

CITY OF CANEY
CITY COUNCIL MEETING
REGULAR MEETING MINUTES
FEBRUARY 2, 2026

A. CALL TO ORDER

Mayor Elliott called the regular City Council meeting to order at 6:30pm Monday, February 2, 2026 in the council chambers at City Hall located at 100 W Fourth Ave.

B. ROLL CALL

Present:	Joshua Elliott	Mayor
	Jeff Culver	Council President
	Kenith Butts	Council Member
	Elizabeth Burch	Council Member
	Becky Dye	Council Member

Staff:	Andrea Sibley	City Administrator
	Ike Dye	Police Chief
	Adam Lanter	City Clerk
	Tyler Goza	Deputy City Clerk
	Jalissa Jones	Utilities Clerk

C. PLEDGE OF ALLEGIANCE AND INVOCATION

Attendees recited the pledge of allegiance and Mayor Elliott led a moment of silence and the invocation.

D. CITIZEN PRESENTATION /VISITOR COMMENTS

There were no citizen presentations or comments.

E. REMOVAL OF ITEMS FROM THE CONSENT AGENDA

There were no items removed from the consent agenda.

F. CONSIDER APPROVAL OF CONSENT AGENDA

F.1. CONSIDER APPROVAL OF THE MINUTES FROM THE JANUARY 20, 2025 REGULAR CITY COUNCIL MEETING.

F.2. APPROVAL OF EXPENSES (JANUARY 20TH THROUGH FEBRUARY 2ND, 2026).

Special Vehicle Source Corp.	\$56,000.00
Caney City Library (pass through)	\$46,009.37

F.3. APPROVAL OF PERSONNEL EXPENSES.

Approval of Payroll (January 29 th , 2026)	\$47,106.82
KPERS	\$5,938.29
BCBS	\$8,268.98

A MOTION WAS MADE BY COUNCIL MEMBER BURCH, SECONDED BY COUNCIL MEMBER CULVER TO APPROVE ITEMS F.1., F.2., AND F.3. AS PRESENTED.

MOTION CARRIES 4-0.

F.4. APPROVAL OF MAIN STREET AUTO EXPENSES

Invoice #009897	\$68.06
Invoice #009842	\$670.86
Invoice #009925	\$928.07
Invoice # 009937	\$527.79
Invoice #010015	\$527.79
	\$2,257.84

A MOTION WAS MADE BY COUNCIL MEMBER DYE, SECONDED BY COUNCIL MEMBER CULVER TO APPROVE ITEM F.4. AS PRESENTED.

G. OLD BUSINESS

There was no old business considered.

H. NEW BUSINESS

H.1. AN UPDATE ON THE COFFEYVILLE CONNECTION PROJECT (HOLLY POWERS – MIDWEST ENGINEERING).

Holly Powers with Midwest Engineering gave an update. She stated that the three big components that need addressed first are easements, design, and surveys. She went on to state that she is in communication with Carrey Spoon with CDBG to prepare the mailer letter for easement acquisition. She went on to state that she will begin working on that and reviewing properties determining what type and size of easement would be needed. Some will be easy; some will be more difficult due to various obstacles. She stated that she would begin with the easy ones first and go from there. In addition, she stated that City staff are working on acquiring attorney services for easement work. Staff stated that the mayor would handle some of the easement discussions. Holly stated that Midwest Engineering would develop an easement packet so that if any representatives of the city go meet with landowners, they can give them the packet. Holly stated Midwest Engineering is moving forward on the design. She stated that the pipeline is laid out in their design software but that it will need to be tweaked depending on what easements the city obtains and where the waterline will go. She further stated that a lot of the project right now are contingent on the easements. She went on to state that Midwest Engineering is finalizing the survey plan this week. It will then be sent to a surveyor. A few areas will require a survey for profiling boars for creek areas, the highway crossing, and the railroad crossing. Another thing that will need to be surveyed is the booster pump station. She stated that the most ideal place for the booster pump station is off CR 3900 at the corner of Kansas Highway 66. The property encompasses about 1.26 acres, but Kansas Department of Transportation has controlled access off the highway so the driveway may be winding. Mayor Elliott inquired whether anyone has contacted them yet. Holly stated that no one from Midwest had yet. Staff stated that Mayor Elliott knows them and would make contact once a packet is given to him. Holly reiterated that the attorney would write the lease or purchase agreement. She reiterated the steps that step one is the mail merger, step two is contacting by phone, and step three is a site visit but does not mean that each property will follow this process. She stated that once the easements are obtained, they will need to be filed with the County. She went on to state that there are eighty (80) easements and that once that process began there would be monthly easement meetings. Mayor Elliott inquired if he could contact owners if he knew them, Holly stated that that was fine. Holly stated that there are eight (8) creek crossings that will need to be surveyed due to boring under the creek so surveyors will be out in the coming weeks to complete that but that they would not be driving on the property.

