

City of Caney

Regular Council Meeting

Monday, September 18th, 2023 at 6:30 p.m.

Call Meeting to Order: Mayor Joshua Elliott

Roll Call

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

Pledge of Allegiance: Mayor Joshua Elliott

Invocation: Mayor Joshua Elliott

Public Comments

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

1. Rick Pell-Discussion of the Water Plant and Coffeyville Waterline Project
2. Cody McLarty – Discussing EPA Remediation in Caney

Consent Agenda

Presented by Joshua Elliott, Mayor

- A. Approval of the Minutes for the 09/01/2023 Meetings
- B. Appropriations and Payroll Ord No. 09-15-2023 **\$246,014.00**
 - a. Approval of Purchases over \$5,000
 - i. EFTPS (Payroll Taxes) \$ 11,666.12
 - ii. Payroll (09/15/2023) \$ 52,918.14
 - iii. KPERS (Retirement) \$ 6,860.30
 - iv. KS Retailer's Tax \$ 7,428.61
 - v. AWG \$ 35,382.17
 - vi. Blue Cross \$ 21,262.56
 - vii. Evergy \$ 14,861.63
 - viii. LaForge Ins. \$ 33,596.26
 - ix. Midwest Engineering \$ 12,909.91
 - x. Waste Connections \$ 19,226.00
- C. Main Street Auto Payment in the Amount of \$1,923.66

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

Recommended Action: _____ make a motion to approve the Consent Agenda Items C-Main Street Auto Payment in the amount of \$1,923.66. _____ seconded the motion. Motion Carries: _____ (Council Member Elliott abstained)

City of Caney

Regular Council Meeting

Monday, September 18th, 2023 at 6:30 p.m.

New Council Business

A. Open CDBG Public Hearing for the Housing Grant for September 18th, 2023 @ 6:30 p.m.

Presented by Amber Dean, City Clerk

Recommended Action: _____ made a motion to open the CDBG Public Hearing
_____ seconded the motion. Motion Carries: _____

_____ made a motion to close the CDBG Public Hearing _____ seconded the motion. Motion
Carries: _____

B. Adopt Resolution 2023-23- Certifying Legal Authority to apply for the CDBG Grant

Presented by Amber Dean, City Clerk

Recommended Action: _____ made a motion to approve Resolution 2023-23 as
presented. _____ seconded the motion. Motion Carries: _____

C. Approve CDBG Grant Documents as presented

Presented by Amber Dean, City Clerk

Recommended Action: _____ made a motion to approve all grant documents for the submission
of the CDBG Grant. _____ Seconded the movement. Motion Carries: _____

D. Approve the Contract between the City of Caney and the South Central Kansas Economic Development District for housing inspection/risk assessment services contingent on grant award

Presented by Amber Dean, City Clerk

Recommended Action: _____ made a motion to D. Approve the Contract between the City
of Caney and the South Central Kansas Economic Development District for housing inspection/risk
assessment services contingent on grant award. _____ Seconded the movement.
Motion Carries: _____

E. Approve Zoning Variance for 311 E 3rd

Presented by Kelley Zellner, City Administrator

Admin Notes: The Zoning Board met on Monday, September 11th, 2023. They approved the variance
for 311 E 3rd Street to allow the structure presented by Carl to be built: a new house and out buildings
on the property.

Recommended Action: _____ made a motion for the approval of the Zoning Commission granting
a Zoning Variance for 311 E 3rd Street to modify the Square Foot Requirement for new construction of
a house. _____ Seconded the motion. Motion Carries: _____

F. Approve the set up a Progress Agreement between the City of Caney and Carl Hempel for the property at 311 E 3rd

Presented by Kelley Zellner, City Administrator

Admin Notes: The Caney Land Bank is set that anyone who is awarded a property enter into a
Progress Agreement with the City upon an approved building plan. This agreement sets the
parameters of accountability and progress for the first 12 months with the ability for and extension up
to 24 month for completion.

City of Caney

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Monday, September 18th, 2023 at 6:30 p.m.

Recommended Action: _____ made a motion to approve the establishing of a Progress Agreement between the City of Caney and Carl Hempel for the approved project at 311 E 3rd. _____ Seconded the motion. Motion Carries: _____

G. Approve the quote for a new server for the amount of \$23,739.00

Presented by Amber Dean, City Clerk

Admin Notes: The Police Department and City Hall have been experiencing ongoing issues with the server for several weeks. Higher Calling has advised it is time to purchase a new server, switches, and backup, as the current one is seven years old. The equipment quote that we need is \$23,739.00. We will discuss funding options.

Recommended Action: _____ made a motion to approve the quote for the new server, Switches, and backup services for \$ 23,739.00, utilizing the _____ funds. _____ Seconded the motion. Motion Carries: _____

H. Approve the Water Emergency Plan as Presented

Presented by Kelley Zellner, City Administrator

Admin Notes: The Kansas Water Office has no updated Water Emergency Plan. They requested that we update the plan before the upcoming water projects.

Recommended Action: _____ made a motion to approve the water emergency plan as presented.. _____ Seconded the motion. Motion Carries: _____

I. Approve the City of Caney to submit grant applications on behalf of Mr. & Mrs. Lyons for 215 West Fourth.

Presented by Kelley Zellner, City Administrator

Admin Notes: The Lyons are interested in the CDBG Commercial Rehabilitation Grant and the HEAL 4.0 grant. The City must submit the grants on their behalf.

Recommended Action: _____ made a motion to approve the City of Caney to submit grants on behalf of Mr. & Mrs. Lyons.. _____ Seconded the motion. Motion Carries: _____

J. Executive Session (Non-Elected Personnel)

To discuss confidential information relating to personnel matters of non-elected personnel under K.S.A 75-4319 (1)

Recommended Action: _____ moved to Recess into executive session to discuss confidential information relating to personnel matters of non-elected personnel under K.S.A 75-4319 (1) for 10 minutes to include the City Council, City Administrator, Mayor, Chief of Police, and City Clerk. Entering in at _____ and returning to regular session at _____ p.m.. _____ Seconded Motion. Motion Carries: _____

_____ made a motion to enter back into regular session, _____ seconded. Motion Carries: _____

City of Caney

Regular Council Meeting

Monday, September 18th, 2023 at 6:30 p.m.

Department Comments:

- Mayor-Joshua Elliott
- City Administrator- Kelley Zellner
- Police Department- Ike Dye
- City Clerk- Amber Dean

Council Comments:

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

Informational Items

Next City Council Meeting: Monday, October 2nd, 2023 @ 6:30 p.m.

