00		
2	FOUR (4) SOLAR POWERED FLASHING SCHOOL ZONE LIGHTS @ \$3,000 EACH			\$12,000.00	\$168.00		
3	UNSCHEDULED MISC. EQUIPMENT ON FIRE TRUCKS Change requested to reduce coverage to \$60,000			\$106,706.00	\$1,494.00	\$60,000.00	\$840
4	POLICE CAR CAMERAS (6) MED-2 MARTEL DIGITAL VIDEO SYSTEMS			\$19,170.00	\$269.00		
5	VHF KENWOOD BASE REPEATERS STATIONS			\$900.00	\$13.00		
6	VHF DUPLEXTER			\$1,100.00	\$16.00		
7	CHRISTMAS DECORATIONS - LIGHTS Change requested to remove Christmas Lights			\$21,700.00	\$304.00		

Veh	Year	Make	Model	VIN	Vehicle Type	Use	Comp Ded	Coll Ded	Vehicle Premium
002	1999	FREIGHTLINER	DEMO FIRE	1FV6JLCV9XHA28999	SPECIAL TYPES		\$ 3,000	\$ 3,000	\$ 871.00
003	2004	STERLING	DUMP TRUCK	2FZACFCS24AM20528	HEAVY TRUCK	COMMERCIAL	\$ 1,000	\$ 1,000	\$ 827.00
004	2002	PONTIAC	MONTANA	1GMDX03E72D104190	PRIVATE PASSENGER				\$ 443.00
005	2003	CHEVY 1500	SILVERADO	1GCEK19T93Z221048	LIGHT TRUCK	SERVICE			\$ 482.00
006	2002	CHEVY EXTCAB	PICKUP W/	1GCHK29U22E270531	SPECIAL TYPES		\$ 1,000	\$ 1,000	\$ 670.00
008	1999	FORD	F150	1FTZX1724XNB01314	LIGHT TRUCK	SERVICE			\$ 429.00
010	2008	CHEVROLET	F250	1GCHK29K38E196558	SPECIAL TYPES		\$ 1,000	\$ 1,000	\$ 684.00
011	2008	CHEVROLET	SC1	1GCEC14J68Z223494	LIGHT TRUCK	SERVICE			\$ 487.00
012	2009	CHEVROLET	SC1	1GCEC14C59Z180591	LIGHT TRUCK	SERVICE			\$ 502.00
013	1993	FREIGHTLINER	PUMPER	1FV6JLCB5PL469166	SPECIAL TYPES		\$ 3,000	\$ 3,000	\$ 677.00
014	2006	FORD	EXPLORER	1FMEU74E36ZA07789	SPECIAL TYPES		\$ 1,000	\$ 1,000	\$ 1,137.00
015	2004	INT L KC	B009169	1HTWDADR04J026758	X-HEAVY TRUK-TRAC	COMMERCIAL	\$ 1,000	\$ 1,000	\$ 1,424.00
016	2011	DODGE	5500	3D6WU7ELXBG614380	MEDIUM TRUCK	COMMERCIAL	\$ 1,000	\$ 1,000	\$ 956.00
017	2005	CHEVROLET	AVALANCHE	3GNZEK1275G134533	LIGHT TRUCK	SERVICE			\$ 506.00
018	1987	FORD	LN8000	1FDYR82A3HVA59907	SPECIAL TYPES				\$ 589.00
019	2017	FORD	EXPLORER	1FM5K8AR1HGD06196	LIGHT TRUCK	SERVICE	\$ 1,000	\$ 1,000	\$ 1,131.00
020	2017	FORD	EXPLORER	1FM5K8ARXHGD06195	LIGHT TRUCK	SERVICE	\$ 1,000	\$ 1,000	\$ 1,131.00
021	2010	TORO	2100 ATV	0725320000023	SPECIAL TYPES				\$ 165.00
022	2007	FORD	F650SD	3FRNF65E67V424895	HEAVY TRUCK	COMMERCIAL	\$ 1,000	\$ 1,000	\$ 902.00
023	1993	GMC/CHEVY	C7H042	1GDM7H1J4PJ518549	SPECIAL TYPES		\$ 1,000	\$ 1,000	\$ 668.00
025	2020	FORD	TRANSIT CO	NM0LS7E25L1475889	SPECIAL TYPES		\$ 1,000	\$ 1,000	\$ 842.00
026	2003	CHEVROLET	1500	1GCEC14X43Z283092	LIGHT TRUCK	SERVICE			\$ 460.00
027	2011	CHEVROLET	TAHOE 1500	1GNSK2E07BR326018	LIGHT TRUCK	SERVICE	\$ 1,000	\$ 1,000	\$ 869.00
028	2016	FORD	EXPLORER	1FM5K8AR6GGC14743	LIGHT TRUCK	SERVICE	\$ 1,000	\$ 1,000	\$ 1,017.00
029	1900	DOOLITTLE	TRAILER	JDGP16229WCH1TT79	TRAILER	SERVICE	\$ 1,000	\$ 1,000	\$ 135.00
030	2021	DELCO	EQUIPMENT	5WWBC2226M6014569	TRAILER	SERVICE	\$ 1,000	\$ 1,000	\$ 183.00
031	2015	FORD	EXPLORER	1FM5K8ARXFG62113	LIGHT TRUCK	SERVICE	\$ 1,000	\$ 1,000	\$ 965.00
032	2013	CHEVROLET	TAHOE 1500	1GNLC2E06DR198598	LIGHT TRUCK	SERVICE	\$ 1,000	\$ 1,000	\$ 882.00
033	2013	CHEVROLET	TAHOE 1500	1GNLC2E09DR191726	SPECIAL TYPES		\$ 1,000	\$ 1,000	\$ 1,540.00
034	2016	CHEVROLET	TAHOE 1500	1GNLCDEC1GR358963	SPECIAL TYPES		\$ 1,000	\$ 1,000	\$ 1,405.00

Per meeting with Kelley 3-2-2023 1:00 pm

Inland Marine:

Remove 2008 John Deere 310G Tractor

Lower equipment on firetrucks to \$60,000 from \$106,706

Remove Christmas Lights \$21,700

Commercial Property:

Loc #1 – correct address to 1645 CR 1300 (Water Plant)

Loc #5 – (Disposal Plan) reduce BPP to \$20,000 from \$299,535

Remove drying beds – has since requested the drying beds not be removed

Loc #6 – (Cemetery Buildings) reduce sign coverage to \$6,000 from \$16,672

Loc #7 – (Wark Park) update coverage on bathroom to \$57,645 from \$154,021

Loc #8 – (Water Plant) reduce BPP to \$125,000 from \$1,254,483

Loc #12 – (Fire Station) update coverage on fire barn to \$815,914 from \$1,344,262

Loc #13 – (Public Works Building) update coverage on building to \$598,911 from \$978,100

*Asked to review coverages on the following. EMC is reviewing each building.

Loc #3 & 4 – lift stations

Loc #5 – Disposal Plant System

Loc #11 – City Hall

Loc #14 – City Library

Commercial Auto:

Remove –

1989 Ford Fire Truck #1607

2004 Chevrolet Trail Blazer #7103

2010 Ford Crown Vic #8183

2010 Ford Crown Vic #0738