H.2. ROLES PRESENTATION (PAUL KRITZ – CITY ATTORNEY)

Mr. Kritz stated that this came up when he did this presentation for the City of Coffeyville about a month ago. He stated that Caney is a city of the second class. The powers of the

mayor are set by state law and by local ordinance. He went on to state that the mayor presides over all council meetings, casts a vote to break ties, and has superintending control of all of the officers and affairs of the city to ensure compliance with city ordinances. He went on to state that the term superintending control of officers is distinct from superintending control over employees. Mr. Kritz went on to state that employees carry out day-to-day tasks to keep the city running smoothly and report to higher level supervisors and directors versus officers who are the higher-ranking officials with decision-making authority. The office of the City Administrator was created in 1995. The Administrator's responsibilities are to manage, direct, supervise, and control all the administrative departments of the city; make recommendations to the mayor for all city departments. They supervise, direct, and control the affairs of all employees; submit the annual budget; control all of the city's purchases; recommend a schedule of salaries for the employees and officers; develop short term and long-range planning goals; attend all council meetings; and perform other duties as the governing body directs. Mr. Kritz went on to state that the general management of the city is the responsibility of the City Administrator. The Administrator is responsive to the governing body. Paul went on to state that in an administrator city like Caney the statutory administrative powers of the mayor are left unchanged compared to a manager city. The role of the Administrator is Chief Executive, the role is professional, focused on running the day-to-day operations, supervising the staff, and implementation of the Council's policies. The role of the Council is the governing and policy making body of the City. They represent citizens; provide direction to the Administrator and mayor; adopt ordinances and resolutions; set the long-term vision goals of the city. This is done as a body, and not on an individual basis; adopt the budget; determine tax rates and utility rates; and authorize major expenditures. The Council's authority flows through the actions of the Governing Body and authority is left in the meetings. The Kansas Open Meetings Act applies to the Council and Mayor for in-person interactions and electronic communications. Mr. Kritz discouraged the use of social media for the Council and Mayor and that personal social media should not be used for official city business. He went on to state exceptions of the Open Meetings Act including confidential matters of personnel, acquisitions of real estate, confidential data of trade secrets, consultation with the City Attorney. The Kansas Open Record act ("KORA") applies to the city, all records made and kept by the city are considered open except for a select few.

H.3. DISCUSS AND CONSIDER THE UPDATED KANSAS SET OFF PROGRAM AGREEMENT AND AUTHORIZE THE NECESSARY SIGNATURES.

Staff stated that the Kansas Set Off program is similar to collections but not as stringent. If someone is sent to the setoff program staff can communicate with the individual, they just cannot collect payment. With CBK, staff is not able to communicate with them. Staff went on to state that this program is specific for municipalities to collect payments. Staff went on to

state that they were unsure of when anyone was last sent to collections. Council Member Burch inquired on who makes the decision of who goes to which company – CBK or the Kansas Set Off. Staff stated that they were unsure, but it seemed to just be up to the individual submitting the information, there are no rules for who goes to where. Staff believed that the last time anyone was sent to the set off program was around 2020. Mayor Elliott stated that he believed that it was prior to CBK being hired. Staff stated that this started when checks would arrive in the mail with little to no information. Staff went on to state that they have begun being able to apply the checks to water accounts. They went on to state that this agreement is needed to be able to continue to log in to the Kansas set off program and see what checks are set to arrive, who it was collected on behalf of, and when. Council Member Burch inquired what CBK's percentage is, staff stated that they believed it was around five percent (5%). Mayor Elliott stated that this program collects delinquent debts assuming they file taxes and this program intercepts returns in state taxes to collect on the past debts. Mayor Elliott and Council Member Burch stated that the set off program's fee can be from nineteen percent (19%) up to twenty-four percent (24%). Staff stated that CBK does not take their charge out of the City's amounts. Staff stated that after tax season a receivable report can be ran to see how much has been collected from previous outstanding amounts. Council Member Burch stated that we can approve it but did not agree with sending citizens to predatory companies and sought additional information.