Adjournment

_____ Moved to adjourn the meeting at _____.
_____ Seconded Motion. Motion Carries: _____.

City of Caney

Regular Council Meeting Minutes

Tuesday September 5th, 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 -Present	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

Consent Agenda

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

Council Member Ellison made a motion to approve the payment for Main Street Auto in the amount of \$695.16 Council Member Patterson seconded the motion. Motion Carries: 5-0 (Council Member Elliott Abstained)

Old Business

A. Adopt Resolution 2023-15- Pledging Commitment to the Land Bank Policy for Pathways

Council Member Wood made a motion to adopt Resolution 2023-15 as presented with the exception of not using Tourism Funds. Council Member Patterson seconded the motion. Motion Carries: 6-0

New Council Business

A. Presentation of the Preliminary Engineering Report presented by Midwest Engineering

Presented by Danny and Ben Coltrane, Midwest Engineering

B. Set the SRF and RD Apply Application Public Hearing for October 16th, 2023 @ 6:30 p.m.

Council Ellison made a motion to set the SRF and RD Apply Public Hearing for October 16th, 2023 @ 6:30 p.m. as presented. Council Member Patterson seconded the motion. Motion Carries: 6-0

C. Reschedule the CDBG Public Hearing for the Housing Grant for September 18th, 2023 @ 6:30 p.m.

Council Member Patterson made a motion to set the public hearing for September 18th, 2023 @ 6:30 p.m. Council Member Wood seconded the motion. Motion Carries: 6-0

D. Adopt Resolution 2023-16- Authorizing the abatement of conditions at 416 N Wood

Council Member Patterson made a motion to adopt Resolution 2023-16 as presented. Council Member Wood Seconded. Motion Carries 5-1 (Council Member Butts voted against)

E. Adopt Resolution 2023-17- Authorizing the abatement of conditions at 1201 N Wood

Council Member Patterson made a motion to adopt Resolution 2023-17 as presented. Council Member Ellison Seconded. Motion Carries 5-1 (Council Member Butts voted against)

F. Adopt Resolution 2023-18- Authorizing the abatement of conditions at 1207 N Wood

Council Member Patterson made a motion to adopt Resolution 2023-18 as presented. Council Member Wood Seconded. Motion Carries 5-1 (Council Member Butts voted against)

City of Caney

Regular Council Meeting Minutes

Tuesday September 5th, 2023 at 6:30 p.m.

- G. Adopt Resolution 2023-19- Authorizing the abatement of conditions at 410 Foreman**
Council Member Patterson made a motion to adopt Resolution 2023-19 as presented. Council Member Elliott Seconded. Motion Carries 4-2 (Council Member Butts and Ellison voted against)
- H. Adopt Resolution 2023-20- Authorizing the abatement of conditions at 108 N Fawn**
Council Member Patterson made a motion to adopt Resolution 2023-20 as presented. Council Member Wood Seconded. Motion Carries 4-2 (Council Member Butts and Ellison voted against)
- I. Adopt Resolution 2023-21- Authorizing the abatement of conditions at 600 N Smith**
Property is not within City Limits. No Action Taken
- J. Adopt Resolution 2023-21- Authorizing the abatement of conditions at 200 E Braden**
Council Member Patterson made a motion to adopt Resolution 2023-21 as presented. Council Member Wood Seconded. Motion Carries 4-2(Council Member Butts an Ellison voted against)
- K. Approve the 2023 Audit Service Agreement**
Council Member Wood made a motion to approve the service agreement with Jarred, Gilmore and Phillips, PA for the 2023 Audit. Council Member Patterson seconded the motion. Motion Carries: 6-0
- L. Award 5 Year Solid Waste Contract**
Council member Ellison made a motion to award a 5-year Solid Waste Contract to Waste Connection as presented with Option 3. Council Member Patterson seconded the motion. Motion Carries:6-0.
- M. Appoint Rec Board Member**
Council Member Ellison made a motion to appoint Anthony Camper to the Caney Valley Rec Board. Council Member Elliott seconded the motion. Motion Carries: 6-0
- N. Handicap Parking at the Football Stadium**
Council Member Patterson made a motion to add 4 handicap spots at the football stadium with signs and post. Council Member Traxson seconded the Motion. Motion Carries: 6-0
- O. Executive Session (Non-Elected Personnel)**
Council Member Patterson moved to Recess into executive session to discuss confidential information relating to personnel matters of non -elected personnel pursuant to K.S.A 75-4319 (1) for a period of 10 minutes to include the City Council, City Administrator and Mayor. Entering in at 8:17 p.m. and returning to regular session at 8:27 p.m.
Council Member Wood Seconded Motion. Motion Carries: 6-0
- Council Member Ellison made a motion to enter back into regular session, Council Member Patterson seconded. Motion Carries: 6-0
- Council Member Ellison made a motion to enter into Executive Session for a period of 10 minutes entering in at 8:29 p.m. and returning at 8:39 p.m. to include the Mayor and Council. Council Member Elliott seconded. Motion Carries 6-0
- Council Member Patterson made a motion to enter back into regular session, Council Member Wood seconded. Motion Carries: 6-0

City of Caney

Regular Council Meeting Minutes

Tuesday September 5th, 2023 at 6:30 p.m.

Council Member Patterson made a motion to enter into Executive Session for a period of 5 minutes entering in at 8:40 p.m. and returning at 8:45 p.m. to include the Mayor, City Admin and Council. Council Member Elliott seconded. Motion Carries 6-0

Council Member Patterson made a motion to enter back into regular session, Council Member Wood seconded. Motion Carries: 6-0

Council Member Ellison made a motion to increase Kelley Zellner's Salary from \$85,000 to \$90,000 for the remaining 2 years of his contract, with an additional 2 weeks per year of vacation, effective his hire date. Council Member Elliott seconded. Motion Carries: 6-0

Department Comments:

- Mayor-Joshua Elliott- Requested a light pole updated, requested a Park Parking Update, 20mp Sign Update. Declared the 20 mph signs will remain up until the following meeting
- City Administrator- Kelley Zellner- advised the 20 mph signs were a miscommunication issue, no harm no foul.
- Police Department- Ike Dye- N/A
- City Clerk- Amber Dean- N/A

Council Comments:

Council Member Wood: Spring and 4th corner. Hard to see with cars parked there

Informational Items

Next City Council Meeting: Monday, September 18, 2023 @ 6:30 p.m.

Adjournment

Council Member Patterson Moved to adjourn the meeting at 8:56 p.m..

Council member Wood Seconded Motion. Motion Carries: 6-0

THE CITY OF Caney, KANSAS

RESOLUTION NO. _____

RESOLUTION CERTIFYING LEGAL AUTHORITY
TO APPLY FOR THE KANSAS
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FROM THE KANSAS DEPARTMENT OF COMMERCE
AND AUTHORIZING THE MAYOR TO SIGN AND
SUBMIT SUCH AN APPLICATION

WHEREAS, The City of Caney, Kansas, is a legal governmental entity as provided by the laws of the STATE OF KANSAS, and

WHEREAS, The City of Caney, Kansas, intends to submit an application for assistance from the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby certifies that the City of Caney, Kansas, is a legal governmental entity under the status of the laws of the STATE OF KANSAS and thereby has the authority to apply for assistance from the KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby authorizes the MAYOR of Caney, Kansas, to act as the applicant's official representative in signing and submitting an application for the assistance to the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby dedicates \$ 3,000 in cash funds toward this project.

APPROVED BY THE GOVERNING BODY OF THE CITY OF _____, KANSAS, this _____ day of _____, 20____.

