

City of Caney

Regular Council Meeting

June 5th, 2023 at 6:30 p.m.

Call Meeting to Order: Mayor Joshua Elliott

Roll Call

Valerie Hurd	Lori Patterson
Zachary Ellison	Debbie Wood
Kenith Butts	Aaron Elliott
Nathan Rains	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 May 15th, 2023 Meeting
- B. Appropriations and Payroll Ord No. 05-26-2023 **\$161,629.17**
 - a. Approval of Purchases over \$5,000
 - i. EFTPS (Payroll Taxes) \$ 10,670.36
 - ii. Payroll (05/26/2023) \$ 47,918.89
 - iii. KPERS (Retirement) \$ 6,120.26
 - iv. Blue Cross Blue Shield \$ 17,672.07
 - v. Associated Wholesale \$ 39,926.38

Recommended Action: _____ make a motion to approve the Consent Agenda presented. _____ seconded the motion. Motion Carries: _____

- C. Approve Main Street Auto and Tire payment of \$1,324.25

Recommended Action: _____ make a motion to approve the payment for Main Street Auto in the amount of \$1,324.25 _____ seconded the motion.
Motion Carries: _____

Old Business

City of Caney

Regular Council Meeting

June 5th, 2023 at 6:30 p.m.

A. Approval of Ordinance 2023-04: Regarding the Keeping of Chickens

Presented by Amber Dean, City Clerk: Request to approve Ordinance 2023-04 as presented

Admin Notes: We discuss the Ordinance 2023-04 at the 4/24/23 workshop. The permit fee has been lowered to \$5.00 per year as requested. This ordinance will allow property owners to have 8 chickens, no roosters.

Roll Call Vote

Lori Patterson
Debbie Wood
Addie Traxson

Aaron Elliott
Kenith Butts
Nathan Rains

Valerie Hurd
Zach Ellison

Recommended Action: _____ make a motion to approve to approve Ordinance 2023-04 as presented. _____ seconded the motion. Motion Carries: _____

New Council Business

A. Request to approve new uniforms and vest for the Police Department

Presented by Ike Dye, Chief of Police: Request to approve the purchase of new uniforms and vest for the Police Department in the amount of \$13,465.35

Admin Notes: The Police Department is moving toward different uniforms and Bullet Proof Vest. This option will save the department in the long run when it comes to new hires, etc. The Police Department has applied for the BVP Grant to assists in offsetting some of the cost, but they are requesting approval to move forward with the purchase.

Recommended Action: _____ make a motion to approve the purchase of Uniforms and Vest in the amount of \$13,465.35. _____ seconded the motion. Motion Carries: _____

B. Accept Bid for Hay Production of City Properties

Presented by Kelley Zellner, City Administrator: Accept Bid for Hay Production on several properties (2-Industrial park acreages and south McGee acreage if applicable).

Recommended Action: _____ make a motion to accept bid for Hay Production from _____. _____ seconded the motion. Motion Carries: _____

C. Proposed Resolution No. 23-06: Fixing A Time and Place for Hearing and Providing for Notice Upon the Statement of The Enforcing Officer of Said City That the Structure Located At 410 S. State, Caney Ks Is Unsafe or Dangerous

Presented by Kelley Zellner, City Administrator: Request to adopt resolution No 23-06 as presented.

Admin Notes: Burned out structure, windows broke out, roof about to collapse – present pics

Recommended Action: _____ make a motion to approve to resolution 23-06 as presented. _____ seconded the motion. Motion Carries: _____

D. Proposed Resolution No. 23-07: Fixing A Time and Place for Hearing and Providing for Notice Upon the Statement of The Enforcing Officer of Said City That the Structure

City of Caney

Regular Council Meeting

June 5th, 2023 at 6:30 p.m.

Located At 302 S Spring, Caney Ks Is Unsafe or Dangerous

Presented by Kelley Zellner, City Administrator: Request to adopt resolution No 23-07 as presented

Admin Notes: Burnt out structure, porch roof and entire roof of house about to collapse – present pics.

Recommended Action: _____ make a motion to approve to resolution 23-07 as presented. _____ seconded the motion. Motion Carries: _____

E. Proposed Resolution No. 23-08: Fixing A Time and Place for Hearing and Providing for Notice Upon the Statement of The Enforcing Officer of Said City That the Structure Located At 100 E Taylor, Caney Ks Is Unsafe or Dangerous

Presented by Kelley Zellner, City Administrator: Request to adopt resolution No 23-08 as presented

Admin Notes: Windows and front door busted out, siding and shingles have sluffed off, parts of foundation missing and vermin living under house – present pics.

Recommended Action: _____ make a motion to approve to resolution 23-08 as presented. _____ seconded the motion. Motion Carries: _____

F. Proposed Resolution No. 23-09: Fixing A Time and Place for Hearing and Providing for Notice Upon the Statement of The Enforcing Officer of Said City That the Structure Located At 502 N Main, Caney Ks Is Unsafe or Dangerous

Presented by Kelley Zellner, City Administrator: Request to adopt resolution No 23-09 as presented

Admin Notes: Roof and porch rotting off, south side of roof already caved in, house sets on a brick foundation, neighbors reported vermin infestation. Present pics.

Recommended Action: _____ make a motion to approve to resolution 23-09 as presented. _____ seconded the motion. Motion Carries: _____

G. Request to approve the Maple Ave Pipe Bursting Plans

Presented by Kelley Zellner, City Administrator: Requested to approved the Maple Ave Pipe Bursting Plans with a cost estimate of \$257,510.00

Admin Notes: As discussed previously, replacing this 12-inch water line from the water tower which feeds the industrial park and the east side of town in its original easement with the pipe bursting procedure is the most effective and less intrusive for all parties and landowners. This replacement will also eliminate the threat of this line which is in poor condition from breaking especially as the city is still under the threat of drought and possible conservation.

Recommended Action: _____ make a motion to approve to the Maple Ave Pipe Bursting Plans with a cost estimate of \$257,510.00. _____ seconded the motion. Motion Carries: _____

H. Discharging of Fireworks

Presented by Amber Dean, City Clerk: Request to confirm the parameter for fireworks within City Limits.

City of Caney

Regular Council Meeting

June 5th, 2023 at 6:30 p.m.

Admin Notes: Ord: 651 states.

The discharging, firing or igniting of fireworks as defined in section 7-301 is hereby prohibited except between June 27 and July 4, both inclusive, of any year;

Recommended Action: N/A

I. Request to approve application to the State of Kansas SRF Pre-Application Form for “Intended Use” status.

Presented by Kelley Zellner, City Administrator:

Admin Notes:

Need to begin the water line replacement process by filling out the SRF Pre-Application Form to get on the intended use “Intended Use” list to begin project funding as interim finance or long term of grants, project forgiveness, low interest loan. (1.5% currently).

Recommended Action: _____ make a motion to approve to the SRF Pre-Application form. _____ seconded the motion. Motion Carries: _____

J. Approve and Sign the engagement letter for Jarred, Gilmore & Phillips for the 2022 Audit and Single Audit in the amount \$10,200.00

Presented by Kelley Zellner, City Administrator: Request to approve and sign the engagement letter for JGP for the 2022 Audit

Admin Notes:

The City of Caney met the threshold for the single audit requirements. This has increased the audit cost an additional \$2,100, bringing the total to \$10,200.00

Recommended Action: _____ make a motion to approve and sign the Engagement letter in the amount of \$10,200.00 for 2022 Audit. _____ seconded the motion. Motion Carries: _____

K. 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 25 minutes to include City Council, Mayor, City Administrator, City Clerk and Mr. Keath. 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 Reports

1. Mayor-Joshua Elliott
2. City Administrator- Kelley Zellner
3. Police Department- Ike Dye
4. City Clerk- Amber Dean
5. Fire Department- Nick Wood
6. Caney Market- Cindi Bryan

City of Caney

Regular Council Meeting

June 5th, 2023 at 6:30 p.m.

Council/Mayor 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, June 19th, 2023 @ 6:30 p.m.

Adjournment

_____ Moved to adjourn the meeting at _____.

_____ Seconded Motion. Motion Carries: _____.

City of Caney
Council Meeting Minutes
Monday, May 15th, 2023 at 6:30 p.m.



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

Roll Call

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

Mayor Joshua Elliott led the Pledge of Allegiance

Mayor Joshua Elliott led the invocation

Public Comments

Shirley Davis: 208 N Spring- advised that she felt the cemetery looked like it had not been mowed for weeks. She was at the cemetery on Mother’s Day and it needed mowed. City staff advised that MTB has mowed it, and is schedule to be mowing tomorrow.

Consent Agenda

Presented by Joshua Elliott, Mayor

- A. Approval of the Minutes for the May 1st, 2023 Meetings
- B. Appropriations and Payroll Ord No. 05-12-2023 **\$187,979.26**
 - a. Approval of Purchases over \$5,000
 - i. EFTPS (Payroll Taxes) \$ 12,016.21
 - ii. Payroll (05/12/2023) \$ 52,296.60
 - iii. KPERS (Retirement) \$ 6,332.98
 - iv. Evergy \$ 11,286.83
 - v. Associated Wholesale \$ 17,702.41
 - vi. Waste Connections \$ 18,687.53
 - vii. Brenntag (Chemicals) \$ 10,284.30
 - viii. KS Retailer’s Tax \$ 8,481.89
 - ix. Midwest Engineering (PER) \$ 13,625.00

Council Member Patterson made a motion to approve the Consent Agenda presented. Council Member Wood seconded the motion. Motion Carries: 6-0

- C. Approve Main Street Auto and Tire payment of \$1,040.62

Council Member Patterson made a motion to approve the payment for Main Street Auto in the amount of \$1,040.62 Council Member Wood seconded the motion.
Motion Carries: 5-0 (Council Member Elliott abstained)

Old Business

City of Caney
Council Meeting Minutes
Monday, May 15th, 2023 at 6:30 p.m.