A MOTION WAS MADE BY COUNCIL MEMBER CULVER, SECONDED BY COUNCIL MEMBER BURCH TO APPROVE ITEM H.3.

MOTION CARRIES 4-0.

H.4. DISCUSS AND CONSIDER ORDINANCE 2026-03 AMENDING THE CITY'S TOW ORDINANCE AND AUTHORIZE THE NECESSARY SIGNATURES.

Staff stated that the previous tow ordinance was wordy and placed unneeded restrictions on tow providers. They stated that this ordinance makes a few changes to remove some of that red tape. The two changes that this ordinance addresses are no longer requiring the provider to have certain equipment for larger commercial vehicles and the other change removes the requirement to be located in town. Staff went on to state that these requirements just added additional restrictions and that by removing these the City becomes more likely to have additional vendors willing to work with the city and keep as many. Council Member Burch inquired on whether this helps the Police Department. Staff stated that this helps the citizens by ensuring more competition in tow providers in the rotation.

A MOTION WAS MADE BY COUNCIL MEMBER BURCH, SECONDED BY COUNCIL MEMBER BUTTS TO APPROVE H.4. AS PRESENTED.

MOTION CARRIES 4-0.

H.5. DISCUSS AND CONSIDER SWITCHING THE UTILITY BILL FORMAT.

Staff stated that this was brought to our attention that the water bills were misprinted and that staff has little control over how they print. Staff went on to state that some of the postcard templates are crooked on the sheets. Staff presented a quote showing how much a postcard costs versus switching the bill format to a full sheet of paper. Staff states that the difference in price between these two is about one hundred and seven dollars (\$107). Mayor Elliott stated that this does not include re-reads or disconnect notices. Staff reached out to other cities for how they print utility bills. Staff stated that a consultant believed that the cost to switch over in the ERP would be around two thousand dollars (\$2,000). Staff can create a tear line so that residents can retain their bill and return the slip to the city with payment. Another positive in switching to the full sheet for billing is additional space for messages and paper is easier to acquire than the lead time for the postcards, about thirty (30) to sixty (60) business days. Council Member Burch stated that purchasing in bulk could further lower the cost. Staff stated that there is a paper folding machine and a city stamp for returns to speed up the process. Council Member Burch inquired on how many disconnect and late notices get sent out. Staff clarified that on the low end that number is about one hundred and fifty (150) a month. Staff stated that they reached out to residents over the weekend and got good feedback. The same residents struggled with coming up with positives for sticking with the postcards. Staff stated that they can contact the sales representative to see if they can get that conversion price lower than the expected two thousand dollars (\$2,000). Mayor Elliott stated that if anything were to happen to the current staff, the papers would be easier for people who fill those roles. Staff reiterated that the added time to stuff envelopes is minimal. Staff stated that this also removes the P.O. Box from the postcards. Council Member Culver stated that we must do something different, and Mayor Elliott agreed. Mayor Elliott requested cost from Tyler Technologies be presented at the next meeting

A MOTION WAS MADE BY COUNCIL MEMBER BURCH, SECONDED BY COUNCIL MEMBER BUTTS TO SWITCH THE UTILITY BILLS TO PAPER FROM POSTCARD.

MOTION CARRIES 4-0.

H.6. DISCUSS AND CONSIDER THE UPDATED SRF PAPERWORK AND AUTHORIZE THE EXECUTION OF AMENDMENT ONE.

Staff stated that the executed SRF paperwork had a typo. This amendment corrects that issue. Instead of saying \$5.571 million the original paperwork stated \$6.571 million. Staff stated that this is outlined in exhibit C.