APPROVED _____
MAYOR

ATTEST _____

(SEAL)

THE CITY OF _____, KANSAS

(Minimum required by all applicants for funding – must be submitted with application)

**Residential Anti-displacement and Relocation Assistance Plan
under Section 104(d) of the
Housing and Community Development Act of 1974, as Amended**

The jurisdiction will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than as low- moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the [jurisdiction] will make public and submit to the Kansas Department of Commerce the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as Section 104(d) replacement dwelling units;
5. The source of funding and a time schedule for the provision of Section 104(d) replacement dwelling units; and
6. The basis for concluding that each Section 104 (d) replacement dwelling unit will remain a low- and moderate-income dwelling unit for at least ten years from the date of initial occupancy.

The jurisdiction will provide relocation assistance, as described in Section 570.488 to each low- and moderate-income household displaced by the demolition of housing or by the conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the act, the jurisdiction will take the following steps to minimize the displacement of persons from their homes:

Based on initial review of project, the following occupied dwellings (by address) will be demolished with grant funds (should contain proposed demolitions):

No Occupied Dwellings will be demolished with this project

As chief official of the jurisdiction, I hereby certify that the above plan was officially adopted by the jurisdiction _____
of on the ___ day of _____, 2023

Signature – Chief Elected Official

Jurisdiction

Date

**Certification Regarding Government-Wide
Restriction on Lobbying
(For Contracts Over \$100,000)**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, cooperative agreements) over \$100,000, and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Date

Principal

Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing
and Urban Development

OMB Approval No. 2510-0011 (exp. 11/30/2018)

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information

Indicate whether this is an Initial Report or an Update Report

1. Applicant/Recipient Name, Address, and Phone (include area code): City of Caney 100 West Fourth Ave, Caney KS 67333	2. Social Security Number or Employer ID Number: 48-6042966
3. HUD Program Name Community Development Block Grant	4. Amount of HUD Assistance Requested/Received 300,000
5. State the name and location (street address, City and State) of the project or activity:	

Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3). <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No.
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If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However,** you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds
City of Caney	Cash	3,000	Environment Review

(Note: Use Additional pages if necessary.)

Part III Interested Parties. You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)
South Central Kansas Econmoic Development District		Housing Inspector	
South Central Kansas Econmoic Development District		Risk Accessor	

(Note: Use Additional pages if necessary.)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature: X	Date: (mm/dd/yyyy)
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STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies with respect to the grant that:

- (1) It possesses legal authority to make a grant submission and to execute a community development and housing program.
 - (2) Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the grantee to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required.
 - (3) Prior to submission of its application to Commerce, the grantee has met the citizen participation requirements, prepared its application of community development objectives and projected use of funds, and made the application available to the public, as required by Section 104(a) (2) of the Housing and Community Development Act of 1974, as amended, and implemented at 24 CFR 570.486.
 - (4) It has developed its final statement (application) of projected use of funds so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the final statement (application) of projected use of funds may also include activities that the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available.
 - (5) Its chief executive officer or other officer of the grantee approved by Commerce:
 - (a) Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 and other provisions of federal law as specified in 24 CFR 58.1(a);
 - (b) Is authorized and consents on behalf of the grantee and himself/herself to accept the jurisdiction of the federal courts for the purpose of enforcement of his/her responsibilities as such an official; and
 - (6) The grant will be conducted and administered in compliance with the following federal and state regulations (see Appendix A: Applicable Laws and Regulations):
 - (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and implementing regulations issued at 24 CFR Part 1:
-

- (b) Fair Housing Amendments Act of 1988, as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services;
 - (c) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.602);
 - (d) Section 3 of the Housing and Urban Development Act of 1968, as amended; and implementing regulations at 24 CFR Part 135;
 - (e) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60;
 - (f) Executive Order 11063, as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107;
 - (g) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations when published for effect;
 - (h) The Age Discrimination Act of 1975, as amended, (Pub. L. 94-135), and implementing regulations when published for effect;
 - (i) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 24 CFR 570.488;
 - (j) Anti-displacement and relocation plan requirements of Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended:
 - (k) Relocation payment requirements of Section 105(a) (11) of Title I, Housing and Community Development Act of 1974, as amended.
 - (l) The labor standards requirements as set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements;
 - (m) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;
 - (n) The regulations, policies, guidelines and requirements of 2 CFR Part 200 and A-122 as they relate to the acceptance and use of federal funds under this federally assisted program;
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- (o) The American Disabilities Act (ADA) (P.L. 101-336: 42 U.S.C. 12101) provides disabled people access to employment, public accommodations, public services, transportation, and telecommunications;
 - (7) The conflict of interest provisions of 24 CFR 570.489 applies to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub recipients which are receiving CDBG funds. None of these persons may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds there under, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter, and that it shall incorporate or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purpose of this certification;
 - (8) It will comply with the provisions of the Hatch Act that limits the political activity of employee;
 - (9) It will give the state, HUD, and the Comptroller General or any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant;
 - (10) It will comply with the lead-based paint requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Hazard Elimination Act (42 U.S.C. 4801 et seq.).
 - (11) The local government will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by low- and moderate-income persons unless: (a) CDBG funds are used to pay the proportion of such assessment that relates to non CDBG funding or; (b) the local government certifies to the state that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, that the local government does not have sufficient CDBG funds to comply with the provision of (a) above.
 - (12) It accepts the terms, conditions, selection criteria, and procedures established by this program description and that it waives any right it may have to challenge the legitimacy and the propriety of these terms, conditions, criteria, and procedures if its application is not selected for CDBG funding.
 - (13) It will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program.
-

- (14) It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

The applicant hereby certifies that it will comply with the above stated assurances.

_____ Signature, Chief Elected Official	_____ Name (typed or printed)
_____ Mayor	_____ Date
_____ Title	

To Whom It May Concern:

As Chief Elected Official of the City of Caney, I hereby certify that I have knowledge of all activities in the above-referenced application. I also certify that I am aware that the regulations of the CDBG program prevent the use of any facility built or rehabilitated with CDBG funds, or any portion thereof, to be used for the conduct of official business. I therefore certify that no portion of the above application violates this regulation.

Mayor/County Commission

ATTEST:

City/County Clerk

Kansas Department of Commerce
Community Development Block Grant (CDBG) Program
1000 S.W. Jackson St., Suite 100
Topeka, KS 66612-1354

DETERMINATION OF LEVEL OF REVIEW

ENVIRONMENTAL REVIEW RECORD (ERR)

Grantee Name & Project Number: City of Caney-Housing Rehabilitation Project

Project Location: City of Caney

Project Description: This project proposed to conduct voluntary owner-occupied rehabilitation on approximately 8-9 structures along with 3-5 demolitions within the City Limits of Caney, KS

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," and the following determination with respect to the project is made:

- Exempt from NEPA review requirements per 24 CFR 58.34(a)()
- Categorical Exclusion NOT Subject to §58.5 authorities per 24 CFR 58.35(b)()
- Categorical Exclusion SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(3)
- An Environmental Assessment (EA) is required to be performed.
- An Environmental Impact Statement (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

Chief Elected Official (print name/title)

Chief Elected Official's Signature

Date

CONTRACT FOR HOUSING INSPECTION/RISK ASSESSMENT SERVICES
CITY OF CANEY
CDBG HOUSING REHABILITATION GRANT

THIS CONTRACT is entered into this ____ day of _____, 2023 by and between The City of Caney, Kansas, Party of the First Part, hereinafter referred to as “City” and the South Central Kansas Economic Development District, Inc. (SCKEDD) a non-profit Kansas corporation under the laws of the State of Kansas, Party of the Second Part, hereinafter called “SCKEDD”.