A. City Pool Discussion

Presented by Kelley Zellner, City Administrator: Decision on the pool opening.

Council Member Traxson made a motion to open the pool as usual. Council Member Elliott seconded the motion. Motion carries: 6-0

New Council Business

A. Mayfest Street Closure

Presented by Amber Dean, City Clerk: Approval for street closure for Mayfest as presented

Council Member Wood made a motion to approve the Mayfest Street Closures as presented.

Council Member Traxson seconded the motion. Motion Carries: 6-0

B. Housing Demolition

Presented by Kelley Zellner, City Administrator: Request to move forward on condemnation list.

Council Member Patterson made a motion to approve the City Administrator to move forward with the condemnation process on select housing. Council Member Wood seconded the motion. Motion Carries: 6-0

C. Executive Session

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

Council Member Patterson made a motion 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 25 minutes to include City Council, Mayor, City Administrator and City Clerk. Entering in at 6:45 p.m. and returning to regular session at 7:10 p.m.

Council Member Wood seconded the motion. Motion Carries: 6-0

Council Member Patterson made a motion to return to regular session. Council Member Wood seconded the motion. Motion Carries: 6-0

Department Reports

1. Mayor-Joshua Elliott- Reminded the citizen of the upcoming elections and open position on City Council. He encouraged citizens to run.
 - a. City Administrator- Kelley Zellner- Dam Safety Inspection update
 - b. Emergency Water Line Update
2. Police Department- Ike Dye- Advised the department is going through transition but his staff has been amazing and wanted to thank them for all their hard work.
3. City Clerk- Amber Dean- City Hall will be closed to the public on Tuesday May 30th and Wednesday May 31st.
4. Fire Department- Nick Wood- Council Report provided in packet
5. Caney Market- Cindi Bryan- N/A

City of Caney
Council Meeting Minutes
Monday, May 15th, 2023 at 6:30 p.m.

Council/Mayor Comments:

Council Member Hurd- Absent
Council Member Ellison- Absent
Council Member Patterson- N/A
Council Member Elliott- N/A
Council Member Butts- N/A
Council Member Traxson- N?A
Council Member Wood- N/A
Council Member Rains- N/A

Informational Items

Next City Council Meeting: Monday, June 5th, 2023 @ 6:30 p.m.

Adjournment

Council Member Patterson made a motion to adjourn the meeting at 7:19 p.m.
Council Member Wood Seconded the Motion. Motion Carries: 6-0

Joshua Elliott., Mayor

ATTEST:

Amber Dean, City Clerk

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
00213	AAA STATE OF PLAY I-202305220819	AAA STATE OF PLAY	R	5/26/2023		912.80CR	082585	912.80
1045	ACTION COMMUNICATIONS LLC I-202305220810	ACTION COMMUNICATIONS LLC	R	5/26/2023		63.25CR	082586	63.25
1068	ADVANCE INSURANCE CO. I-202305150792	ADVANCE INSURANCE CO.	R	5/26/2023		144.20CR	082587	144.20
1100	ALLIANCE PUMP & MECHANICAL SERVICE, INC. I-202305220815	ALLIANCE PUMP & MECHANICAL SER	R	5/26/2023		261.12CR	082588	261.12
00178	ASHLEY RICH I-202305230822	ASHLEY RICH	R	5/26/2023		250.00CR	082589	250.00
2360	BOUND TREE MEDICAL, LLC I-202305230823	BOUND TREE MEDICAL, LLC	R	5/26/2023		134.99CR	082590	134.99
2353	BRENNTAG SOUTHWEST, INC I-202305220816	BRENNTAG SOUTHWEST, INC	R	5/26/2023		1,441.76CR	082591	1,441.76
3060	CANEY DRUG I-202305150793	CANEY DRUG	R	5/26/2023		67.54CR	082592	67.54
00197	CHILDERS, AMANDA I-202305160803	CHILDERS, AMANDA	R	5/26/2023		25.05CR	082593	25.05
00171	CINTAS I-202305150795	CINTAS	R	5/26/2023		253.70CR	082594	253.70
12420	OZARKS COCA-COLA/DRPEPPER BOTTLING COMPANY I-202305110783	OZARKS COCA-COLA/DRPEPPER BOTT	R	5/26/2023		683.13CR	082595	683.13
3380	COFFEYVILLE COMMUNITY COLLEGE I-202305220821	COFFEYVILLE COMMUNITY COLLEGE	R	5/26/2023		1,760.00CR	082596	1,760.00
3480	COMMUNITY NATIONAL BANK I-202305150788	COMMUNITY NATIONAL BANK	R	5/26/2023		2,747.91CR	082597	2,747.91
6027	FERGUSON ENTERPRISES, INC I-202305160805	FERGUSON ENTERPRISES, INC	R	5/26/2023		699.76CR	082598	699.76

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
6085	FIRE X INC. I-202305150794	FIRE X INC.	R	5/26/2023		618.88CR	082599	618.88
00212	FLINT HILLS TECHNICAL COLLEGE I-202305150798	FLINT HILLS TECHNICAL COLLEGE	R	5/26/2023		300.00CR	082600	300.00
6150	FRITO-LAY INC. I-202305110784	FRITO-LAY INC.	R	5/26/2023		2,498.35CR	082601	2,498.35
8128	HIGHER CALLING TECHNOLOGIES, LLC I-202305150791	HIGHER CALLING TECHNOLOGIES, L	R	5/26/2023		1,494.50CR	082602	1,494.50
8999	HUBER & ASSOCIATES, INC. I-202305240829	HUBER & ASSOCIATES, INC.	R	5/26/2023		535.00CR	082603	535.00
9030	IBT, INC I-202305150789	IBT, INC	R	5/26/2023		285.18CR	082604	285.18
23122	KANSAS COMMUNICATION SERVICES, INC. I-202305150796	KANSAS COMMUNICATION SERVICES,	R	5/26/2023		74.33CR	082605	74.33
00096	LAKELAND OFFICE SYSTEMS I-202305110785	LAKELAND OFFICE SYSTEMS	R	5/26/2023		358.01CR	082606	358.01
12400	MATTIX DISTRIBUTING I-202305220817	MATTIX DISTRIBUTING	R	5/26/2023		147.12CR	082607	147.12
00095	MAIN STREET AUTO & TIRE LLC I-202305160804	MAIN STREET AUTO & TIRE LLC	R	5/26/2023		1,324.25CR	082608	1,324.25
00211	MASIMO AMERICAS, INC I-202305110781	MASIMO AMERICAS, INC	R	5/26/2023		4,755.00CR	082609	4,755.00
13172	MEDICLAIMS, INC. I-202305220814	MEDICLAIMS, INC.	R	5/26/2023		772.99CR	082610	772.99
00205	MTB Lawn & Garden I-202305220809	MTB Lawn & Garden	R	5/26/2023		3,390.00CR	082611	3,390.00
15034	OMEGA RAIL MANAGEMENT, INC I-202305220812	OMEGA RAIL MANAGEMENT, INC	R	5/26/2023		1,139.31CR	082612	1,139.31

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
15069	PACE ANALYTICAL I-202305220808	PACE ANALYTICAL	R	5/26/2023		250.00CR	082613	250.00
17086	QUILL LLC I-202305150790	QUILL LLC	R	5/26/2023		210.60CR	082614	210.60
00141	RETAIL DATA SYSTEMS OF KS I-202305220813	RETAIL DATA SYSTEMS OF KS	R	5/26/2023		21.76CR	082615	21.76
19059	ROB ADOLPH I-202305160806	ROB ADOLPH	R	5/26/2023		2,600.00CR	082616	2,600.00
1025	TKO PEST CONTROL I-202305110782	TKO PEST CONTROL	R	5/26/2023		300.00CR	082617	300.00
00210	UNIFIRST I-202305110787	UNIFIRST	R	5/26/2023		854.90CR	082618	854.90
21042	UNITED LINEN&UNIFORM RENTAL I-202305110786	UNITED LINEN&UNIFORM RENTAL	R	5/26/2023		99.62CR	082619	99.62
23320	XEROX CORPORATION I-202305150797	XEROX CORPORATION	R	5/26/2023		139.72CR	082620	139.72

VENDOR	NAME / I.D.	DESC	ITEM TYPE	PAID DATE	DISCOUNT	AMOUNT	ITEM NO#	ITEM AMOUNT
1002	ASSOCIATED WHOLESALE GROCERS, INC.							
	I-202305230824	ASSOCIATED WHOLESALE GROCERS,	D	5/26/2023		21,401.92CR	000795	
	I-202305230825	ASSOCIATED WHOLESALE GROCERS,	D	5/26/2023		18,524.46CR	000795	39,926.38
00094	CANON FINANCIAL SERVICES, INC							
	I-202305150800	CANON FINANCIAL SERVICES, INC	D	5/26/2023		171.46CR	000796	171.46
00192	NCR CORPORATION							
	I-202305150799	NCR CORPORATION	D	5/26/2023		244.68CR	000797	244.68
16042	PEPSI-COLA CO.							
	I-202305160802	PEPSI-COLA CO.	D	5/26/2023		1,197.40CR	000798	1,197.40
23290	WEX BANK							
	I-202305160801	WEX BANK	D	5/26/2023		3,624.09CR	000799	3,624.09

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	36	0.00	31,614.73	31,614.73
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	5	0.00	45,164.01	45,164.01
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	41	0.00	76,778.74	76,778.74

TOTAL ERRORS: 0 TOTAL WARNINGS: 0

VENDOR	NAME / I.D.	DESC	ITEM TYPE	PAID DATE	DISCOUNT	AMOUNT	ITEM NO#	ITEM AMOUNT
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** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT
01	5/2023	24,956.08CR
08	5/2023	45,266.82CR
10	5/2023	2,252.51CR
20	5/2023	2,747.91CR
42	5/2023	261.12CR
94	5/2023	381.50CR
95	5/2023	912.80CR
=====		
ALL		76,778.74CR

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 eight (8) 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 four (4) 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. Used materials (reclaimed material) for enclosures must be approved by the city as referenced in the adopted International Residential Code. The use of scrap, waste board, or similar materials is prohibited.

