

City of Caney

Regular Council Meeting

August 7th, 2023 at 6:30 p.m.

Call Meeting to Order: Mayor Joshua Elliott

Roll Call

Valerie Hurd

Lori Patterson

Kenith Butts

Nathan Rains

Zachary Ellison

Debbie Wood

Aaron Elliott

Addie Traxson

Pledge of Allegiance: Mayor Joshua Elliott

Invocation: Mayor Joshua Elliott

Public Comments

Any citizen desiring to address the Council shall be recognized, advance to the podium, state his/her name and address for the record. Comments shall be limited to 3 minutes unless extended by a vote of the majority of the Council. The Council does not hear matters involving litigation or City Personnel. The Council does not take action on subjects not on the agenda unless unusual or hardship conditions exist.

Consent Agenda

Presented by Joshua Elliott, Mayor

A. Approval of the Minutes for the 7/17/23, 7/26/23, & 7/31/23 Meetings

B. Appropriations and Payroll Ord No. 07-21-2023 **\$210,164.45**

a. Approval of Purchases over \$5,000

i. EFTPS (Payroll Taxes)	\$	12,090.43
ii. Payroll (07/21/2023)	\$	55,382.96
iii. KPERS (Retirement)	\$	6,184.59
iv. Project Navigator	\$	5,407.11
v. Brenntag (Chemicals)	\$	8,419.25
vi. Blue Cross	\$	17,086.89
vii. AWG	\$	34,267.78
viii. Caney Library Tax Dist.	\$	24,392.72
ix. Waste Connections	\$	19,587.53

C. Appropriations and Payroll Ord No. 08-04-2023 **\$170,870.29**

a. Approval of Purchases over \$5,000

i. EFTPS (Payroll Taxes)	\$	13,008.45
ii. Payroll (08/04/2023)	\$	58,895.83
iii. KPERS (Retirement)	\$	6,237.58
iv. CNB (Amb Lease/vac truck lease)	\$	8,566.98
v. Visa	\$	5,109.72
vi. Evergy	\$	15,271.69
vii. AWG	\$	42,099.83
viii. R.E.P Enterprises	\$	16,634.88
ix. Strimple (Mower)	\$	5,000.00

D. Main Street Auto Payment in the Amount of \$2,717.69

Recommended Action: _____ make a motion to approve the Consent Agenda Items A-C as presented. _____ seconded the motion. Motion Carries: _____

Recommended Action: _____ make a motion to approve the Consent Agenda Items D- Main Street Auto Payment in the amount of \$2,717.69. _____ seconded the motion. Motion Carries: _____ (Council Member Elliott abstained)

City of Caney

Regular Council Meeting

August 7th, 2023 at 6:30 p.m.



New Council Business

A. 2022 Audit Presentation

Presented by Neil Phillips and Emily Franks, Jarred, Gilmore and Phillips: 2022 Audit Presentation.

Recommended Action: _____ make a motion to approve the Management Representation Letter as presented. _____ seconded the motion. Motion Carries: _____

B. Discussion on Lot at 3rd & Ridgeway

Presented by Carl Hempel

Admin Notes: Carl Hempel would like to purchase the lot at 3rd and Ridgeway

Recommended Action: _____ made a motion to approve Carl Hempel's request for the lot at 3rd and Ridgeway _____ seconded the motion. Motion Carries: _____

C. Award Maple Ave Project Bid to Horseshoe Construction

Presented by Kelley Zellner, City Administrator

Admin Notes: The bids submitted July 26, 2023 on the above referenced project have been reviewed and confirmed Horseshoe Construction, Inc of Bryan, Texas as the apparent low bidder. Horseshoe Construction has indicated that they intend to enter into a contract with the City to build the project and they appear to be capable of obtaining all necessary bonds and insurance, and performing the work specified. It is Allgeier, Martin & Assoc that the City award the construction contract to Horseshoe Construction in the amount of \$334,060.00 for the water line replacement

Recommended Action: _____ made a motion to award Horseshoe Construction the contract for Maple Avenue _____ seconded the motion. Motion Carries: _____

D. Approval of Ordinance 2023-06: Standard Traffic Ordinance

Presented by Amber Dean: Request to approve Ordinance 2023-06 as presented

Recommended Action: _____ made a motion to approve Ordinance 2023-06 as presented. _____ seconded the motion. Motion Carries: _____ **Roll Call:**

Valerie Hurd	Lori Patterson	Kenith Butts	Nathan Rains
Zachary Ellison	Debbie Wood	Aaron Elliott	Addie Traxson

E. Approval of Ordinance 2023-07: Uniform Public Offense Code

Presented by Amber Dean: Request to approve Ordinance 2023-07 as presented

Recommended Action: _____ made a motion to approve Ordinance 2023-07 as presented. _____ seconded the motion. Motion Carries: _____ **Roll Call:**

Valerie Hurd	Lori Patterson	Kenith Butts	Nathan Rains
Zachary Ellison	Debbie Wood	Aaron Elliott	Addie Traxson

City of Caney

Regular Council Meeting

August 7th, 2023 at 6:30 p.m.



F. Executive Session

To discuss confidential information relating to financial affairs pursuant to K.S.A 75-4319 b (4)

Recommended Action: _____ move to Recess into executive session to discuss data relating to financial affairs pursuant to K.S.A 75-4319 b (4) for a period of 10 minutes to include City Council, Mayor, City Administrator and Police Chief. Entering in at _____ and returning to regular session at _____.