A MOTION WAS MADE BY COUNCIL MEMBER BURCH, SECONDED BY COUNCIL MEMBER CULVER TO APPROVE ITEM H.6. AS PRESENTED.

MOTION CARRIES 4-0.

H.7. DISCUSS AND CONSIDER ISSUING CMB LICENSES FOR PIZZA HUT, CASEYS, AND THE CANEY GROCERY.

Staff stated that Caseys and Pizza Hut are renewing their licenses, but that Caney Grocery is new to this list due to the sale of the store in October 2025. Staff stated that next year they would like to get everyone on the same schedule for CMB licenses so that all of the licenses can be brought to Council at one time. Council Member Butts sought clarification on what a CMB license was. Staff stated that it stood for Cereal Malt Beverage or beer. Mayor Elliott inquired on whether the Potts Chapel counts as a church. Council Member Dye stated that it shouldn't be since it is privately owned.

A MOTION WAS MADE BY COUNCIL MEMBER CULVER, SECONDED BY COUNCIL MEMBER BURCH TO APPROVE CMB LICENSES FOR PIZZA HUT, CASEYS, AND THE CANEY GROCERY STORE.

MOTION CARRIED 3-1 (COUNCIL MEMBER BUTTS VOTING NO).

H.8. SEWER RATE ADJUSTMENT UPDATE.

Staff stated that they were not sure that this had been done since 2023 but did get completed this year. Rates will change to bill down to the gallon and will show on the March bill if approved. Staff stated that the last average was set to four thousand gallons (4,000). Based off of current number the average is three thousand five hundred and forty-six (3,546) gallons. Staff stated that the city average is used until a resident's average can be calculated in the winter months. Staff stated that the average can be changed in the system. Council Member Burch asked if this would require an ordinance. Staff stated that we could put it in the ordinance. Staff also changed it in the ERP so that if someone else moves out, the new resident will not be charged based off of another person's average. Staff stated that since this has not been done in previous years the increase will be more substantial; if this were done annually previously the increase would have been gradual. Council Member Burch stated that that needs to be told to residents. Staff stated that a post has been prepared to be sent out

on Facebook. Staff stated that they will reach out to residents who they believe had a leak and that they will also reach out to people with larger increases. Staff stated that landlords have a different rate table and that a consultant will help them adjust that table as well. Residents on septic systems outside of city limits are in the report are unaffected by this change. Mayor Elliott requested an ordinance be brought to Council at the next Council meeting.

A MOTION WAS MADE BY COUNCIL MEMBER DYE, SECONDED BY COUNCIL MEMBER BURCH TO ADJUST THE AVERAGE SEWER RATE TO THREE THOUSAND FIVE HUNDRED AND FORTY-SIX (3,546) GALLONS.

MOTION CARRIES 4-0.

H.9. ACCEPT THE 2025 Q4 TREASURY REPORT.

Staff stated that this got approved but that their signature did not make it on the copy in the packet. They reiterated that a negative in the pending payables is allowable.

A MOTION WAS MADE BY COUNCIL MEMBER CULVER, SECONDED BY COUNCIL MEMBER BURCH TO ACCEPT THE 2025 Q4 TREASURY REPORT.

MOTION CARRIES 4-0.

H.10 EXECUTIVE SESSION TO DISCUSS CONFIDENTIAL INFORMATION RELATING TO PERSONNEL MATTERS ACCORDING TO K.S.A. 75-4319(1) FOR FIFTEEN (15) MINUTES TO INCLUDE THE CITY ADMINISTRATOR, CITY CLERK, CITY COUNCIL, AND MAYOR.

A MOTION WAS MADE BY COUNCIL MEMBER CULVER, SECONDED BY COUNCIL MEMBER DYE TO RECESS INTO EXECUTIVE SESSION AT 7:46 PM.

A MOTION WAS MADE BY COUNCIL MEMBER BURCH, SECONDED BY COUNCIL MEMBER CULVER TO RETURN TO REGULAR SESSION AT 8:01 PM.

DEPARTMENT REPORTS

MAYOR ELLIOTT

Josh Elliott

Joshua D. Elliott, Mayor

Attest:

A. Lanter

Adam Lanter, City Clerk