(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. All feed, enclosures, and other items associated with the keeping of chickens shall be maintained so as to prevent the attraction and/or accumulation of rats, mice, or other rodents, and infestation of insects and parasites.

(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) Commercial Chicken: The keeping of chickens is allowed for use by the owner, and not for profit. Commercial chicken operations are strictly prohibited.

(j) 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 \$5.00.

(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.

(k) 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.

(l) 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 \$5.00 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.

a. Renewal applications can be approved by the City Clerk unless a written complaint about the chickens was submitted to the city during the year preceding the renewal application

(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.

(3) The city governing body may refuse to renew, or may revoke, a permit if

1) the premises are being maintained in violation of any applicable law of the State of Kansas, or of the city.

2) the premises are being maintained so as to be a public nuisance.

3) the premises are being maintained so as to be detrimental to the health, safety or peace of mind of persons residing in the immediate vicinity.

(m) 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.

(n) 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.

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

(p) 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

Soft Uniform Purchase Request City Council 06/05/2023

Current Class A Uniform

- A. We currently are using a Class A Uniform for our Patrol Uniforms
 - 1. This is not conducive for day-to-day operations.
 - 2. These are designed for Formal Events like Funerals and Trials.
 - 3. These cause a financial burden on our budget.

- B. Reusability is an issue.
 - 4. Each employee must be measured for the entire uniform.
 - 5. This has created issues with outfitting new officers in already purchased uniforms.
 - 6. The fitted vests cannot be adjusted horizontally or vertically (around the stomach or chest down to stomach) for a proper fit.

- C. New Hire Uniform Process
 - 1. Once an individual is hired, we must pay for them to go immediately to Carthage, MO, or Tulsa, OK to be fitted for the entire uniform, vest and all other duty gear and accessories.
 - 2. Once they are fitted, we must wait months for both the uniform and vests to arrive.
 - 3. If there are any issues with uniform or vests, we must ship them back to one of those locations to have it amended.
 - 4. We have experienced many times where a new employee gets measured and while awaiting the uniforms, the employee will leave before we get the uniforms and still must pay for them, and they will not fit another officer.

- D. Replacement Uniforms are Costly.
 - 1. If any part of the uniform is damaged (which can be often due to the type of uniform is for formal wear) the turn around to replace is lengthy.
 - 2. We are currently about to be due for new panels on half of the departments vests (panels have a four-to-five-year expiration date depending on the panels).

Soft Uniform Request

1. I am requesting to purchase nine uniforms (Pants, Outer Carriers, Panels, Holsters, Belts, Mag Pouch, Radio Pouch, and Handcuff Pouches) for all Full-Time Officers and three for Active Part-Time Officers through Nafeco.
2. We will purchase blouses separately through another company and press any wording (Police, Caney Police Department) in house, saving the PD an estimated \$20-\$30 per shirt.

Nafeco

1. Nafeco is a National Company but has a sales team in Bartlesville, Ok.
2. I have been in contact with Tyler who advised all measurements will be done in-house at the PD.
3. Upon acceptance by the Council, We would order the uniforms and vests with a quicker turn around on uniforms, but the vests are at least 60 days after measurements and ordering.
4. New Hires will also be measured here instead of traveling out of state.

Soft Uniforms

1. The list of uniforms, accessories and vests are on the quote sheet provided in the Council Packets.
2. The purchase from Nafeco will include Dark Gray/Charcoal 511 ripstop pants (made for on duty wear and tear), an outer carrier with Dark Gray/Charcoal "Police" and "Officers Last Name" patches for each vest.
3. Included in the purchase we will purchase a new belt and holster doing away with the cost and impracticability of the basket weave leather belt and accessories.
4. Officers are carrying the majority of the equipment's weight on their hips which can cause back issues later.

Benefits to New Soft Uniforms

1. After the initial cost, it will be cheaper and more efficient to replace and outfit officers with the soft uniforms.

2. The outer carriers will still need to be measured but they can be adjusted both around mid-section and from the shoulder straps which will allow multiple sizes to be able to wear the carrier (depending on size differences between officers)
3. We will be able to outfit a new employee with a uniform (pants and blouses) cheaper and quicker and use under the shirt panels (purchased separately from carrier) until they successfully complete the academy and then we will commit the funds for the outer carrier.
4. If an Officer has a tear or any other issue with the pants or blouse, we can re-order by phone or even purchase them through Amazon (higher price per pants than Nafeco) and have the replacement within a few days.

Budget for New Soft Uniforms

1. I am asking to purchase the entire inventory list up front.
2. I have been working with Amber and Kelly and the money is there in my New Equipment Line to cover this purchase.
3. Amber has already applied for a grant that specializes in ballistic vests and carriers that will cover \$3,00.00 of the vests if awarded.

I do believe this will help save the PD and the City in the long term of outfitting our officers. The Initial cost is the hardest part, but it will definitely help when we can reuse some of the equipment for new officers. Thank you.

Ike Dye
Police Chief

**NAFECO**

Mailing: 1515 W Moulton St
 (2601 Beltline Road)
 Decatur, AL 35601
 (800) 628-6233
 info@nafeco.com

Quotation

Q8323050493878

Date: 2023-05-04
Expires: 2023-06-03
FOB: Origin

Customer Number:

Customer Information: Caney Police Dept.
 Address: 100 W 4th Ave
 Caney, KS 67333

Attention: Ike Dye
 Phone: 620-330-7498
 Email: idye@cityofcaney.org

Prepared By: Tyler Lee

Qty	Item #	Description	Each	Total
24	74369-092	5.11 Pant, Stryke, Flex-Tac, Storm Gray	\$75.00	\$1,800.00
9	7365 W/ LIGHT	ALS/SLS LOW-RIDE, LEVEL III RETENTION™ DUTY HOLSTER	\$163.00	\$1,467.00
9	HSG-41PT02	High Speed Gear Duty Pistol Double TACO U-MOUNT	\$49.90	\$449.10
9	7220	NYLON DUTY BELT 2" (50mm) HOOK	\$44.00	\$396.00
9	VTXM20RG2BRV-	BRAVO CONCEALABLE PANELS VORTEX LEVEL II - NIJ MODEL#: AEXPG2-A-II	\$690.00	\$6,210.00
9	TRAMMOLBLKBRV	BRAVO OVERT CARRIER - TRAVERSE - MOLLE (#1155-M) - BLACK	\$265.00	\$2,385.00
9	IDPLCBLK-TRV	ID PLACARD - TRAVERSE CARRIER - SET OF 3 - BLACK Front Panel "Officer Last Name, Rear Panel "Police" Gray lettering	\$26.00	\$234.00
9	TPAEHCSCBLK	AE BASE POUCH - HANDCUFF SINGLE COVERED POUCH - BLACK	\$28.25	\$254.25
9	TPAERACBLK	AE BASE POUCH - RADIO ADJUSTABLE COVERED POUCH - BLACK	\$30.00	\$270.00
			Freight Charges	TBD
			Total	\$13,465.35

*tax & freight to be determined***Thank you for your business!**

NOTE: All accounts are subject to sales tax charges unless a valid state exempt certificate is on file with NAFECO, or provided at the time of the order.

If you have any questions concerning this quote, please call our number listed above.

Visit Us On The Internet At: nafeco.com



CITY OF CANEY

100 W 4th Ave P.O. Box 129 Caney, Kansas 67333

Phone: (620) 879-2772 www.caneyks.com Fax: (620) 879-9808

City Administrator – Kelley Zellner

Mayor – Joshua Elliott

6-5-2023

Chapter 4; Article 4 “Dangerous & Unsecured Structures”

1. 100 E Taylor AVE, Caney, KS.
 - a. Sarah Love: 101 E 1st Ave, Caney, KS
 - b. Dilapidated Unsafe Structure: Broken windows, unsecured front door, foundation missing in northwest corner of house, shingles deteriorated off house, siding has deteriorated the finish off (fuzz), vermin infestation, Notified by mail 3 times.