_____ Seconded Motion. _____ Motion Carries: _____

_____ made a motion to return to regular session. _____ Seconded Motion.

_____ Motion Carries: _____

Department Comments:

1. Mayor-Joshua Elliott
2. City Administrator- Kelley Zellner
3. Police Department- Ike Dye
4. City Clerk- Amber Dean

Council Comments:

Council Member Hurd
Council Member Ellison
Council Member Patterson
Council Member Elliott
Council Member Butts
Council Member Traxson
Council Member Wood
Council Member Rains

Informational Items

Next City Council Meeting: Monday, August 21st, 2023 @ 6:30 p.m.

Adjournment

_____ Moved to adjourn the meeting at _____.

_____ Seconded Motion. Motion Carries: _____.

City of Caney

Council Meeting Minutes

Monday, July 17th, 2023 at 6:30 p.m.



Mayor Joshua Elliott called the meeting to order at 6:30 p.m.

Roll Call

Val Hurd -Present	Lori Patterson-Present
Zachary Ellison -Present	Debbie Wood-Present
Kenith Butts-Present	Aaron Elliott-Absent
Nathan Rains-Present	Addie Traxson -Present

Mayor Joshua Elliott led the Pledge of Allegiance

Mayor Joshua Elliott led the invocation

Public Comments

Chelsey Kirchner- Had questions about the tourism signage being discussed. She asked if anyone had spoken to the business owners about what they wanted? Would the signs be visible from the highway?

Elizabeth Burch- Raised concerns over 2 broken ladders at the Caney Pool

Consent Agenda

Presented by Joshua Elliott, Mayor

Council Member Patterson made a motion to approve the Consent Agenda A-B presented. Council Member Wood seconded the motion. Motion Carries: 7-0

Council Member Ellison made a motion to approve the payment for Main Street Auto in the amount of \$1,726.45 Council Member Hurd seconded the motion. Motion Carries: 7-0

New Council Business

A. Caney City Library By The Numbers Presentation

Presented by Karen Miller, Board President: 2024 Budget request.

Karen Miller presented the Library By The Numbers to go over the Caney Library Budget Request.

B. Adopt Resolution 23-10: Establishing 410 S State St as Unsafe

Council Member Patterson made a motion to approve Resolution 23-10 as presented. Council Member Wood seconded the motion. Motion Carries: 7-0

C. Adopt Resolution 23-11: Establishing 302 S Spring St as Unsafe

Council Member Patterson made a motion to approve Resolution 23-11 as presented. Council Member Wood seconded the motion. Motion Carries: 7-0

D. Adopt Resolution 23-12: Establishing 502 N Main St as Unsafe

Council Member Wood made a motion to approve Resolution 23-12 as presented. Council Member Rains seconded the motion. Motion Carries: 7-0

E. Adopt Resolution 23-13: Establishing 100 E Taylor St as Unsafe

Council Member Wood made a motion to approve Resolution 23-13 as presented. Council Member

City of Caney

Council Meeting Minutes

Monday, July 17th, 2023 at 6:30 p.m.



Hurd seconded the motion. Motion Carries: 7-0

F. EPA-Remediation update

Cody McLarty, with the EPA gave a status updated on the Remediation project for the City Of Caney. He provided contact information for Caney Citizens if they have any questions or concerns. EPA has determined that the Brick Sidewalks do not have to be removed if the owner request that they stay.

G. Set Public Hearing for the Proposed 2024 City Budget

Council Member Hurd made a motion to *Set the 2024 Budget hearing for Monday, August 21st, 2023 @ 6:30 p.m.* Council Member Traxson seconded the motion. Motion Carries 7-0

H. Tourism Signage

Council Member Patterson made a motion to approve the new downtown caney sign quote for \$1,395 using the tourism fund. Council Member Wood seconded the motion. Motion Carries 7-0

Council Member Wood made a motion to approve the Billboard sign quote for \$2,255 using the tourism fund. Council Member Patterson seconded the Motion. Motion Carries 7-0

I. Request to Approve Project Navigator Invoice

Council Member Patterson made a motion to approve the Project Navigator Invoice in the amount of \$5,407.11 as presented. Council Member Hurd seconded the motion. Motion Carries: 7-0

J. Approve 2nd Quarter Treasurer Report for Publication

Council Member Patterson made a motion to approved the 2ndQtr Treasurer Report as presented to be published. Council Member Wood seconded the motion. Motion Carries 7-0

Department Reports

1. Mayor-Joshua Elliott-Provided an update on the Mayor's Meeting and Employee Meetings.

Request to bring Facebook back with no comments

Council Member Wood made a motion to bring Facebook back, council member Hurd seconded the motion. Motion Carries 7-0

Mayor Elliott Declared Stage 1 Water Watch with Voluntary Conservation. And will escalate as needed.

Water Update- Currently under voluntary until further notice.

2. City Administrator- Kelley Zellner
 - a. Advised the Sewer Plant cannot handle extra sewage at this time. Provided an update on repairs at water plant, NRP Plan, Carol Coker Settlement
3. Police Department- Ike Dye- Announced that Jason Goza accepted the Asst. Chief Position. New signs will be posted around city hall about emergency vehicles and new school signs will be posted soon.
4. City Clerk- Amber Dean-Advised that if anyone has questions or concerns, her door is always open.

City of Caney
Council Meeting Minutes
Monday, July 17th, 2023 at 6:30 p.m.