This contract is contingent upon award of a current Small Cities Community Development Block Grant (CDBG) application from the State of Kansas Department of Commerce. If the application is not successful and the grant not funded, this contract will be declared null and void.

SCKEDD hereby agrees to provide Professional Housing Inspection/Risk Assessment services to the City under the City’s proposed 2023 Community Development Block Grant (CDBG) Application for Housing Rehabilitation and Reconstruction, to be funded by a grant from the Kansas Department of Commerce (KDOC) to the City. The services to be provided are outlined in the attached Exhibit “A” and hereby incorporated into this contract and made a part hereof. SCKEDD’s official agent for this contract is its Executive Director.

SCKEDD further agrees to the following:

1. SCKEDD will provide the City, the Kansas Department of Commerce, or the Comptroller General through any authorized representative, the access to, and the right to examine, SCKEDD’s records, books, papers, or documents related to the contract.
2. SCKEDD will provide safeguards to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves, or others, particularly those with whom they have family, business, or other ties.

SCKEDD further agrees to abide by the following State and Federal Regulations:

1. Title VI of the Civil Rights Act of 1964.
2. Title VIII of the Civil Rights Act of 1968, as amended by the Housing Act of 1974.
3. Section 109, Housing and Community Development (HCD) Act of 1974, as amended.
4. Section 3 of the Housing and Urban Development Act of 1968, as amended through 1994, and implemented by 24 CFR 135.
5. Section 503 of Rehabilitation Act of 1973, as amended.
6. Section 504 of the Rehabilitation Act of 1973, as amended.
7. Age Discrimination Act of 1975, as amended.
8. Executive Order 11063 (1962).
9. Executive Order 11246 (1965), as amended.
10. 24 CFR 85, as modified by CFR 570, Subpart J.
11. Title I of the Housing and Community Development Act of 1974, as amended.
12. Section 519, Public Law 101-144 (1990 HUD Appropriation Act).

CONTRACT FOR HOUSING INSPECTION/RISK ASSESSMENT SERVICES
CITY OF CANEY
CDBG HOUSING REHABILITATION GRANT

- 13. Cranston-Gonzales National Affordable Housing Act (Sections 906 and 912).
- 14. Kansas Act Against Discrimination; and
- 15. Fair Housing Amendment Act of 1988.

These items are described in more detail in Section 10, Appendix “B” of the Kansas Small Cities Community Development Block Grant Program Grantee Handbook. These pages are attached hereto as Exhibit “B” and hereby incorporated into this contract and made a part hereof.

The City agrees, as related to this contract, to assume the following duties and obligations:

- 1. To pay SCKEDD according to the following fee schedule for services:

- A. Housing Quality Standards Inspections, per dwelling..... \$1,200.00
(This price includes all written reports, cost estimates, interim inspections, and final inspections per rehabilitated house.)

- B. Lead-Based Paint Risk Assessments, per dwelling..... \$1,250.00
(This price includes all written reports per rehabilitated house, as well as any charges for scientific analysis.)

- C. Lead-Based Paint Clearance, per dwelling..... \$550.00
(This price includes all written reports per rehabilitated house, as well as any charges for scientific analysis.)

- D. Demolition inspection, per dwelling (if required) \$1,000.00
(This price includes all written reports, cost estimates, interim inspections, and final inspections per dwelling unit to be demolished.)

Unit prices (if needed)

- 1. Additional site visits, per visit: \$150.00
- 2. Additional paint, soil, dust, or water samples: \$350.00
- 3. Additional XRF paint testing, per structure: \$250.00
- 4. Mileage rate of 65.5 cents per mile \$.65.5 per mile
- 5. Administrative Support, Virtual Meetings \$150.00
(price is per hour, with a minimum of 1 hour)

- 2. During the course of, and for all activities relating to this contract, to appoint an authorized grant liaison with whom SCKEDD is to work.

It is further agreed that at any time during the contract, should either party to this contract become dissatisfied with the provisions of the contract, or the execution of duties as set forth herein, they may request from, and will be granted by, the other party a renegotiation of terms. This request must take the form of a written notification detailing the reasons for complaint. If thirty (30) days after the receipt of the request for renegotiations, the renegotiations have not

CONTRACT FOR HOUSING INSPECTION/RISK ASSESSMENT SERVICES
CITY OF CANEY
CDBG HOUSING REHABILITATION GRANT

been resolved, this contract will be declared null and void from that date, subject to the payment of SCKEDD's expenses to date by the City.

It is further agreed that in the event the grant is not forthcoming, SCKEDD will be paid by the Kansas Department of Commerce for its time and expenses up to the date the grant is canceled.

It is further agreed that no provision herein set forth shall be construed to mean that SCKEDD shall assume from the City any direct responsibility to the Kansas Department of Commerce as detailed in the City's Grant Agreement for the above-referenced grant, other than that of an agent of the City.

This contract is in effect until grant closeout procedures, except the audit, have been completed.

SCKEDD and the City have agreed to the terms of this contract executed on _____, as evidenced by the following affixed signatures.

CITY OF CANEY, KANSAS

SOUTH CENTRAL KANSAS ECONOMIC
DEVELOPMENT DISTRICT, INC.

Joshua Elliott
Mayor, City of Caney

Bill Lampe
Executive Director

CONTRACT FOR HOUSING INSPECTION/RISK ASSESSMENT SERVICES
CITY OF CANEY
CDBG HOUSING REHABILITATION GRANT

EXHIBIT A
HOUSING INSPECTION AND RISK ASSESSMENT SERVICES

**SCOPE OF HOUSING INSPECTOR/RISK ASSESSOR REPONSIBLITIES FOR
CDBG HOUSING REHABILITATION GRANT
CITY OF CANEY**

1. Conduct initial inspections of each unit using the HUD Section 8 form, the Housing Quality Standards, and the local building code.
2. Provide a written Lead Paint Risk Assessment in conformance with HUD and the KDHE standards.
3. Prepare a line-item bid sheet for each unit that will be rehabilitated with detailed specifications for all needed repairs. This written report will include a sub-section that will list all interim control measures needed to comply with all regulations governing lead-based paint interim controls and paint stabilization.
4. Inspector will coordinate with the Project Administrator during the scheduling of walk-through/bid tours for all interested contractors.
5. Perform regular interim inspections of all work sites.
6. Prepare written change orders when needed during the construction phase.
7. Conduct Final Inspections of each unit to assure compliance with all work specifications and the corresponding requirements of each agency. The property owner will be encouraged to participate in each Final Inspection. In the event that any work has to be corrected, or changed, another Final Inspection visit will take place.
8. Clearance testing of each unit will be performed in conjunction with the Final Inspection. In the event that any work has to be corrected, or changed, another clearance test will be performed.