2. 502 N Main ST, Caney, KS.
 - a. Janice Land: 502 N Main, Caney, KS.
 - b. Dilapidated Unsafe Structure, roof caved in on south side, house floor caving in, sits on a brick foundation, porch floor and roof rotting off, neighbors reported vermin infestation: Notified by mail 3 times. (Guy McClure, lives with daughter Wanda)

3. 410 S State ST, Caney, KS.
 - a. Steven & Jessica Roberts: 444714 Lakeside, Vinita, OK. 74301
 - b. Inside burned out, roof caving in, windows broken out, siding missing on south side of house, unsecure structure: Notified by mail 3 times

4. 302 S Spring ST, Caney, KS.
 - a. T-Bar Country, LLC: 2211 CR, Havana, KS. 67347
 - b. Inside burned out, porch roof and house roof caving in, unsecure structure: Notified by mail

“No response to notices – need to begin condemnation proceedings.”

Article 4. Dangerous and Unsafe Structures

4-401. Definitions.

For the purpose of this article, the following words and phrases shall mean:

- (a) Structures shall mean and include any building, wall, or other structure, and;
- (b) Enforcing Officer and Public Officer shall mean building inspector or other officer designated by ordinance and charged with the administration of the provision of this article.
- (c) Residential Structure or Dwelling shall mean any building, or structure, or part thereof, used and occupied for human habitation or intended to be so used, and includes any appurtenances belonging thereto or usually enjoyed therewith.
- (d) Non-Residential Structure shall mean any structure which is used for other than residential purposes or a part of such structure, or a part of which is used for other than non-residential purposes, and the premises on which such structures are situated.

(Ord. 758, Sec. 1)

4-402. Enforcing officer.

The zoning administrator is hereby designate and appointed as the enforcing officer to exercise the powers prescribed by this article, and shall be hereinafter referred to as the enforcing officer. The officer shall also be and have the power of the public officer authorized by K.S.A. 17-4759.

(Ord. 758, Sec. 2)

4-403. Finding of governing body.

The governing body of the city hereby finds that there are structures within the city limits which are unfit for human use or habitation due to dilapidation and defects, which are increasing the hazards of fire, accidents or other calamities, some of which lack ventilation, light, or sanitary facilities, and are dangerous or detrimental to the health, safety and general welfare of the residents of the city and which have a blighting influence on properties in their vicinity.

(Ord. 758, Sec. 3)

4-404. Procedure.

(a) Whenever a petition is filed with the public officer or enforcing officer by at least five residents of the municipality charging that any structure is unfit for human use or habitation, or whenever it appears to the public officer or enforcing officer (on his or her own motion) that any structure is unfit for human use or habitation, he or she shall, if in the preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner, every mortgage of record and all parties in interest in such structure (including persons in possession) a complaint stating the charges in that respect. Such complaint shall contain a notice that a hearing will be held before the public officer or enforcing or his or her designated agent at a place therein fixed, not less than 10 days nor more than 30 days after the serving of the complaint, that the owner, mortgage and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling at hearing before the public officer or enforcing officer.

(b) If after such notice and hearing, the public officer determines that the structure under consideration is unfit for human use or habitation he or she shall state in writing his or her findings and facts in support of such determination and shall issue and cause to be served upon the owner thereof an order which;

- (1) If the repair, alteration or improvement of the structure can be made at a reasonable cost in relation to the value of the structure, which shall not exceed 50 percent of the fair market value of such structure, the owner of the property shall within the time specified in the order, repair, alter or improve such structure to render it fit for human use or habitation or shall vacate and close the structure until conformance with this article is made; or
- (2) If the repair, alteration or improvement of the structure cannot be made at a reasonable cost in relation to the value of the structure, that is, under 50 percent of the fair market value, which is hereby fixed as a reasonable cost by the governing body, the owner shall within the time specified in the order remove or demolish such structure.
- (3) If the owner fails to comply with an order to repair, alter, or improve, or to vacate and close the structure, within the time provided in the order, not to exceed 60 days, the public officer or enforcing officer may cause such structure to be repaired, altered or improved, or to be vacated and closed.
- (4) If the owner fails to comply with an order to remove or demolish the structure within the time provided in the order, not to exceed 60 days, the public officer or enforcing officer: may cause such structure to be removed or demolished.
- (5) The time limit herein imposed may be extended by the public officer or enforcing officer upon application, in writing and good cause shown.

(c) The amount of the cost of such repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the public officer or enforcing officer shall be a lien against the real property upon which such cost was incurred and such lien, including as part thereof allowance for his or her costs and the necessary attorney's fees, may be foreclosed in judicial proceedings in the manner provided by law for loans secured by liens on real property or shall be assessed as a special assessment against the lot or parcel of land on which the structure was located and the city clerk shall at the time of certifying other city taxes, certify the unpaid portion of the aforesaid costs to the county clerk to be placed on the tax rolls of the county against the lot or parcel of land. If the structure is removed or demolished the materials of the structure shall be sold and the proceeds thereof credited against the cost of the removal or demolition and if there be any balance remaining it shall be paid to the parties entitled thereto as determined by proper judicial proceedings instituted by the public officer or his or her delegate after deducting the costs of such judicial proceedings, including necessary attorney's fees incurred therein, as determined by the court.

(d) The public officer may determine that a structure is unfit for human use or habitation if he or she finds that conditions exist in such structure which are dangerous or injurious to the health, safety, general welfare or morals of the occupants of such buildings or other residents of the city or which have a blighting influence on properties in the area.

(Ord. 758, Sec. 4)

4-405. Service of complaints and orders.

Complaints or orders issued by the public officer shall be served upon persons either personally or by registered or certified mail, but if the whereabouts of such persons is unknown and the same cannot be ascertained by the public officer in the exercise of reasonable diligence, and the public officer shall make an

affidavit to that effect, then the servicing of such complaint or order upon such persons may be made by publishing the same once each week for two consecutive weeks in a newspaper printed and published in the city. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the clerk of the district court of the county in which the structure is located and such filing shall have the same force and effect as other lis pendens notices provided by law.

(Ord. 758, Sec. 5)

4-406. Appeals.

Any person affected by the order issued by the public officer, may, within five days, appeal the decision to the city council, which shall hear and determine the appeal at its next regular meeting. An appeal may be made by the person from the order of the city council to the district court of Montgomery County, Kansas, pursuant to K.S.A. 17-4759, as amended.

(Ord. 758, Sec. 6)

4-407. Additional powers.

A public officer or enforcing officer is hereby authorized to exercise such powers as may be necessary or convenient to carry or effectuate the purposes and provisions of this article, including, without limitation, the following powers in addition to others herein granted:

- (a) To investigate the structural conditions in the municipality in order to determine which structures therein are unfit for human use or habitation;
- (b) To administer oaths, affirmations, examine witnesses and receive evidence;
- (c) To enter upon premises for the purpose of making examinations; provided that such entry shall be made in a reasonable manner at reasonable times, and to obtain an order for this purpose from a court of competent jurisdiction in the event that entry is resisted or denied.
- (d) To appoint and fix the duties of such officers, agents, and employees as he or she deems necessary to carry out the purposes of this article;
- (e) To delegate any of his or her functions and powers under this article to such officers, agents and employees as he or she may designate.
- (f) To adopt and promulgate such rules or regulations as may be reasonably necessary to carry out the purposes and provisions of this article.

(Ord. 758, Sec. 7)

4-408. Alternate procedure.

- (a) Whenever the enforcing officer shall file with the governing body a statement in writing that any structure is unsafe or dangerous, the governing body shall by resolution fix a time and place at which the owner, his or her agent, any lienholders or record and any occupant of such structure may appear and show cause why such structure should not be condemned and ordered repaired or demolished. Such resolution shall be published once each week for two consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing. A copy of the resolution shall be mailed by certified mail within three days after its first publication to each such owner, agent, lienholder and occupant, and his, her or its last known place of residence and shall be marked "Delivered to Addressee only" provided,

that if the owner is a resident of Montgomery County, Kansas, the resolution shall be personally served within five days on such owner or delivered to their last known address and in this case, at least one week shall elapse between the service on such owner and the date set for the hearing.

(b) The governing body shall hear all evidence submitted by the owner, his or her agent, lienholders of record and occupants having an interest in the structure as well as evidence submitted by the enforcing officer filing the statement and shall make findings by resolution. If the governing body shall find that such structure is unsafe or dangerous, such resolution shall direct the structure to be repaired or removed and the premises made safe and secure. Such resolution shall be published once in the official city paper and a copy mailed to the owners, agents lienholders of records and occupants in the same manner provided herein for the notice of hearing. The resolution shall fix a reasonable time, nor to exceed 60 days, within which the repair or removal of such structure shall be commenced and the statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails diligently to prosecute the same until the work is completed, the governing body will cause the structure to be razed and removed.

(c) The owner of any structure upon removing the same shall fill any basement or other excavation located upon the premises and take any other action necessary to leave the premises in safe condition.

(d) If the owner of any structure has failed to commence the repair or removal of such structure within the time stated in the resolution or has failed to diligently prosecute the same thereafter, the city may proceed to raze and remove such structure, make the premises safe and secure, or let the same to contract. The city shall keep an account of the cost of such work and may sell the salvage from such structure and apply the proceeds or any necessary portion hereof to pay the cost of removing such structure and making the premise safe and secure. All moneys in excess of that necessary to pay such costs, shall, after the payment of all costs be paid to the owner of the premise upon which the structure was located.