Council/Mayor Comments:

Council Member Hurd- Concerns of a Bill from a local auto shop. Will speak with Kelley about it

Council Member Ellison- N/A

Council Member Patterson- Park Committee wants to get a quote to carve the dead tree at the park, and preservation quotes on the current wood displays.

Council Member Elliott- Absent

Council Member Butts- He had the best water pressure he has had in years.

Council Member Traxson- N/A

Council Member Wood- Received complaints on the cemetery.

Council Member Rains- N/A

Informational Items

Next City Council Meeting: Monday, August 7th, 2023 @ 6:30 p.m.

Next City Workshop-Monday August 7th, 2023 @ 5:30 p.m.

Adjournment

Council Member Patterson Moved to adjourn the meeting at 7:55 p.m. Council Member Wood Seconded the motion., Motion Carries 7-0

Joshua Elliott., Mayor

ATTEST:

Amber Dean, City Clerk

City of Caney
Special Council Meeting Minutes
Wednesday, July 26th, 2023 at 6:00 p.m.



Mayor Joshua Elliott called the meeting to order at 6:30 p.m.

Roll Call

Val Hurd -Present	Lori Patterson-Present
Zachary Ellison -Present	Debbie Wood-Present
Kenith Butts-Present	Aaron Elliott-Absent
Nathan Rains-Absent	Addie Traxson -Present

Mayor Joshua Elliott led the Pledge of Allegiance

Mayor Joshua Elliott led the invocation

New Council Business

- A. Request to approve the purchase of the MF System Module Replacement in the amount of \$121,073.79 using ARPA Funds and Fund 17**
Council Member Ellison made a motion to approve the purchase of the MF System Module Replacement in the amount of \$121,073.79 using ARPA Funds and Fund 17. Council Member Hurd seconded the motion. Motion Carries:6-0

Adjournment

Council Member Traxson Moved to adjourn the meeting at 6:06 p.m. Council Member Hurd Seconded the motion., Motion Carries 6-0

Joshua Elliott., Mayor

ATTEST:

Amber Dean, City Clerk

City of Caney
Special Council Meeting Minutes
Monday, July 31st, 2023 at 2:00 p.m.



Mayor Joshua Elliott called the meeting to order at 2:00 p.m.

Roll Call

Val Hurd -Present

Lori Patterson-Absent

Zachary Ellison -Absent

Debbie Wood-Present

Kenith Butts-Present

Aaron Elliott-Present

Nathan Rains-Absent

Addie Traxson -Present via phone

Mayor Joshua Elliott led the Pledge of Allegiance

Mayor Joshua Elliott led the invocation

New Council Business

A. Approve Resolution 23-14: Declaring a Water Emergency

Presented by Joshua Elliott, Mayor

Council Member Hurd made a motion to approve Resolution 23-14 as presented. Council Member Wood seconded the motion. Motion Carries:5-0

Adjournment

Council Member Hurd Moved to adjourn the meeting at 2:06 p.m. Council Member Wood Seconded the motion., Motion Carries 5-0

Joshua Elliott., Mayor

ATTEST:

Amber Dean, City Clerk

June 23, 2023

Jarred, Gilmore, & Phillips, PA
P.O. Box 779
Chanute, Kansas 66720

This representation letter is provided in connection with your audit of the financial statement of the City of Caney, Kansas, which comprise the aggregate cash and unencumbered cash balances of funds of the City of Caney, Kansas as of December 31, 2022, and the aggregate cash received and expenditures paid of such funds for the year then ended, taken as a whole in accordance with the financial reporting provisions of the Kansas Municipal Audit and Accounting Guide and the disclosures (collectively, the "financial statement"), for the purpose of expressing an opinion as to whether the financial statement is presented fairly, in all material respects, in accordance with the financial reporting provisions of the Kansas Municipal Audit and Accounting Guide.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, as of June 23, 2023, the following representations made to you during your audit.

Financial Statement

- 1) We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated July 26, 2022, including our responsibility for the preparation and fair presentation of the financial statement in accordance with the Kansas regulatory basis of accounting and for preparation of the supplementary information in accordance with the applicable criteria.
- 2) The financial statement referred to above is fairly presented in conformity with the Kansas regulatory basis of accounting and include all properly classified funds and other financial information of the primary government and all component units required by the Kansas regulatory basis of accounting to be included in the financial reporting entity.
- 3) We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statement that is free from material misstatement, whether due to fraud or error.
- 4) We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- 5) Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
- 6) Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with the Kansas regulatory basis of accounting.
- 7) Adjustments or disclosures have been made for all events, including instances of noncompliance, subsequent to the date of the financial statement that would require adjustment to or disclosure in the financial statement or in the schedule of findings and questioned costs.
- 8) The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed.
- 9) We are in agreement with the adjusting journal entries you have proposed, and they have been posted to the City's accounts.