SCKEDD understands that the above is not an all-inclusive list. SCKEDD assures that all items required by the Kansas Department of Commerce, to comply with their CDBG Program for housing inspection/risk assessor services will be provided and completed by SCKEDD to KDOC's satisfaction.

CONTRACT FOR HOUSING INSPECTION/RISK ASSESSMENT SERVICES
CITY OF CANEY
CDBG HOUSING REHABILITATION GRANT

EXHIBIT B
CDBG STATE AND FEDERAL REGULATIONS

SECTION 10, APPENDIX B

SUMMARY OF CIVIL RIGHTS LAWS, EXECUTIVE ORDERS, AND REGULATIONS
(Applicable to construction)

CDBG grantees must ensure all project activities will be administered in compliance with all civil rights laws and regulations. The following are summaries of those parts of the civil rights laws and regulations applicable to CDBG activities.

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title VIII of Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental and financing of dwellings based on race color, religion, sex or national origin. Title VIII was amended in 1988 (effective March 12, 1989) by the Fair Housing Amendment Act, which: expanded the coverage of the Fair Housing Act to prohibit discrimination based on disability or on familial status (presence of child under age of 18, and pregnant women); established new administrative enforcement mechanisms with HUD attorneys bringing actions before administrative law judges on behalf of victims of housing discrimination; and revised and expanded Justice Department jurisdiction to bring suit on behalf of victims in Federal district courts.

Section 109, Housing and Community Development (HCD) Act of 1974, as amended, provides that no person in the United States shall, on the grounds of race, color, national origin, religion, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under Title I of the Housing and Community Development Act of 1974.

Section 504 of the Rehabilitation Act of 1973, as amended provides for nondiscrimination of an otherwise qualified individual solely on the basis of his/her handicap in benefiting from any program or activity receiving federal financial assistance. All recipients must certify to compliance with all provisions of this Section.

Age Discrimination Act of 1975. No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or subjected to discrimination under, and program or activity receiving federal financial assistance.

CONTRACT FOR HOUSING INSPECTION/RISK ASSESSMENT SERVICES
CITY OF CANEY
CDBG HOUSING REHABILITATION GRANT

Executive Order 11063, as amended, directs all departments and agencies to take all action necessary and appropriate to prevent discrimination in housing and related facilities owned or operated by the federal government or provided with federal financial assistance and in the lending practices with respect to residential property and related facilities (including land to be developed for residential use) of lending institutions, insofar as such practices relate to loans insured or guaranteed by the federal government.

Kansas Act Against Discrimination. It is a policy of the State of Kansas that requires all employers, labor organizations, employment agencies, realtor, financial institutions, or other persons covered by this Act to assure equal opportunities and encourage every citizen regardless of race, religion, color, sex, age, physical disability, national origin, or ancestry, to secure and hold – without discrimination, segregation, or separation – employment in any field of work or labor for which they are properly qualified, the opportunity for full and equal public accommodations, and to assure full and equal opportunities in housing.

Section 3 of the Housing and Urban Development Act of 1968, as amended, provides that, to the greatest extent feasible, opportunities for training and employment shall be given to recipients of public housing and lower income residents of the unit of local government or the metropolitan area (or non-metropolitan City) in which the project is located, contract work in connection with such projects shall be awarded to business concerns which are owned in substantial part by persons residing in the same metropolitan area (or non-metropolitan City) as the project, employ Section 3 residents in full-time positions, or subcontract with businesses which provide economic opportunities to lower income persons.

Executive Order 11246, as amended, provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in any phase of employment during the performance of federal or federally assisted construction contracts in excess of \$10,000. The following civil rights requirements also apply to CDBG grantee performance: grantees shall comply with Executive Order 11246, as amended by Executive Order 12086, and the regulations issued pursuant thereto (41 CFR Chapter 60) which provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in all phases of employment during the performance of federal or federally-assisted construction contracts. As specified in Executive Order 11246 and the implementing regulations, contractors and subcontractors on federal or federally assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment or retirement advertising, layoff or termination, rates of pay, or other forms of compensation and selection or training and apprenticeship.

Section 503 of the Rehabilitation Act of 1973, as amended, provides for the nondiscrimination in contractor employment. All recipients of federal funds must certify to the following through all contracts issued:

Affirmative Action for Handicapped Workers

CONTRACT FOR HOUSING INSPECTION/RISK ASSESSMENT SERVICES
CITY OF CANEY
CDBG HOUSING REHABILITATION GRANT

1. The contractor will not discriminate against any employee in regard to any position for which the employee or applicant for employment is qualified. The contractor agrees to make affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices such as the following: Employment upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeships.
2. The contractor agrees to comply with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.
3. In the event of the contractor's noncompliance with the requirements of this clause, action for noncompliance may be taken in accordance with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.
4. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in the form to be prescribed by the Director, provided by or through the contracting officer. Such notices shall state the contractor's obligation under the law to take affirmative action to employ and advance in employment qualified handicapped employees and applicants for employment, and the rights of applicants and employees.
5. The contractor will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the contractor is bound by the terms of Section 503 of the Rehabilitation Act of 1973 and is committed to take affirmative action to employ and advance in employment physically and mentally handicapped individuals.
6. The contractor will include the provisions of this clause in every subcontract or purchase order of \$2,500 or more unless exempted by rules, regulations, or orders of the Secretary issued pursuant to Section 503 of the Act, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontractor or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for noncompliance.

Section 912 of the Cranston-Gonzales National Affordable Housing Act, as amended, Section 109 (a) of the HCD Act to prohibit discrimination on the basis of religion.

CITY ATTORNEY:
ADDRESS:
PH#:

AGREEMENT

THIS AGREEMENT is entered into on this 18 day of September, 2023, between THE CITY OF CANEY, KANSAS, hereinafter referred to as "City", Carl Hempel, hereinafter referred to as "Company" for the price \$ 0.

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

And, Whereas, Company is desiring of restoring the building located at 311 E 3rd Ave, and remodeling the building into a livable housing faculty.

Wherefor, the parties agree as follows:

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

4. At the end of the original time limit or any extension, the property will be conveyed back to the Caney Land Bank in the event the building fails to meet the satisfaction of the Caney City Council either by not adhering to the City's Code or by failing to adhere to any other requirement herein.
5. During the term of this agreement, Company will be responsible for insuring the building against any loss the City might incur based on the operations and activities conducted by Company. In addition, Company will be responsible for all City utilities and ad valorem real estate taxes, if any. Company will apply for and acquire any building permits necessary under the Code of the City of Caney.
6. Upon successfully completing the renovations outlined above, with full satisfaction as determined by the Caney City Council, Company will be delivered a waiver of release of premises.

IN WITNESS WHEREOF, the parties have executed this agreement at Caney, Kansas, the day and year hereinafter written.

CITY OF CANEY

Mayor

ATTEST:

Clerk

Purchaser

Date

STATE OF KANSAS)
 : SS.
COUNTY OF MONTGOMERY)

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

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

Notary Public

My Appointment
Expires:

(SEAL)

STATE OF KANSAS)
 : SS.
COUNTY OF MONTGOMERY)

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

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

above mentioned.