The City shall give notice to the owner of such structure by restricted mail of the total cost incurred by the city in removing such structure and making the premise safe and secure the cost of providing notice. Such notice also shall state that payment of such cost is due and payable within 30 days following receipt of such notice. If the cost is not paid within the thirty-day period and if there is no salvageable material or if moneys received from the sale of salvage or from the proceeds of any insurance policy in which the city has created a lien pursuant to K.S.A. 4 0-3901 et seq., and amendments thereto, are insufficient to pay the cost of such work, the balance shall be collected in the manner provided by K.S.A. 1985 Supp. 12-1, 115, and amendments thereto, or shall be assessed as a special assessment against the lot or parcel of land on which the structure was located and the city clerk at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 1985 Supp. 12-1,115, and amendments thereto, but only until the full cost and any applicable interest has been paid in full.

Whenever any structure is removed from any premises under the provisions of this act, the city clerk shall certify to the county appraiser that such structure, describing the same, has been removed.

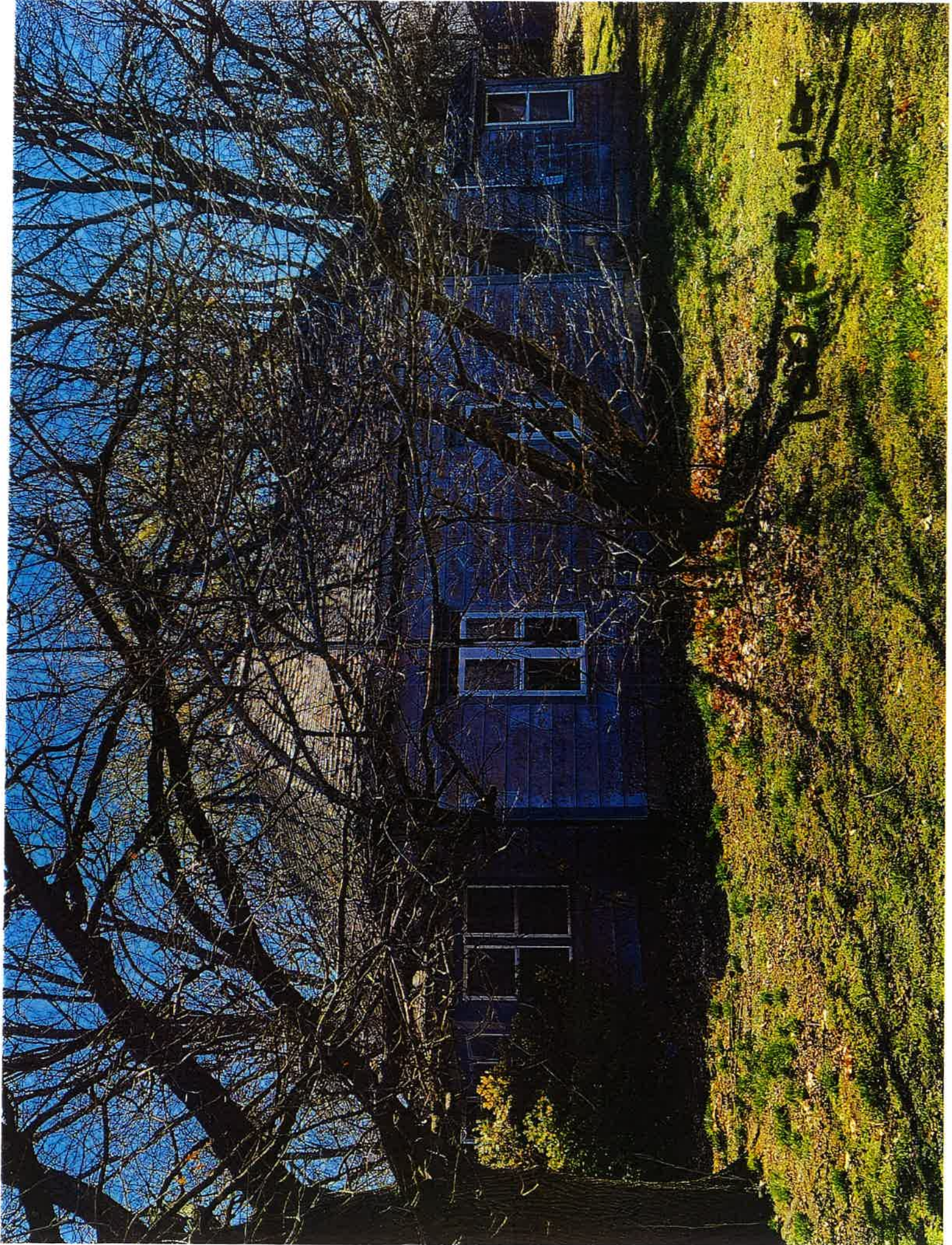
(Ord. 995; Code 2022)

4-409. Violations.

It shall be unlawful for any person, firm, corporation, association, or partnership, to use or occupy or permit to be used or occupied any structure which has been found to be dangerous, unsafe or otherwise injurious to the public health, safety, morals or welfare. It shall further be unlawful for any person, firm, corporation, association, or partnership to fail to obey the duly issued orders or resolutions of the public officer, enforcing officer or governing body asset out above within the time specified therein. It shall further be

unlawful for any person, firm, corporation, association, or partnership to refuse to clean, or cause to be cleaned, from the premises, all debris, rubbish and discarded building material or refuse to fill all open wells, cisterns, cellars, basements and other excavations remaining on lots or parcels of land from which structures have been razed or removed. Any person or corporation convicted of a violation of this section shall upon conviction be fined not less than \$5 nor more than \$100 or be imprisoned not less than five days nor more than 30 days, or be both so fined and imprisoned, provided that each day that the condition causing the offense is permitted to continue shall constitute a separate offense.

(Ord. 758, Sec. 9)