- 10) Guarantees, whether written or oral, under which the City is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

- 11) We have provided you with:
- a) Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statement, such as records (including information obtained from outside of the general and subsidiary ledgers), documentation, and other matters and all audit or relevant monitoring reports, if any, received from funding sources.
 - b) Additional information that you have requested from us for the purpose of the audit.
 - c) Unrestricted access to persons within the City from whom you determined it necessary to obtain audit evidence.
 - d) Minutes of the meetings of the City Council or summaries of actions of recent meetings for which minutes have not yet been prepared.
- 12) All material transactions have been recorded in the accounting records and are reflected in the financial statement and the schedule of expenditures of federal awards.
- 13) We have disclosed to you the results of our assessment of the risk that the financial statement may be materially misstated as a result of fraud.
- 14) We have no knowledge of any fraud or suspected fraud that affects the City and involves—
- Management,
 - Employees who have significant roles in internal control, or
 - Others where the fraud could have a material effect on the financial statement.
- 15) We have no knowledge of any allegations of fraud or suspected fraud affecting the City's financial statement communicated by employees, former employees, regulators, or others.
- 16) We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or waste or abuse, whose effects should be considered when preparing the financial statement.
- 17) We are not aware of any pending or threatened litigation, claims, or assessments or unasserted claims or assessments that are required to be accrued or disclosed in the financial statement, and we have not consulted a lawyer concerning litigation, claims, or assessments.
- 18) We have disclosed to you the names of the City's related parties and all the related party relationships and transactions, including any side agreements.

Government-specific

- 19) There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
- 20) We have identified to you any previous audits, attestation engagements, and other studies related to the objectives of the audit and whether related recommendations have been implemented.
- 21) The City has no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or unencumbered cash.
- 22) We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.

- 23) We have identified and disclosed to you all instances of identified and suspected fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we believe have a material effect on the financial statement.
- 24) There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statement, or as a basis for recording a loss contingency, or for reporting on noncompliance.
- 25) As part of your audit, you assisted with preparation of the financial statement, disclosures, and the schedule of expenditures of federal awards. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed, approved, and accepted responsibility for those financial statement, disclosures, and schedule of expenditures of federal awards.
- 26) The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- 27) The City has complied with all aspects of contractual agreements that would have a material effect on the financial statement in the event of noncompliance.
- 28) The financial statement properly classifies all funds and activities.
- 29) Expenditures have been appropriately classified in or allocated to functions and programs in the financial statement, and allocations have been made on a reasonable basis.
- 30) Receipts are appropriately classified in the financial statement in accordance with the financial reporting provisions of the Kansas Municipal Audit and Accounting Guide.
- 31) Deposits and investment securities and derivative instruments are properly classified as to risk and are properly disclosed.
- 32) With respect to the Summary of Expenditures - Actual and Budget (Budgeted Funds Only) – Regulatory Basis, Schedules of Receipts and Expenditures - Actual and Budget – Regulatory Basis for each individual fund, and the Schedule of Receipts and Disbursements – Agency Funds – Regulatory Basis:
 - a) We acknowledge our responsibility for presenting the Summary of Expenditures - Actual and Budget (Budgeted Funds Only) – Regulatory Basis, Schedules of Receipts and Expenditures - Actual and Budget – Regulatory Basis for each individual fund, and the Schedule of Receipts and Disbursements – Agency Funds – Regulatory Basis, in accordance with the Kansas Municipal Audit and Accounting Guide, and we believe the Summary of Expenditures - Actual and Budget (Budgeted Funds Only) – Regulatory Basis, Schedules of Receipts and Expenditures - Actual and Budget – Regulatory Basis for each individual fund, and the Schedule of Receipts and Disbursements – Agency Funds – Regulatory Basis, including its form and content, is fairly presented in accordance with the Kansas Municipal Audit and Accounting Guide. The methods of measurement and presentation of the Summary of Expenditures - Actual and Budget (Budgeted Funds Only) – Regulatory Basis, Schedules of Receipts and Expenditures - Actual and Budget – Regulatory Basis for each individual fund, and the Schedule of Receipts and Disbursements – Agency Funds – Regulatory Basis have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
 - b) If the Summary of Expenditures - Actual and Budget (Budgeted Funds Only) – Regulatory Basis, Schedules of Receipts and Expenditures - Actual and Budget – Regulatory Basis for each individual fund, and the Schedule of Receipts and Disbursements – Agency Funds – Regulatory Basis, is not presented with the audited financial statement, we will make the audited financial statement readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditor's report thereon.

33) With respect to federal award programs:

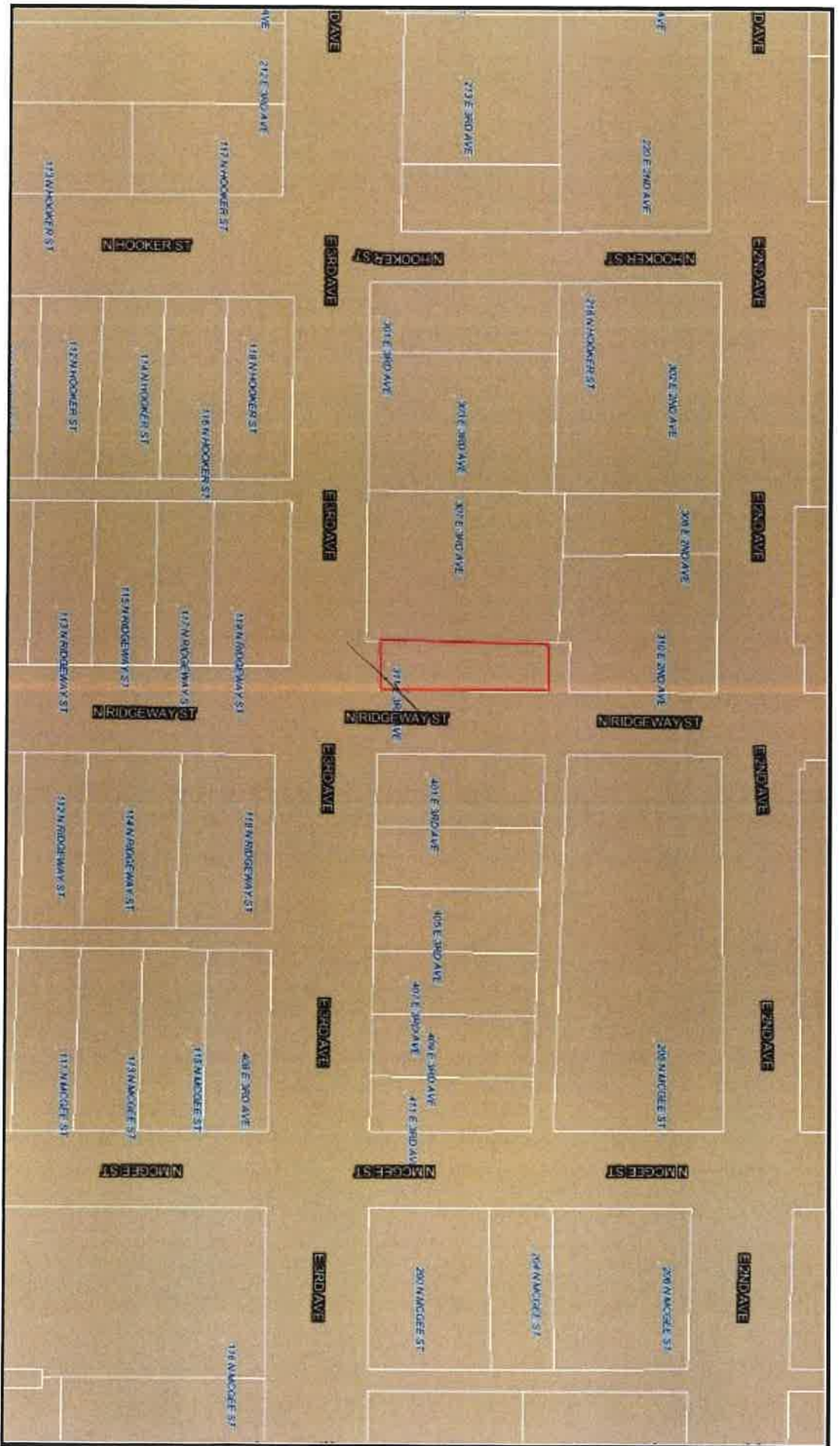
- a) We are responsible for understanding and complying with and have complied with, the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), including requirements relating to preparation of the schedule of expenditures of federal awards.
- b) We acknowledge our responsibility for preparing and presenting the schedule of expenditures of federal awards (SEFA) and related disclosures in accordance with the requirements of the Uniform Guidance, and we believe the SEFA, including its form and content, is fairly presented in accordance with the Uniform Guidance. The methods of measurement or presentation of the SEFA have not changed from those used in the prior period and we have disclosed to you any significant assumptions and interpretations underlying the measurement or presentation of the SEFA.
- c) If the SEFA is not presented with the audited financial statement, we will make the audited financial statement readily available to the intended users of the SEFA no later than the date we issue the SEFA and the auditor's report thereon.
- d) We have identified and disclosed to you all of our government programs and related activities subject to the Uniform Guidance compliance audit, and have included in the SEFA, expenditures made during the audit period for all awards provided by federal agencies in the form of federal awards, federal cost-reimbursement contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, and other direct assistance.
- e) We are responsible for understanding and complying with, and have complied with, the requirements of federal statutes, regulations, and the terms and conditions of federal awards related to each of our federal programs and have identified and disclosed to you the requirements of federal statutes, regulations, and the terms and conditions of federal awards that are considered to have a direct and material effect on each major program.
- f) We are responsible for establishing, designing, implementing, and maintaining, and have established, designed, implemented, and maintained, effective internal control over compliance for federal programs that provides reasonable assurance that we are managing our federal awards in compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a material effect on our federal programs. We believe the internal control system is adequate and is functioning as intended.
- g) We have made available to you all federal awards (including amendments, if any) and any other correspondence with federal agencies or pass-through entities relevant to federal programs and related activities.
- h) We have received no requests from a federal agency to audit one or more specific programs as a major program.
- i) We have complied with the direct and material compliance requirements (except for noncompliance disclosed to you), including when applicable, those set forth in the *OMB Compliance Supplement* (including its Addendum), relating to federal awards and confirm that there were no amounts questioned and no known noncompliance with the direct and material compliance requirements of federal awards.
- j) We have disclosed any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditor's report.
- k) We have disclosed to you the findings received and related corrective actions taken for previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit, including findings received and corrective actions taken from the end of the period covered by the compliance audit to the date of the auditor's report.

- l) Amounts claimed or used for matching were determined in accordance with relevant guidelines in OMB's Uniform Guidance (2 CFR part 200, subpart E).
- m) We have disclosed to you our interpretation of compliance requirements that may have varying interpretations.
- n) We have made available to you all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.
- o) We have disclosed to you the nature of any subsequent events that provide additional evidence about conditions that existed at the end of the reporting period affecting noncompliance during the reporting period.
- p) There are no such known instances of noncompliance with direct and material compliance requirements that occurred subsequent to the period covered by the auditor's report.
- q) No changes have been made in internal control over compliance or other factors that might significantly affect internal control, including any corrective action we have taken regarding significant deficiencies or material weaknesses in internal control over compliance, subsequent to the period covered by the auditor's report.
- r) Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the financial statement has been prepared.
- s) The copies of federal program financial reports provided you are true copies of the reports submitted, or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.
- t) We have charged costs to federal awards in accordance with applicable cost principles.
- u) We are responsible for and have accurately prepared the summary schedule of prior audit findings to include all findings required to be included by the Uniform Guidance, and we have provided you with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.
- v) We are responsible for and have ensured the reporting package does not contain protected personally identifiable information.
- w) We are responsible for and have accurately prepared the auditee section of the Data Collection Form as required by the Uniform Guidance.