Notary
Public

My Appointment Expires:

(SEAL)

STATE OF KANSAS)
 : SS.
COUNTY OF MONTGOMERY)

BE IT REMEMBERED, That on this ____ day of _____, 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, who is personally known to me to be the same person who executed the within instrument of writing; and such person duly acknowledged the execution of the same as the “partner of purchaser.”

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

Notary Public

My Appointment

Expires: (SEAL)

\$23,739.00



1816 BROADWAY, IN DOWNTOWN PARSONS, KS 67357

(620) 421-8747

City of Caney
100 W. 4th
PO Box 129
Caney, KS 67333

8/2/2023	6411
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Please use this Quote #**6411** as your **INVOICE** to pay from when placing your order.

**** Orders will be placed upon your request & full payment ****
Office Hours: Mon-Fri 8-5

Qty	Description	Total
1	SERVER REPLACEMENT (Main Server, Main PD/Enterpol Server) HP ProLiant ML350 Gen10 - Main Features * Tower 5U SFF * 1 x 10-Core Xeon Silver 4210R 10-Core (2.40GHz) * RAM 128 GB * Smart Array MR408i-a Raid Controller * 2 x 480GB Enterprise SSD 2.5" (2 x Raid1) * 6 x 960GB Enterprise SSD 2.5" (6 x Raid5 w/ Spare) * 2 x 10 Gigabit SFP+ * 4 x 1GB Ethernet * Redundant Power Supplies (800w) * Windows Server 2022 (20-core) - 1 x Host w/ up-to 4 Virtual OSEs * Windows Server 2022 - 15 User CALs * HPE Pointnext Tech Care Basic - 5 Year Extended Hardware Warranty	14,189.00
2	REPLICATED LOCAL NAS DEVICES FOR PD (Evidence photos & videos) Synology DiskStation NAS w/ 4 x 8TB Enterprise HDDs - \$2000/ea * SHR-2 RAID - 16TB available space (expandable)	4,000.00
2	POWER PROTECTION HARDWARE APC Smart-UPS 1500VA LCD 120V - Battery Backup	1,198.00
2	NETWORK HARDWARE HPE Aruba 1960 24x1G PoE 370W, 2x10G, 2xSFP+ Managed Switch w/ Cables	2,400.00
1	LOCAL/OFFSITE BACKUP (Image-Based) & BUSINESS CONTINUITY HARDWARE - FOR MAIN SERVER & MAIN PD/ENTERPOL SERVER ONLY Datto Siris 5 S5-3 Local Backup Appliance w/ 5yr Hardware Warranty * Local/Offsite Backup Subscription Required - Quote # 6412 - Attached	2,400.00

<p><i>This Estimate is for the price of PARTS Only. Labor to install these parts may be listed as an ESTIMATED line-item on this quote – However, all labor is an ESTIMATED AMOUNT ONLY - ACTUAL TIME WILL BE BILLED AFTER INSTALLATION.</i></p> <p><i>This quote is valid for 7 days as our vendor's prices change daily.</i></p>	Subtotal
	Sales Tax (9.25%)
	Total
<p>Finance Charges of 1 1/2% per month, 18% annual will be assessed on amounts 15 Days from Invoice Date with a minimum charge of \$2.50.</p>	

Orders will be placed upon your request & full payment. Invoices are available upon request when necessary, otherwise please refer to Quote # 6411 when submitting your order & payment. Your paid receipt will be available in our office & your order will be placed at that time.

OFFICE HOURS: Mon-Fri 8:00-5:00

1816 Broadway, Parsons, Kansas



1816 Broadway in Downtown Parsons, KS 67350

(620) 421-6747

City of Caney
 100 W. 4th
 PO Box 129
 Caney, KS 67333

8/2/2023	6412
----------	------

Please use this Quote # **6412** as your **INVOICE** to pay from when placing your order.

**** Orders will be placed upon your request & full payment ****
Office Hours: Mon-Fri 8-5

Qty	Description	Total
1	LOCAL/OFFSITE BACKUP (Image-Based) & BUSINESS CONTINUITY Datto Siris 5 Local/Offsite Backup Subscription - Infinite Cloud Retention - Unlimited Server Agent License (1.5TB Protected Data) - Hourly Local Backup - Local Virtualization - \$750/mo * This Quote will replace the current \$650 monthly charge for the Offsite Cloud Backup Storage Subscription ** Annual Commitment, Billed Monthly _____ x Please Sign Above to Accept this Proposal	750.00

This Estimate is for the price of PARTS Only. Labor to install these parts may be listed as an ESTIMATED line-item on this quote – However, all labor is an ESTIMATED AMOUNT ONLY - ACTUAL TIME WILL BE BILLED AFTER INSTALLATION.

This quote is valid for 7 days as our vendor's prices change daily.

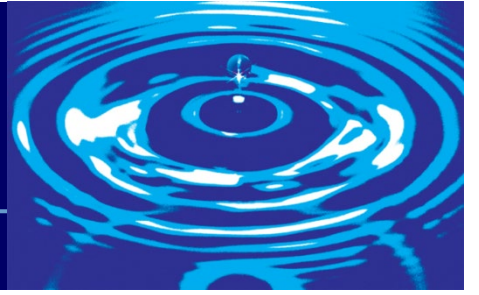
Subtotal	\$750.00
Sales Tax (9.25%)	\$0.00
Total	\$750.00

Finance Charges of 1 1/2% per month, 18% annual will be assessed on amounts 15 Days from Invoice Date with a minimum charge of \$2.50.

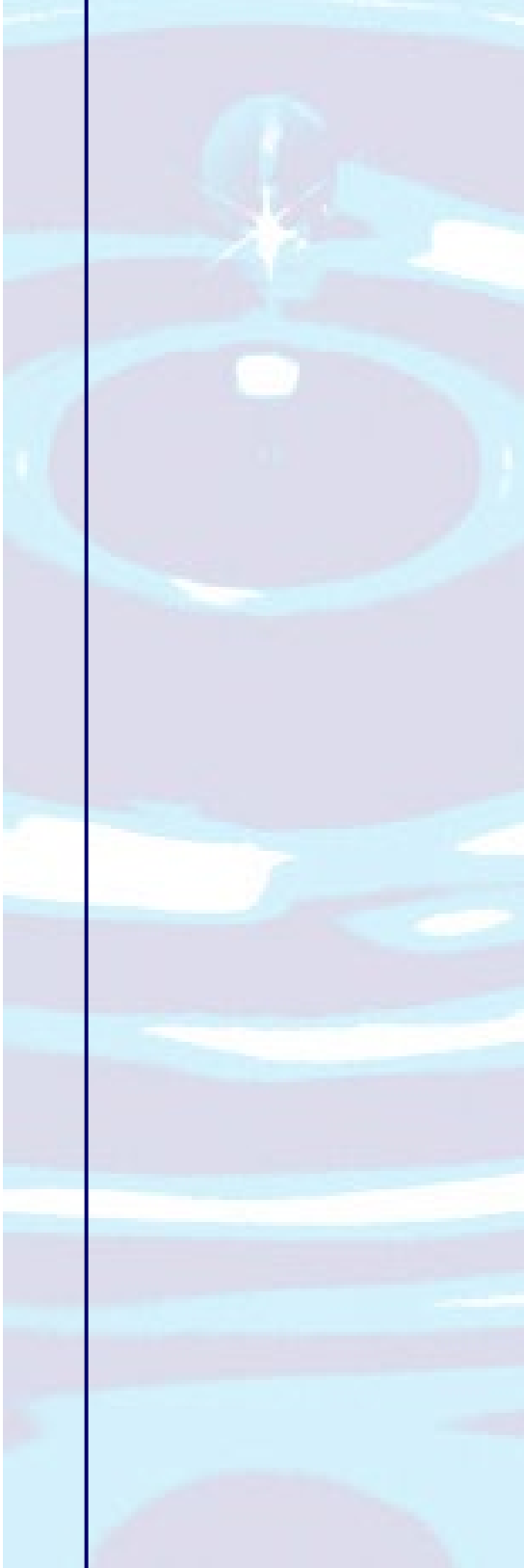
Orders will be placed upon your request & full payment. Invoices are available upon request when necessary, otherwise please refer to Quote # 6412 when submitting your order & payment. Your paid receipt will be available in our office & your order will be placed at that time.