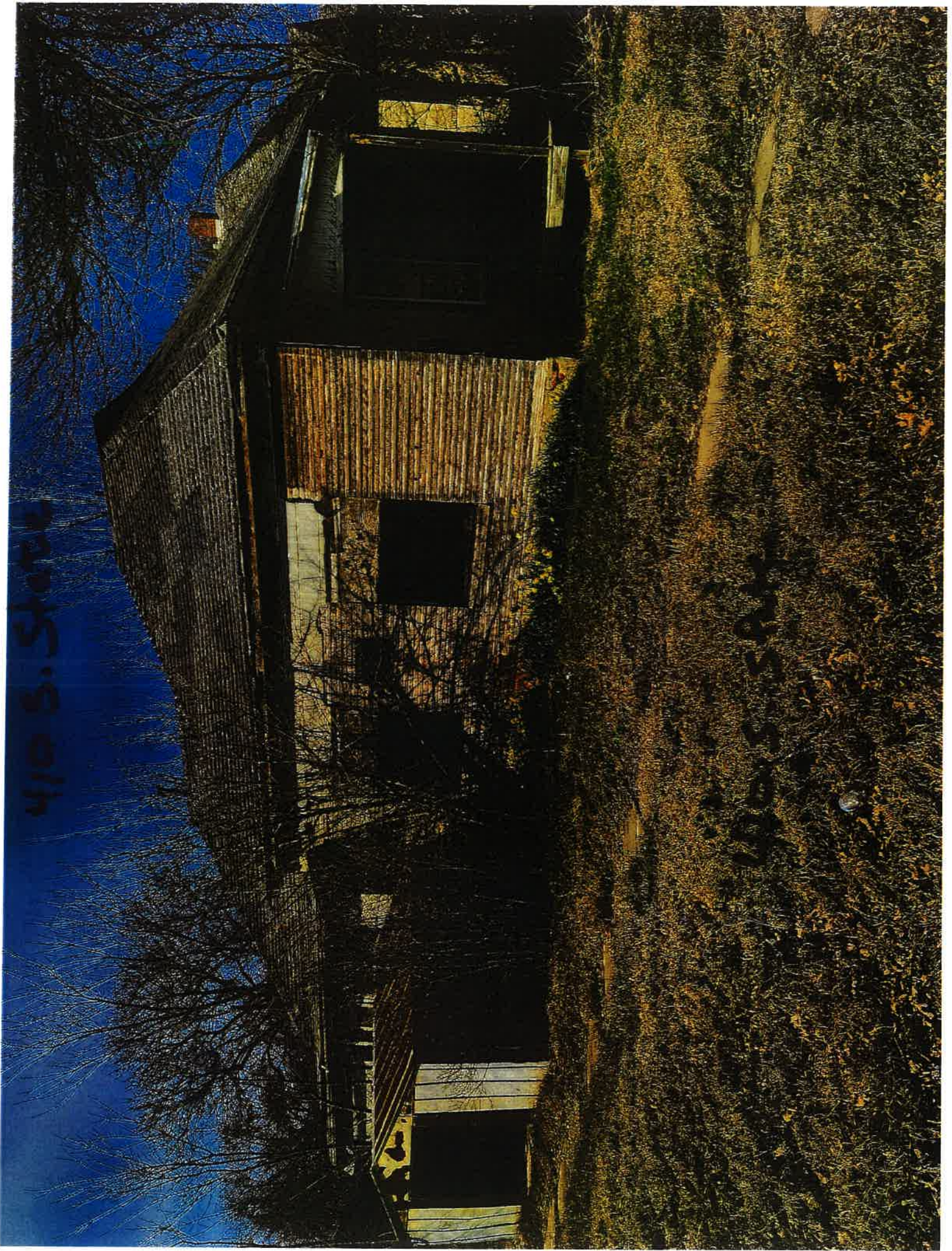


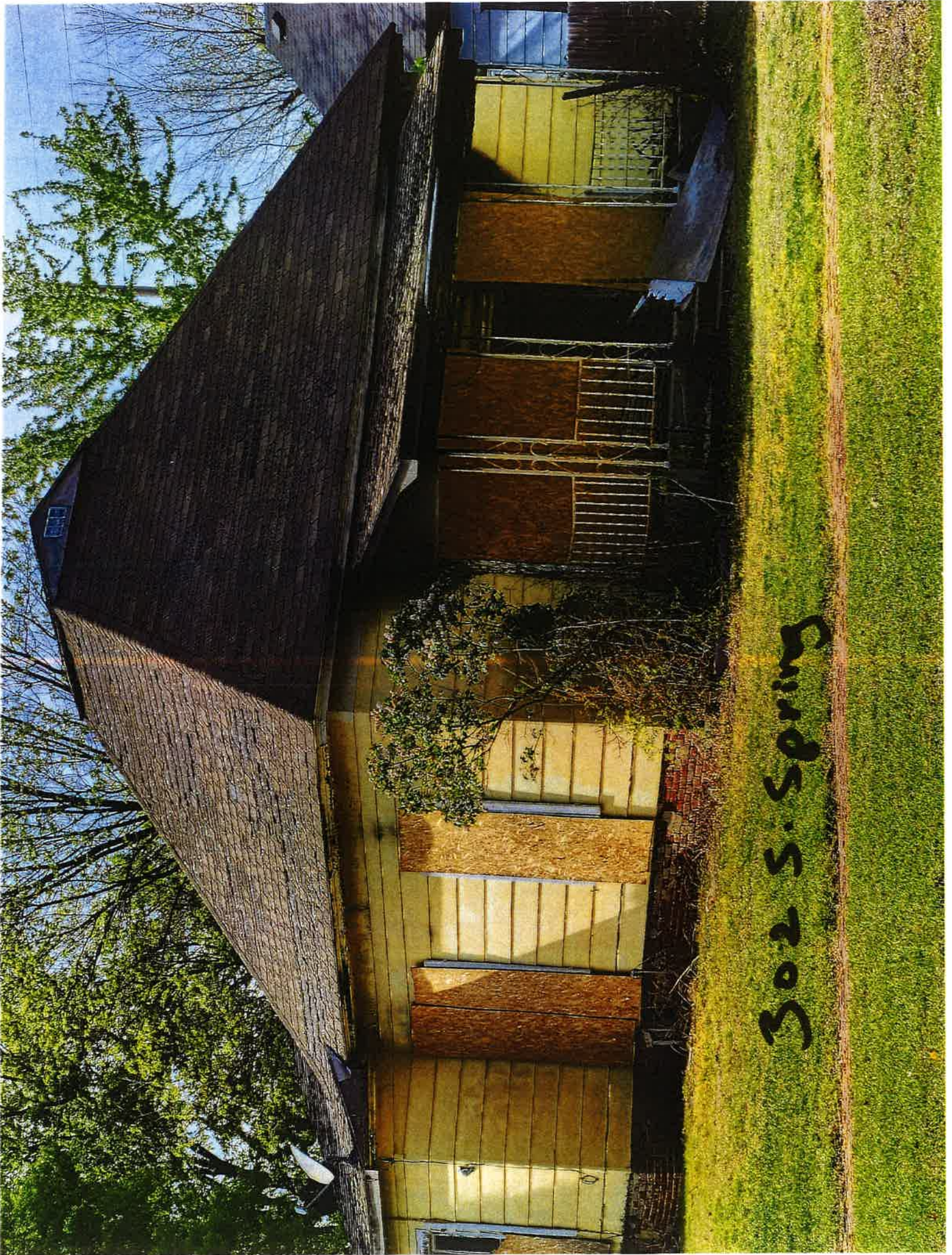


THOMAS CO

502

410 S. State





302 S. Spring

RESOLUTION NO.

A RESOLUTION ADOPTED PURSUANT TO ARTICLE 4, CHAPTER IV OF THE CODE OF THE CITY OF CANEY, KANSAS, FIXING A TIME AND PLACE FOR HEARING AND PROVIDING FOR NOTICE UPON THE STATEMENT OF THE ENFORCING OFFICER OF SAID CITY THAT THE STRUCTURE DESCRIBED HEREIN IS UNSAFE OR DANGEROUS

WHEREAS, the Enforcing Officer of the City of Caney, Kansas, has filed a statement in writing that the following described structure is unsafe or dangerous to-wit:

FIRST ADD, S12, T35, R13, W 46' LOT 4; ALL LOT 7 BLK 38; Lot Width: 066.0 Lot Depth: 196.0 Common Address 410 N. State

WHEREAS, Article 4, Chapter IV of the Code of the City of Caney, Kansas provides upon filing of such written statement, that the Governing Body of the City of Caney, Kansas provides upon filing of such written statement, that the Governing Body of the City of shall fix a time and place for hearing, by adoption of a resolution, which resolution shall be published and notice give to each owner, agent, lien holder and occupant as hereafter set forth: and

WHEREAS, the name(s) and address(es) of the owner(s), Owner(s) agent(s), lien holder(s) and occupant(s) are:

OWNER:

BUTTS, KENITH A; BUTTS, MILDRED L; STEVEN, LEE
412 NORTH STATE
CANEY, KS 67333

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CANEY, KANSAS:

SECTION 1. The Governing Body of the City of Caney, Kansas, does hereby fix the following time and place at which the owner, owner's agent, and lien holder of record and any occupant of such structure may appear and show cause why said structure should not be condemned and ordered repaired or demolished:

Date of Hearing: July 17th, 2023

Place of Hearing: Council Chambers Caney City Hall at 6:30 p.m. Caney, Ks 67333

SECTION 2. This Resolution shall be published once each week for two consecutive weeks on the same day of each week in the County Chronicle, the official city newspaper. The second publication shall occur at least thirty (30) days prior to the hearing.

SECTION 3. The City clerk of the City of Caney, Kansas, is hereby directed to mail a true and correct certified copy of the within Resolution by certified mail within three days after the date of the first publication hereof to each owner, agent, lien holder and occupant at the last known place of residence of each, marked "Deliver to Addressee Only" provided, that if the owner is a resident of Montgomery County, Kansas, the resolution shall be personally served with five days on such owner or delivered to their last known address and in this case, at least one week shall elapse between the service on such owner and the date set for the hearing.

ADOPTED by the governing body of the City of Caney on this 5th day of June, 2022.

JOSHUA ELLIOTT, MAYOR

ATTEST;

Amber Dean, CITY CLERK

RESOLUTION NO.

A RESOLUTION ADOPTED PURSUANT TO ARTICLE 4, CHAPTER IV OF THE CODE OF THE CITY OF CANEY, KANSAS, FIXING A TIME AND PLACE FOR HEARING AND PROVIDING FOR NOTICE UPON THE STATEMENT OF THE ENFORCING OFFICER OF SAID CITY THAT THE STRUCTURE DESCRIBED HEREIN IS UNSAFE OR DANGEROUS

WHEREAS, the Enforcing Officer of the City of Caney, Kansas, has filed a statement in writing that the following described structure is unsafe or dangerous to-wit:

Lot 2 Brooks Add, Block 9 Common Address 302 South Spring, Caney, Kansas

WHEREAS, Article 4, Chapter IV of the Code of the City of Caney, Kansas provides upon filing of such written statement, that the Governing Body of the City of Caney, Kansas provides upon filing of such written statement, that the Governing Body of the City shall fix a time and place for hearing, by adoption of a resolution, which resolution shall be published and notice give to each owner, agent, lien holder and occupant as hereafter set forth: and

WHEREAS, the name(s) and address(es) of the owner(s), Owner(s) agent(s), lien holder(s) and occupant(s) are:

OWNER:T-Bar Country, LLC
2211Cr 1300
Havana, Ks

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CANEY, KANSAS:

SECTION 1. The Governing Body of the City of Caney, Kansas, does hereby fix the following time and place at which the owner, owner's agent, and lien holder of record and any occupant of such structure may appear and show cause why said structure should not be condemned and ordered repaired or demolished:

Date of Hearing: July 17th, 2023

Place of Hearing: Council Chambers Caney City Hall at 6:30 p.m. Caney, Ks 67333

SECTION 2. This Resolution shall be published once each week for two consecutive weeks on the same day of each week in the County Chronicle, the official city newspaper. The second publication shall occur at least thirty (30) days prior to the hearing.

SECTION 3. The City clerk of the City of Caney, Kansas, is hereby directed to mail a true and correct certified copy of the within Resolution by certified mail within three days after the date of the first publication hereof to each owner, agent, lien holder and occupant at the last known place of residence of each, marked "Deliver to Addressee Only" provided, that if the owner is a resident of Montgomery County, Kansas, the resolution shall be personally served with five days on such owner or delivered to their last known address and in this case, at least one week shall elapse between the service on such owner and the date set for the hearing.

ADOPTED by the governing body of the City of Caney on this 5th Day of June, 2022.

JOSHUA ELLIOTT, MAYOR

ATTEST;

Amber Dean, CITY CLERK

RESOLUTION NO.