Signature: _____
Title: Mayor

Signature: _____
Title: City Clerk

Signature: _____
Title: City Administrator



N ↑

7/19/2023

Property Details for PID: 0632511204022007000

Shareable link to Property Information : <https://www.kansasgis.org/orka/permalinkprop.cfm?parcelid=0632511204022007000>

Shareable link to Map: <https://www.kansasgis.org/orka/permalink.cfm?parcelid=0632511204022007000>

QuickRef ID : R22491

Owner Name : CANEY, CITY OF

Location: 311 E 3RD AVE, Caney, KS 67333

Abbreviated Boundary Description: TRUSKETT ADD, S12, T35, R13, BLOCK 2, Lot 2; Lot Width: 131.5 Lot Depth: 050.0

Owner Information:

Owner CANEY, CITY OF

Mailing Address PO BOX 129 CANEY, KS 67333

Property Information:

Type Vacant

Status Active

Taxing Unit 103 CANEY CITY

Neighborhood Code 103.F

No Secondary Address Details found

Market Land Details:

Actual Width:	0
Eff. Width	0
Eff. Depth	0
Acres	0
Square Feet	5,183

No Permit Details found

Deed Book Page Details

Book	Page
586	407

Additional Deed Book Page Details

Deed Book/Page 586 /407 500 /354 489 /119 349 /384

Value Details

	Year	2023
Current Final Value (Vacant)	Land	\$3,050.00
	Building	\$0.00
	Total	\$3,050.00

No Dwelling Details found

No Manufactured Home Details found

No Additional Dwelling Details found

No Other Improvements found

No Commercial Building Details found

No Commercial Building Section Details found

No Ag Land Details found

No Ag Building Details found

18. Sanitary landfills.
19. Seasonal or temporary uses such as recreational or church related camps or similar enterprises.
20. Storage of anhydrous ammonia or propane tanks.

C. Lot Size Requirements.

1. Minimum lot area and width:

(a) Single-family detached dwellings:

(1) 10,000 square feet where both a public water and sewer system is available on a minimum width of 70 feet, or

(2) 20,000 square feet where a public water supply is available, but an on-site sewage disposal system is used with a 100-foot width, or

(3) 40,000 square feet if both an on-site water supply and sewage disposal system is to be used with a 140-foot width.

(b) All other permitted uses: 10,000 square feet with a 90-foot lot width.

2. Minimum lot depth: 100 feet.

D. Bulk Regulations.

1. Maximum structure height: 35 feet for residential dwellings; all others not restricted.

2. Yard requirements:

(a) Minimum front yard: 25 feet on all sides abutting a street.

(b) Minimum side yards:

(1) Single-family: 8 feet on each side of the lot.

(2) All other permitted uses: 15 feet on each side of the lot.

(c) Minimum rear yard: 25 feet.

3. Maximum lot coverage: 30 percent.

102 R-1 Residential District. This district is designed for a medium density mixture of dwelling types and to allow certain public facilities. It is intended that no uses be permitted in this district that will tend to interfere with the health, safety, order or general welfare of persons residing in the district or to devalue property for residential purposes. Regulations are intended to control density of population and to provide adequate open space around buildings and structures to accomplish these purposes.

A. Permitted Uses.

1. Agriculture as defined by Article 2.
2. Single and two-family dwellings; and modular and mobile homes as defined and permitted by Section 4-104.
3. Parks and playgrounds and community buildings owned by a public agency.
4. Public and private schools: primary, intermediate and secondary.
5. Churches, chapels, temples and synagogues.
6. Golf courses, for daytime use only, but not including accessory club houses or golf driving ranges, pitch and putt or miniature golf courses.

B. Special Uses.

1. Day care centers.
2. Swimming clubs, tennis clubs, and clubhouses accessory to golf courses.
3. Public buildings erected or land used by any agency of the City, County, State or Federal government.
4. Public utility uses as follows: electric and telephone substations and distribution centers; gas regulator stations; pumping stations; and water towers and standpipes.

C. Lot Size Requirements. (Served by public water and sewer systems.)

1. Minimum lot area:

- (a) Single-family dwellings: 6,800 square feet. *7,000/6,000 plus*
- (b) Two-family dwellings: 9,000 square feet. *10,000*
- (c) Mobile and modular homes: (See Section 4-104.)
- (d) All other permitted uses: 10,000 square feet.

2. Minimum lot width:

- (a) Single-family dwellings: 60 feet. *70*
- (b) Two-family dwellings: 70 feet.
- (c) Mobile and modular homes: (See Section 4-104.)
- (d) All other permitted uses: 90 feet.

3. Minimum lot depth: 90 feet. *100*

CITY ATTORNEY:
ADDRESS:
PH#:

AGREEMENT

THIS AGREEMENT is entered into on this ___ day of _____, 2023, between THE CITY OF CANEY, KANSAS, hereinafter referred to as "City", _____, hereinafter referred to as "Company" for the price \$ _____.

WHEREAS, City Council of the City of Caney is in favor of vacant buildings within the city limits being restored for use and occupancy.