OFFICE HOURS: Mon-Fri 8:00-5:00

1816 Broadway, Parsons, Kansas



**MUNICIPAL WATER
CONSERVATION PLAN
FOR THE
CITY OF CANEY
August 2023**



Municipal Water Conservation Plan For the City of Caney

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INTRODUCTION

The primary objectives of the Water Conservation Plan for the City of Caney are to develop long-term water conservation plans (Long-Term Water Use Efficiency Section) and short-term water emergency plans (Drought Response Section) to assure the City customers of an adequate water supply to meet their needs. The efficient use of water also has the beneficial effect of limiting or postponing water distribution system expansion and thus limiting or postponing the resultant increases in costs, in addition to conserving the limited water resources of the State of Kansas.

The City of Caney has undertaken a number of steps to ensure a dependable water supply for our customers during the past 25 years. The water supply for our City is obtained from the Little Caney River with a back-up lake (Timber Hill) at the head of the Little Caney River for release water during droughts. Treated water storage facilities consist of one 230,000 gallon underground reservoir and one 250,000 gallon elevated tank. Our City water supply and distribution system have ample capacity to meet current customer demands and future projected demands for several years, except during drought periods. The City of Caney believes that our Municipal Water Conservation Plan represents an additional major step in ensuring our customers of a dependable water supply in future years as the City of Caney is looking into establishing a 8-inch water line from the City of Coffeyville for future water sourcing.

LONG-TERM WATER USE EFFICIENCY

Water Use Conservation Goals

The City of Caney used 136 gallons per person per day (GPCD) in 2017. This GPCD figure included:

- Water sold to residential/commercial customers
- Water distributed for free public services (parks, cemeteries, swimming pools etc.)
- Water lost by leaks in the water distribution system

However, the GPCD figure does not include municipally supplied water for industries that use over 200,000 gallons per year. According to the publication Public-Supply Water Use in Kansas, 2017, our City is located in Region 7M. From this publication it was determined that our City GPCD water use was 136, which was 48 percent above the regional average of 92 GPCD among public water suppliers in Region 7M during 2017. The City desires to set a water use conservation goal for usage not to exceed 92 GPCD based on the regional average from 2013 to 2017. Our City anticipates not exceeding this goal by carrying out the specific actions that are outlined in our plan.

Water Conservation Practices

This subsection of the plan summarizes the current education, management and regulation efforts that relate to the long-term conservation of water in the City. Specific practices that will be undertaken to conserve water are listed and a target date to begin each practice is also shown.

Education

The City water bills show the total gallons of water used during the billing period and the amount of the bill. Water conservation tips are not normally provided with the water bills. The City has provided information on water conservation to the local news media on a regular basis and has encouraged the Board of Education and teachers to become involved in water conservation presentations in schools.

The City has chosen the following conservation practices and target dates for the Education Component of the Long-Term Water Use Efficiency Section of our Water Conservation Plan.

Education Conservation Practices to be Taken	Target Date
1. Water bills will show the amount of water used in gallons and the cost of the water.	2027 after distribution lines are replaced in Caney
2. Water bills will show the amount of water used in gallons during this billing period and the number of gallons used last year during the same billing period.	Currently
3. Water conservation tips will be provided with the monthly water bills during the summer months.	N/A
4. Water conservation articles or issues will be provided or discussed each month during the summer by the local news media.	Currently
5. The Board of Education and teachers will be encouraged to become involved in water conservation through classroom lectures and incentives for children to conduct home checks.	Currently
6. Make available information on water conserving landscape practices through publications, local news media, seminars or other appropriate means.	2027 after distribution lines are replaced in Caney

Management

The City of Caney has water meters on all water supplies and water pumped to the distribution system. Any new supply will have an individual meter on each source of supply. These meters are read monthly.

Water meters were installed for all residential/commercial customers by 1965; also, the amount of water provided to the High School for their football field, to the Public Raceway and to the city government buildings and grounds is all metered. Customer meters are scheduled for an accuracy check and possible repair or replacement upon receiving a request to do so from the customer.

The City of Caney reads each customer's water meter and mails a monthly water bill to each customer. Customer water meters are generally read approximately the 1st week of the month; however, the meter reader sometimes deviates from the scheduled time period.

Water leaks from the City public water distribution system are repaired when customers report significant leaks from the water mains or leaks are located by City Personnel. Water pressure is checked on the entire system daily but is not checked on resident services unless customers complain that their water pressure is too low.

The water rate structure for the City was passed on May 1st, 2023. The minimum monthly water bill is \$48.85 for residential customers, which allows each customer to use up to 100 cubic feet of water each month. Water use charged at \$2.85 per 100 cubic feet. The sewer rate for all customers is \$42.00 for the first 100 cubic feet and \$2.00 per 100 cubic feet thereafter.

The City of Caney realizes that much greater emphasis must be placed on obtaining accurate measurement of water use at our source and at customer meters and that a water use records system must be developed that can be used to more effectively and efficiently manage the City public water distribution system. For that reason, the City of Caney has chosen the following conservation practices and target dates for the Management component of the Long-Term Water Use Efficiency Section of our Water Conservation Plan.