A RESOLUTION ADOPTED PURSUANT TO ARTICLE 4, CHAPTER IV OF THE CODE OF THE CITY OF CANEY, KANSAS, FIXING A TIME AND PLACE FOR HEARING AND PROVIDING FOR NOTICE UPON THE STATEMENT OF THE ENFORCING OFFICER OF SAID CITY THAT THE STRUCTURE DESCRIBED HEREIN IS UNSAFE OR DANGEROUS

WHEREAS, the Enforcing Officer of the City of Caney, Kansas, has filed a statement in writing that the following described structure is unsafe or dangerous to-wit:

First Add Block 36 Lot 3 Common Address 100 E Taylor, Caney, Kansas

WHEREAS, Article 4, Chapter IV of the Code of the City of Caney, Kansas provides upon filing of such written statement, that the Governing Body of the City of Caney, Kansas provides upon filing of such written statement, that the Governing Body of the City shall fix a time and place for hearing, by adoption of a resolution, which resolution shall be published and notice give to each owner, agent, lien holder and occupant as hereafter set forth: and

WHEREAS, the name(s) and address(es) of the owner(s), Owner(s) agent(s), lien holder(s) and occupant(s) are:

Sara Love
101 W 1st Ave
Caney, KS 67333

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CANEY, KANSAS:

SECTION 1. The Governing Body of the City of Caney, Kansas, does hereby fix the following time and place at which the owner, owner's agent, and lien holder of record and any occupant of such structure may appear and show cause why said structure should not be condemned and ordered repaired or demolished:

Date of Hearing: July 17th, 2023

Place of Hearing: Council Chambers Caney City Hall at 6:30 p.m. Caney, Ks 67333

SECTION 2. This Resolution shall be published once each week for two consecutive weeks on the same day of each week in the County Chronicle, the official city newspaper. The second publication shall occur at least thirty (30) days prior to the hearing.

SECTION 3. The City clerk of the City of Caney, Kansas, is hereby directed to mail a true and correct certified copy of the within Resolution by certified mail within three days after the date of the first publication hereof to each owner, agent, lien holder and occupant at the last known place of residence of each, marked "Deliver to Addressee Only" provided, that if the owner is a resident of Montgomery County, Kansas, the resolution shall be personally served with five days on such owner or delivered to their last known address and in this case, at least one week shall elapse between the service on such owner and the date set for the hearing.

ADOPTED by the governing body of the City of Caney on this 5th Day of June 2023.

JOSHUA ELLIOTT, MAYOR

ATTEST;

Amber Dean, CITY CLERK

RESOLUTION NO.

A RESOLUTION ADOPTED PURSUANT TO ARTICLE 4, CHAPTER IV OF THE CODE OF THE CITY OF CANEY, KANSAS, FIXING A TIME AND PLACE FOR HEARING AND PROVIDING FOR NOTICE UPON THE STATEMENT OF THE ENFORCING OFFICER OF SAID CITY THAT THE STRUCTURE DESCRIBED HEREIN IS UNSAFE OR DANGEROUS

WHEREAS, the Enforcing Officer of the City of Caney, Kansas, has filed a statement in writing that the following described structure is unsafe or dangerous to-wit:

Meekers Add Block 7 Lot15-18 Common Address 502 N Main St,
Caney, Kansas

WHEREAS, Article 4, Chapter IV of the Code of the City of Caney, Kansas provides upon filing of such written statement, that the Governing Body of the City of Caney, Kansas provides upon filing of such written statement, that the Governing Body of the City shall fix a time and place for hearing, by adoption of a resolution, which resolution shall be published and notice give to each owner, agent, lien holder and occupant as hereafter set forth: and

WHEREAS, the name(s) and address(es) of the owner(s), Owner(s) agent(s), lien holder(s) and occupant(s) are:

Janice Land
502 N Main
Caney, KS 67333

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CANEY, KANSAS:

SECTION 1. The Governing Body of the City of Caney, Kansas, does hereby fix the following time and place at which the owner, owner's agent, and lien holder of record and any occupant of such structure may appear and show cause why said structure should not be condemned and ordered repaired or demolished:

Date of Hearing: July 17th, 2023

Place of Hearing: Council Chambers Caney City Hall at 6:30 p.m. Caney, Ks 67333

SECTION 2. This Resolution shall be published once each week for two consecutive weeks on the same day of each week in the County Chronicle, the official city newspaper. The second publication shall occur at least thirty (30) days prior to the hearing.

SECTION 3. The City clerk of the City of Caney, Kansas, is hereby directed to mail a true and correct certified copy of the within Resolution by certified mail within three days after the date of the first publication hereof to each owner, agent, lien holder and occupant at the last known place of residence of each, marked "Deliver to Addressee Only" provided, that if the owner is a resident of Montgomery County, Kansas, the resolution shall be personally served with five days on such owner or delivered to their last known address and in this case, at least one week shall elapse between the service on such owner and the date set for the hearing.

ADOPTED by the governing body of the City of Caney on this 5th Day of June 2023.

JOSHUA ELLIOTT, MAYOR

ATTEST;

Amber Dean, CITY CLERK

MAPLE AVENUE (CR 1450) WATER LINE REPLACEMENT (PIPE BURSTING OPTION)
 CANEY, KANSAS
 MAY 2023

ITEM NO.	NO. OF UNITS	UNIT	DESCRIPTION	UNIT PRICE	EXTENDED
1	92	LF	12" Dia. HDPE Water Line	\$ 150.00	\$ 13,800.00
2	640	LF	Pipe Bursting 12" DI with 12" HDPE	\$ 250.00	\$ 160,000.00
3	2	EA	Connection to Existing 12" Water Line	\$ 2,500.00	\$ 5,000.00
4	732	LF	Flushing, Testing, and Disinfection of 12" Diameter Water Line	\$ 5.00	\$ 3,660.00
5	2	EA	1" Diameter Service Tap	\$ 1,000.00	\$ 2,000.00
6	41	LF	1" Diameter Water Service Line	\$ 50.00	\$ 2,050.00
7	1	LS	Temporary Water Line	\$ 30,000.00	\$ 30,000.00
8	1	EA	12" MJ Gate Valve	\$ 3,500.00	\$ 3,500.00
9	1	EA	12"x12" Tapping Sleeve and 12" Gate Valve	\$ 5,000.00	\$ 5,000.00
10	1	LS	Crushed Stone Pavement Replacement	\$ 2,500.00	\$ 2,500.00
11	1	LS	Surface Restoration	\$ 5,000.00	\$ 5,000.00
12	1	LS	Mobilization, Bonding, Insurance, Etc.	\$ 25,000.00	\$ 25,000.00
				Engineer's Estimate	\$ 257,510.00

7-306. Discharge.

The discharging, firing or igniting of fireworks as defined in section 7-301 is hereby prohibited except between June 27 and July 4, both inclusive, of any year; provided, that pyrotechnic displays may be authorized by the mayor and council when under the control of responsible persons and the time, place and manner of such display is approved by the chief of the fire department. Such display shall be of such a character and so located, discharged and fired as shall not be hazardous to surrounding property or endanger any person or persons.



PRE-APPLICATION FORM

Can be used for Kansas Public Water Supply Loan Fund (KPWSLF) or Kansas Water Pollution Control Revolving Fund (KWPCRF) projects

Municipality Name	City of Caney, Kansas		
Contact Name and Title	Kelley Zellner, City Administrator		
Mailing Address	100 W 4th, P.O. Box 129, Caney, KS. 67333		
Phone	620-879-2772	Email Address	cityadmin@caney.kscoxmail.com

Project Description

The City of Caney, Kansas water distribution system has large numbers of lead service lines, hundreds of lead main taps, as well as hundreds of lead goose-necks coming off of the cast iron mains which are full of turbidity and corrosion going into citizen drinking water. These old water mains are old, very fragile and break easily every time the ground in town shifts seasonally, during dry spells, and other weather events. Caney's water repair crew repairs on an average of 4-8 water lines per week. The City of Caney is also experiencing a large annual water loss to broken water lines, seeps, and cracks in the old cast iron water mains and cure in place concrete water lines. Year after year it is getting increasingly more difficult to produce and advertise that Caney has healthy high quality water for its citizens.

Describe the Problem the Project will resolve

With the lead lines and lead components along with the old cast lines in the distribution system, it is very hard to provide safe high quality drinking water to our citizens. Caney's water plant injects Polyphosphate in the water system in an effort to control the corrosion in the cast lines which has a minimal effect. New Plastic water lines will heal up the large water loss the city is experiencing at this time. Replacing the mains will also allow the city to get on a larger, permanent wholesale treated water source and simple distribute water instead of maintaining an aging water plant that will need to be completely renovated in the next ten years. And, new plastic lines would allow Caney to distribute healthy safe drinking water to its citizens and create a healthy future for the growth of the community.