And, Whereas, Company is desiring of restoring the building located at _____, and remodeling the building into a livable housing facility.

Wherefor, the parties agree as follows:

1. Company will have access to the building for a period of one year from this date and any extension hereof.
2. Company will restore and convert the building as outline above to meet the City of Caney's Code, Chapter 8, Article 9. "Minimum Housing Code", Sec. 8-901 through Sec. 8-919.
3. This process shall be substantially complete within 12 months from this date. Company may petition the City of Caney for an extension of time for substantial completion. The City's decision to extend will be based at least in part on efforts previously expended by Company to complete the project.

STATE OF KANSAS)
 : SS.
COUNTY OF WILSON)

BE IT REMEMBERED, That on this __ day of _____, 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid came _____, Mayor, and _____, City Clerk, of the CITY OF CANEY, KANSAS, an incorporated city of the second class, who are personally known to me to be such officers, and who are personally known to be the same persons who executed, as such officers, the within instrument of writing on behalf of said city, and such persons duly acknowledged the execution of the same to be the act and deed of said city.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my seal the day and year last above mentioned.

Notary Public

My Appointment
Expires:

(SEAL)

STATE OF KANSAS)
 : SS.
COUNTY OF MONTGOMERY)

BE IT REMEMBERED, That on this __ day of _____, 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid came _____, who is personally known to me to as the __purchaser__, who is personally known to me to be the same person who executed, as an instrument of writing on behalf of themselves, and such person duly acknowledged the execution of the same to be the act and deed of said person.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my seal the day and year last

above mentioned.

Notary
Public

My Appointment Expires:

(SEAL)

NOTICE OF AWARD 00501

TO: Horseshoe Construction, Inc.
853 Innovation Drive
Bryan, TX 77808

PROJECT Description: Maple Ave (CR 1450) Water Line Replacement.

The OWNER has considered the BID submitted by you on Wednesday, July 26, 2023, for the above-described WORK in response to its Invitation to Bid and Information for Bidders.

You are hereby notified that your BID has been accepted in the total amount of Three Hundred Thirty-Four Thousand Sixty and 00/100 DOLLARS (\$334,060.00).

You are required by the Information for Bidders to execute the Agreement and furnish the required certificates of insurance within fourteen (14) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said certificate of insurance within fourteen (14) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this _____ day of _____, 2023.

City of Caney, Kansas

By _____

Title _____

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged

Contractor _____

this the _____ day of _____, 20____

By _____

Title _____



August 4, 2023

Mr. Kelley R. Zellner, CPA
City Administrator
City of Caney, Kansas
100 W. 4th St.
Caney, KS 67333

Re: Maple Ave (CR 1450) Water Line Replacement

Dear Mr. Zellner:

The bids submitted July 26, 2023 on the above referenced project have been reviewed and confirmed Horseshoe Construction, Inc of Bryan, Texas as the apparent low bidder. Horseshoe Construction has indicated that they intend to enter into a contract with the City to build the project and they appear to be capable of obtaining all necessary bonds and insurance, and performing the work specified.

It is our recommendation that the City award the construction contract to Horseshoe Construction in the amount of \$334,060.00 for the water line replacement. A tabulation of bids and copies of the proposed Notice of Award for the work have been included for your review and use. If the City concurs with this recommendation, please fully execute and return a copy of the Notice of Award to this office.

Once the partially executed Notice of Award document is received back by our office, we will submit Contract Documents to the Contractor for execution and schedule a project preconstruction conference.

Sincerely,

ALLGEIER, MARTIN and ASSOCIATES, INC.