Management Conservation Practices to be Taken	Target Date
1. All source water will have meters installed and the meters will be repaired or replaced within two weeks when malfunctions occur.	Currently
2. Meters for source water will be tested for accuracy at least once every three years. Each meter will be repaired or replaced if its test measurements are not within industry standards (such as AWWA standards).	2027 after distribution lines are replaced in Caney
3. Meters will be installed at all residential service connections and at all other service connections whose annual water use may exceed 300,000 gallons, including separate meters for municipally operated irrigation systems which irrigate more than one acre of turf.	2027 after distribution lines are replaced in Caney
4. Meters at each individual service connection will be replaced or tested for accuracy on a regular basis, per industry standards (such as AWWA standards), if they are one inch or less. Meters between one inch and six inches will be tested for accuracy at least once every five years and meters six inches and above will be tested on at least an annual basis. Each meter will be repaired or replaced if its test measurements are not within industry standards (such as AWWA standards).	2027 after distribution lines are replaced in Caney
5. All meters for source water will be read at least on a monthly basis and meters at individual service connections will be read at least once every two months.	Currently
6. A reading will be taken at each source water meter at the same time that meters for individual service connections are read.	Currently
7. A water utility will implement a water management review, which will result in a specified change in water management practices or implementation of a leak detection and repair program or plan, whenever the amount of unaccounted for water (UFW) (amount of unmetered water provided free for public service, used for treatment purposes, water loss, etc.) exceeds 20 percent of the total source water for a four-month time period.	2028 upon completion of water improvement projects
8. Water sales will be based on the amount of water used.	2028 upon completion of water improvement projects
9. A water rate structure designed to curb excessive use of water will be evaluated.	2028 upon completion of water improvement projects
10. Develop and implement a program to incorporate water conserving landscape principles into future landscape development projects, including renovation of existing landscapes.	2029 upon completion of EPA Remediation
11. Develop and implement an irrigation management program for irrigated grounds.	2027 after distribution lines are replaced in Caney

12. Encourage the recycling of wastewater for selected industrial or irrigation purposes.	currently
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Regulation

The City of Caney does not have water conservation regulations in effect except under drought conditions. Because of our ability to supply water during normal periods, regulatory controls on water use are included only in the Drought Response section of this plan and water drought/emergency ordinance where they constitute the primary means for conserving water during a supply shortage.

Caney does have a plumbing code, but has not felt the need to incorporate mandatory use of water conservation units in the plumbing code. The enforcement of any regulations to require use of any water conservation plumbing measures would be very difficult. Most new homes and/or remodeling projects do include the use of water conservation toilets and faucets per the International Building Code (IBC).

Regulation Actions to be Taken	Target Date
1. All new or renovated construction will install toilets that use 1.6 gallons per flush or less and low flow showerheads that use 2.5 gallons per minute or less.	2027 after water line project is finished
2. Adopt a landscape water conservation ordinance.	2030 after water projects are complete

DROUGHT RESPONSE

The City of Caney addresses its short-term water shortage problems through a series of stages based on conditions of supply and demand with accompanying triggers, goals and actions. Each stage is more stringent in water use than the previous stage since water supply conditions are more deteriorated. The City Administrator and Mayor are authorized by ordinance to implement the appropriate conservation measures.

Stage 1: Water Watch

Goals

The goals of this stage are to heighten awareness of the public on water conditions and to maintain the integrity of the water supply system.

Triggers

This stage is triggered by any one of the following conditions:

1. Water has slowed its flowing over the dam and water customers asked to enact voluntary water conservation of non-essential water usages.
2. The Little Caney River is freezing over and winter condition are hindering water production.
 - a. Freezing conditions for: water plant intakes, intake pumps, clarifier, clear well, and/or wet well equipment.
 - b. Freezing conditions for: water distribution valves, equipment and causing tower issues.

Education Actions

1. The City will make occasional news releases to the local media describing present conditions and indicating the water supply outlook for the upcoming season.
2. Previous months summaries of precipitation, temperature, water levels and storage will be made public at the beginning of each month.
3. Water conservation articles will be provided to the local newspaper, and posted on the City's website and Facebook page.

Management Actions

1. Leaks will be repaired as soon as possible after detection (weather permitting).
2. The City will monitor its use of water and will curtail activities such as hydrant flushing and street cleaning.

Regulation Actions

The public will be asked to curtail some outdoor water use and to make efficient use of indoor water, i.e. wash full loads, take short showers, do not let faucets run, etc.

Stage 2: Water Warning

Goals

The goals of this stage are to reduce water usage to prolong the need to go into and emergency, mandatory water conservation.

Triggers

This stage is triggered by any one of the following conditions:

1. Water has slowed its flowing over the dam and water customers asked to enact voluntary water conservation of non-essential water usages.
2. The Little Caney River is freezing over and winter condition are hindering water production.
 - c. Freezing conditions for: water plant intakes, intake pumps, clarifier, clear well, and/or wet well equipment.
 - d. Freezing conditions for: water distribution valves, equipment and causing tower issues.

Education Action

1. The City will make weekly news releases to the local media describing present conditions and indicating the water supply outlook for the upcoming week.
2. Previous week summaries of precipitation, temperature, water levels and storage will be made public each week.
3. Water conservation articles will be provided to the local newspaper, and posted on the City's website and Facebook page.

Management Actions

1. The City water supplies will be monitored daily.
2. Leaks will be repaired within 24 hours of detection (weather permitting).
3. The City will curtail its water usage, including operation of fountains, watering of City grounds, and washing of vehicles.
4. The Kansas Department of Water, Division of Water resources for permitting to drain surface water resources such lakes and watershed lakes into Bee Creek or other tributaries that feed the Little Caney River.

Regulation Actions

These regulation actions apply to City of Caney water customers.

1. Voluntary conservation of lawn watering.
2. Voluntary conservation of Outdoor car washing.
3. Waste of water will be given a warning

Stage 3: Water Emergency

Goals

The goals of this stage is to reduce overall weekly consumption to essential life sustaining uses an local essential industries and businesses.

Triggers:

This stage is triggered by any one of the following conditions:

1. Water has stopped flowing over the dam but water customers need to enact voluntary water conservation of non-essential water usages.
2. The Little Caney River has frozen over and winter condition has hindered water production.
 - a. Frozen water plant intakes, intake pumps, clarifier, clear well, and/or wet well equipment.
 - b. Frozen water distribution valves, equipment and tower issues
3. Emergency conditions related to repairs or water quality
4. The Kansas Governor's Office has issued a water emergency based on the remaining water assurance storage in the Water Assurance District lakes

Education Actions

1. The City will make daily news releases to the local media describing present conditions and indicating the water supply outlook for the next day.
2. Previous days summaries of precipitation, temperature, water levels and storage will be made public each day.
3. The City will hold public meetings to discuss the emergency, the status of the City water supply and further actions, which need to be taken.

Management Actions

1. The City water supplies will be monitored daily.
2. Leaks will be repaired within 24 hours of detection (weather permitting).
3. The City will curtail its water usage, including operation of fountains, watering of City grounds, and washing of vehicles.

Regulation Actions

These regulation actions apply to the City of Caney water Customers.

1. Outdoor water use will be banned.
2. Waste of water will be prohibited.
3. Car washes and all non-essential usage of water will be given a warning the first-time caught in violation and fined every time after that.

PLAN REVISION, MONITORING & EVALUATION

The City of Caney will establish a management practice of reviewing monthly totals for water production, residential/commercial sales, water provided free-of-charge, and “unaccounted for water”. Problems noted during the monthly review will be solved as soon as possible.

The City of Caney Municipal Water Conservation Plan will be reviewed during the month of April each year and on a more frequent basis during drought or other water shortage conditions. If the water conservation GPCD goals for the previous year are not met, then the City will review the data collected from the previous year in relationship to the status and effectiveness of the conservation practices that are outlined in our plan and will provide a status report to the Kansas Department of Agriculture, Division of Water Resources which will also include any additional water conservation practices that may need to be taken in order for the city to achieve and maintain its water use conservation GPCD goals.

Joshua Elliott

Mayor - Print

Mayor - Signature

City Clerk - Signature

9/18/2023

Date