Est. Design Completion Date	Dec-23 to Jun-24	Status of Design (% Complete)	PER & Pre-Design
Est. Project Construction Start Date	April-25	Estimated Project Cost	\$8,500,000.00

Rural Water Districts must attach a list showing the number of customer meters in each county township. If the utility currently implements an asset management plan, please attach the completed Asset Management IQ Test found at <http://southwestefc.unm.edu/AssetManagementIQ/main.php>. If the project is for lead service line replacements, indicate in the project description whether there will be a charge to property owners for replacing the private side of lead service lines. If the municipality wishes for a lead service line or distribution project area to be considered as a Disadvantaged Community, a list of census tracts for the project area must be attached. **Send completed form and attachments to: KDHE-SRF, 1000 SW Jackson, Suite 420; Topeka, KS 66612 or email to kdhe.KansasSRF@ks.gov.**

Project Schedule

Caney Waterline Replacements

Start Date	End Date	Duration	Description
Jun-23	Dec-23	180	PER/Funding Acquisition
Dec-23	Dec-23	30	Pre-Design
Dec-23	Jun-24	180	Engineering Design
Jun-24	Dec-24	180	Regulatory Review
Dec-24	Jan-25	30	Advertise for Bids
Jan-25	Feb-25	30	Notice to Award
Feb-25	Apr-25	60	Notice to Proceed
Apr-25	Jul-25	90	Construction 1st quarter
Jul-25	Oct-25	90	Construction 2nd quarter
Oct-25	Jan-26	90	Construction 3rd quarter
Jan-26	Apr-26	90	Construction 4th quarter
Apr-26	Jul-26	90	Construction 5th quarter
Jul-26	Oct-26	90	Construction 6th quarter
Oct-26	Nov-26	30	Substantial Completion
Nov-26	Dec-26	30	Final Completion



July 26, 2022

Honorable Mayor and City Council
City of Caney, Kansas
P.O. Box 129
Caney, Kansas 67333

We are pleased to confirm our understanding of the services we are to provide the City of Caney, Kansas for the year ended December 31, 2022.

Audit Scope and Objectives

We will audit the financial statement of the City of Caney, Kansas as of and for the year ended December 31, 2022. It is agreed that the basis of presentation of the financial statement will demonstrate compliance with the regulatory basis of accounting. It is further agreed that the municipality shall pass, by resolution, a waiver of the requirements of the law relating to the preparation of the financial statement and financial reports that conform to generally accepted accounting principles as provided by K.S.A. 75-1120a (c).

We have also been engaged to report on supplementary information that accompanies the City of Caney's financial statement. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statement or to the financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America (GAAS), and we will provide an opinion on it in relation to the financial statement as a whole in a report combined with our auditor's report on the financial statement:

- 1) Summary of Expenditures – Actual and Budget – Regulatory Basis (Budget Funds only)
- 2) Schedule of Receipts and Expenditures – Actual and Budget – Regulatory Basis
- 3) Schedule of Receipts and Disbursements – Agency Funds – Regulatory Basis
- 4) Schedule of Expenditures Federal Awards

The objectives of our audit are to obtain reasonable assurance about whether the financial statement as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinion about whether your financial statement is fairly presented, in all material respects, in conformity with the regulatory basis of accounting, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statement as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statement. The objectives also include reporting on:

Jarred, Gilmore & Phillips, PA
CERTIFIED PUBLIC ACCOUNTANTS

412 W. MAIN, P.O. BOX 97
NEODESHA, KANSAS 66757
(620) 325-3430

1815 S. SANTA FE, P.O. BOX 779
CHANUTE, KANSAS 66720
(620) 431-6342

16 W. JACKSON
IOLA, KANSAS 66749
(620) 365-3125

www.jgppa.com

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statement in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor’s Responsibilities for the Audit of the Financial Statement and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinion. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statement, including the disclosures, and determine whether the financial statement represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statement or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government’s ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

We have identified the following significant risk(s) of material misstatement as part of our audit planning:

- 1) Management override of controls
- 2) Improper revenue recognition

Our audit of financial statement does not relieve you of your responsibilities.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statement, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statement and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statement. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statement is free of material misstatement, we will perform tests of the City of Caney’s compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City of Caney's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on the City of Caney's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statement, schedule of expenditures of federal awards, and related notes of the City of Caney in conformity with the regulatory basis of accounting and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities for the financial statement, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statement, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statement, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statement and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statement that is free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statement, schedule of expenditures of federal awards, and all accompanying information in conformity with the regulatory basis of accounting; and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statement, schedule of expenditures of federal awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statement, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statement; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statement to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statement taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statement. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review on the first day of fieldwork.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards. You also agree to include the audited financial statement with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with the regulatory basis of accounting. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statement with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with the regulatory basis of accounting; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with the regulatory basis of accounting; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statement, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statement. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Jarred, Gilmore & Phillips, PA and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the State of Kansas or its designee. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Jarred, Gilmore & Phillips, PA personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the State of Kansas or its designee. The State of Kansas or its designee may intend or decide to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by your grantors. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Neil L. Phillips, CPA, is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

To ensure that Jarred, Gilmore & Phillips, PA's independence is not impaired under the AICPA Code of Professional Conduct, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel.

It is our understanding that your intent in engaging us is that the financial statement we render to you under this agreement will be made available to the State of Kansas Division of Accounts and Reports. Moreover, as of the time of this engagement, we have not been notified, in writing or otherwise, that the professional accounting services rendered under this agreement will be made available to any other person, firm, or corporation for any purpose not specified hereinabove. Consequently, no other person, firm, or corporation is entitled to rely upon these professional services for any purpose without our express, written agreement. This engagement letter embodies the entire agreement and understanding between the parties hereto and there are no promises, warranties, covenants or conditions made by any of the parties except as herein expressly contained. The terms and conditions of this engagement shall be governed and construed in writing signed by all the parties. It is agreed that venue and jurisdiction involving any matters arising out of this engagement letter is in the State of Kansas.

Disputes arising under this agreement (including the scope, nature, and quality of services to be performed by us, our fees, and other terms of the engagement) shall be submitted to mediation. A competent and impartial third party, acceptable to both parties, shall be appointed to mediate, and each disputing party shall pay an equal percentage of the mediator's fees and expenses. No suit or arbitration proceeding shall be commenced under this agreement until at least 60 days after the mediator's first meeting with the involved parties. If the dispute requires litigation, the court shall be authorized to impose all defense costs against any non-prevailing party found not to have participated in the mediation process in good faith.

Our fees for these services will be based on the actual time spent at our standard hourly rates, plus travel and other out-of-pocket costs such as report production, typing, postage etc. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered as work progresses, and are payable on presentation. We will perform the audit services for an amount not to exceed the following amount:

Audit for December 31, 2022	\$8,100.00
Single Audit	2,100.00

These fees are based upon anticipated cooperation from your personnel, and the assumption that unexpected circumstances will not be encountered during the audit. The following are examples of circumstances which could result in an increase in fees:

- accounting records that are not reconciled to detailed records and therefore, not ready to be audited,
- a significant change in the amount or type of accounting records maintained,
- change in personnel with a corresponding change in level and quality of work performed,
- additional significant state and/or federal grants not identified previously,
- issuance of long-term debt not identified previously for the purposes of new financing or refunding of previously issued long-term debt, or
- new GASB pronouncements that require additional compliance work,
- a greater than expected risk of material misstatement due to fraud.
- additional grant funding that requires additional compliance testing.

We would like to point out that we expect the proposal fee to be a maximum charge. As can be seen above, the additional charges would only be necessary due to unusual circumstances not foreseen when the audit proposal was prepared. If significant additional time is necessary, we would discuss it with you and arrive at a new fee estimate.

Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Honorable Mayor and City Council of the City of Caney, Kansas. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinion, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinion is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to the City of Caney, Kansas and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,



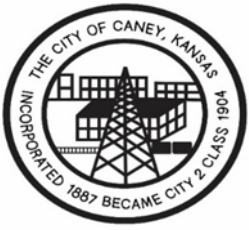
JARRED, GILMORE & PHILLIPS, PA
Certified Public Accountants

RESPONSE:

This letter correctly sets forth the understanding of the **City of Caney, Kansas**.

Signature _____

Title _____



City of Caney

100 West Fourth Avenue, Caney, KS 67333

Phone: (620)879-2772 Fax: (620) 879-9808

Email: cityclerk@caney.kscoxmail.com

Amber Dean, City Clerk

City Clerk's Report- June 1st 2023

- Attended City Council Meetings on May 1st & 15th
- Prepared Agendas and council packets for council meetings
- Prepared payroll for the 5/12/23 & 5/26/23 pay date
- Prepared Checks for 04/14/2023 and 04/14/2023 Accounts Payable.
- Debbie Matthews prepared Accounts Payables for processing
- Melynda Trabuc processed 914 Monthly Water Statements
- Melynda Trabuc processed 214 Monthly Late Statements
- Processed 27 total shuts off for May 2023.
- Processed 7 Payment Agreements for May 2023.
- Prepared and Submitted Payroll Reporting
- Working with Paul Kritz on several projects
- Melynda Trabuc is making progress with Cemetery Reporting.
- Reviewed Caney Market Schedule and revised schedule
- Reviewed Caney Market Inventory of items not selling
- Debbie and Melynda reviewed monthly water reads and issued rereads to PW crew
- Submitted Monthly Water Reporting to KDHE
- Met with City Administrator Zellner for weekly update
- Completed BVP Grant for the Police Department
- Worked with all departments on equipment list
- Met with Department Heads to go over Department Goals, Department Reports and expectations.
- Working with Waste Connections on Trash Audit
- Met with Council Member Butts to review Chicken Ordinance
- Met with Chief Dye and Kelley Zellner about PD Uniforms and budget.
- Melynda, Debbie and myself prepared for the Caney Market Dot Sale.

If you have any other questions or concerns, please feel free to contact me or stop by City Hall.
My door is always open.

Sincerely,

Amber Dean, City Clerk