John Briggs, P.E.
Vice President

Enclosures



ALLGEIER, MARTIN and ASSOCIATES, INC.
Consulting Engineers

7231 E. 24th Street | Joplin, MO 64804 | 417.680.7200

Branch Offices: Kansas City, Rolla, Springfield, Bentonville and Tulsa

Tabulation of Bids

Project: Maple Ave. (CR 1450) Water Line Replacement

Location: Caney, KS


Bid Date: 7/26/2023 10:00

Engineers: John Briggs, P.E., Vice President

BASE BID				Horseshoe Construction, Inc.		Goins Enterprises, Inc.		Tri-Star Utilities, Inc.	
				Bryan, TX		Joplin, MO		Independence, KS	
Item No.	Description	Quantity	Unit	Unit Price	Extended Total	Unit Price	Extended Total	Unit Price	Extended Total
1	12" Diameter HDPE Water Line, Including Trenching, Bedding, Backfilling, Tracer Wire, Fittings, Trench Blocks, Etc., Complete & In-Place, per Plans & Specifications	92	LF	\$ 300.00	\$ 27,600.00	\$ 200.00	\$ 18,400.00	\$ 250.00	\$ 23,000.00
2	Pipe Bursting Of An Existing 12" Diameter D.I. Pipe With a 12" Diameter HDPE Water Line, Complete & In-Place, per Plans & Specifications	640	LF	\$ 330.00	\$ 211,200.00	\$ 200.00	\$ 128,000.00	\$ 300.00	\$ 192,000.00
3	Connection to Existing 12" Diameter Water Line (Sta. 0+00 and Sta. 7+32), Complete & In-Place, per Plans & Specifications	2	EA	\$ 3,500.00	\$ 7,000.00	\$ 8,000.00	\$ 16,000.00	\$ 15,000.00	\$ 30,000.00
4	Flushing, Pressure and Leak Testing, and Disinfection of 12" Diameter Water Lines, Complete	732	LF	\$ 5.00	\$ 3,660.00	\$ 10.00	\$ 7,320.00	\$ 20.00	\$ 14,640.00
5	1" Diameter Service Connection, Including All Fittings, Couplings, Adaptors, Service Saddle, Corp. Stop, Connection to Existing Service Line, Etc., Complete & In-Place, per Plans & Specifications	2	EA	\$ 3,500.00	\$ 7,000.00	\$ 3,500.00	\$ 7,000.00	\$ 2,500.00	\$ 5,000.00
6	1" Diameter Service Line, Including Fittings, Couplings, Etc., Complete & In-Place, per Plans & Specifications	41	LF	\$ 100.00	\$ 4,100.00	\$ 35.00	\$ 1,435.00	\$ 100.00	\$ 4,100.00
7	Installation of Temporary Water Line, Including Flushing and Disinfecting, Temporary Connection to Two Existing Water Service Lines, and All Incidentals, Complete & In-Place, per Plans & Specifications	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 83,000.00	\$ 83,000.00	\$ 90,000.00	\$ 90,000.00
8	12" M.J. Gate Valve & Valve Box, Complete & In-Place for Temporary Water Line, per Plans & Specifications	1	EA	\$ 9,000.00	\$ 9,000.00	\$ 6,500.00	\$ 6,500.00	\$ 6,000.00	\$ 6,000.00
9	12" x 12" Tapping Sleeve With 12" Tapping Gate Valve & Valve Box, Complete & In-Place for Temporary Water Line, per Plans & Specifications	1	EA	\$ 9,000.00	\$ 9,000.00	\$ 8,500.00	\$ 8,500.00	\$ 25,000.00	\$ 25,000.00

10	Crushed Stone Pavement Replacement, Complete & In-Place per Plans & Specifications	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 2,000.00	\$ 2,000.00	\$ 8,000.00	\$ 8,000.00
11	Type A Surface Restoration, Including Finish Grading, Topsoil, Seeding, Mulching, Watering, Etc. Complete & In-Place, Per Plans and Specifications	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 15,000.00	\$ 15,000.00	\$ 10,000.00	\$ 10,000.00
12	Mobilization, Bonding, Insurance, and All Other Work Required For a Complete and Functioning Water System, per Plans & Specifications	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
TOTAL BASE BID AMOUNT				\$ 334,060.00		\$ 343,155.00		\$ 457,740.00	

This is to certify that at 10:00 am on July 26, 2023 at Caney City Hall, Caney, KS, the bids were publicly opened, read aloud, checked, and the above totals are correct as to the additions.

By  _____
 John Briggs, P.E.
 Vice President

ORDINANCE NO.

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CANEY, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2023; PROVIDING CERTAIN PENALTIES; AMENDING CHAPTER XIV, ARTICLE I, SECTION 14-101 OF THE CODE OF THE CITY OF CANEY; AND REPEALING ORDINANCE NO. 2166 AND ANY AND ALL CONFLICTING ORDINANCES OR PARTS THEREOF.

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

SECTION 1. INCORPORATING STANDARD TRAFFIC ORDINANCE.

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Caney, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2023, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than one (1) copy of the Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 2023-06", and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of the Standard Traffic Ordinance similarly marked, as may be deemed expedient.

SECTION 2. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118, as amended.

(b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (a) of this section, shall be considered traffic offenses.

SECTION 3. PENALTY FOR SCHEDULED FINES.

The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$10.00 not more than \$2,500.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$2,500.00.

SECTION 4. AMENDING CHAPTER XIV, ARTICLE 1, SECTION 14-301.
Chapter XIV, Article 1, Section 14-301 of the Code of Ordinances is hereby amended to read as follows:

Sec. 14-301. Incorporation by reference of standard traffic ordinance.

There is hereby incorporated by reference, as provided by law, for the purpose of establishing rules and regulations governing traffic within the City of Caney, the Standard Traffic Ordinance for Kansas Cities, 2023 Edition, recommended by the League of Kansas Municipalities, Topeka, Kansas. The provisions of said standard traffic ordinance shall be controlling with respect to all subjects and matters therein contained with the City of Caney, and further supplemented by this Chapter.

SECTION 5. REPEAL.

Ordinance No. 2166 and any and all conflicting ordinances or parts thereof are hereby repealed.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect and be in force from and after its publication, as provided by law.

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

Approved and signed by the Mayor this ____ day of _____, 2023.

Signed: _____
Josh Elliott, Mayor

ATTEST:

Amber Dean, City Clerk

ORDINANCE NO.
2023-07

AN ORDINANCE INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," EDITION OF 2023; PROVIDING CERTAIN PENALTIES; AND REPEALING ORDINANCE NO. 2188, AND ANY OTHER CONFLICTING ORDINANCES OR PARTS THEREOF.

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

SECTION I: There is hereby incorporated by reference for the purpose of providing a comprehensive public offense code within the corporate limits of the City of Caney, Kansas, that certain uniform public offense code known as the "Uniform Public Offense Code for Kansas Cities," Edition of 2023, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than one (1) copy of the Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 2023-07" and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of the Uniform Public Offense Code similarly marked, as may be deemed expedient.

SECTION 2. That Ordinance No. 2188 and any other conflicting ordinances or parts thereof are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its publication, as provided by law.

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

Approved and signed by the Mayor this _ day of _____, 2023.

Signed: _____
Josh Elliott, Mayor

ATTEST:

Amber Dean, City Clerk