

100 W 4th Ave P.O. Box 129 Phone: 620-879-2772 www.caneyks.com

AGENDA

CITY OF CANEY
100 W. 4TH AVE

SPECIAL COUNCIL MEETING

ENTER THROUGH DOORS ON EAST END (Main Street Side) OF BUILDING

DATE: September 15, 2025

TIME: 6:30 P.M.

1. CALL TO ORDER

Mayor Elliott

2. ROLL CALL

CITY CLERK

Jeff Culver		Elizabeth Burch		Kenith Butts		Lori Patterson	
Mike Holeman		Becky Dye		Travis White			

3. PLEDGE OF ALLEGIANCE

4. INVOCATION

5. A. Public Hearing to Exceed Revenue Neutral Rate (RNR) FY 2026

1. Mayor: Opens the public hearing regarding the City's intent to exceed the RNR for FY 2026.

2. ROLL CALL VOTE

Jeff Culver		Elizabeth Burch		Kenith Butts		Lori Patterson	
Mike Holeman		Becky Dye		Travis White			

3. Mayor: Will close the public hearing regarding the City's intent to exceed the RNR.
4. Approval of the MIL levy exceeding the RNR.

B. Public Hearing on the FY 2026 Budget Approval

1. Mayor: Opens the public hearing regarding the City's 2026 budget

2. ROLL CALL VOTE

Jeff Culver		Elizabeth Burch		Kenith Butts		Lori Patterson	
Mike Holeman		Becky Dye		Travis White			

3. Mayor: Will close the public hearing regarding the City's 2026 budget.

4. Approval of FY 2026 Budget

C. Update: Discussion – Update from Tom Finger regarding water loans-grants submission packets

D. Motion to enter public hearing for Caney, KS, regarding a proposed loan in an amount not to exceed \$2,090,000 (the “Loan”) to be taken by the City from the Kansas Public Water Supply Loan Fund (the “Fund”) administered by the Kansas Department of Health and Environment (“KDHE”) pursuant to K.S.A. 65-163c et seq.

MOTION:

SECOND:

E. Motion to exit public hearing for Caney, KS, regarding a proposed loan in an amount not to exceed \$2,090,000 (the “Loan”) to be taken by the City from the Kansas Public Water Supply Loan Fund (the “Fund”) administered by the Kansas Department of Health and Environment (“KDHE”) pursuant to K.S.A. 65-163c et seq.

MOTION:

SECOND:

F. Motion to approve submission of application for Caney, KS, regarding a proposed loan in an amount not to exceed \$2,090,000 (the “Loan”) to be taken by the City from the Kansas Public Water Supply Loan Fund (the “Fund”) administered by the Kansas Department of Health and Environment (“KDHE”) pursuant to K.S.A. 65-163c et seq.

MOTION:

SECOND:

G. Motion to approve KDHE resolution 2025-14

MOTION:

SECOND:

H. Motion to approve submission of USDA, RD Funding Application

MOTION:

SECOND:

I. Executive Session To discuss confidential information relating to matters of finance, according to K.S.A. 75-4319 (1) for 10 minutes to include the City Council, Mayor, City Administrator, and City Clerk.

MOTION:

SECOND:

MOTION:

SECOND:

- J.** Motion to approve resolution 2025-15 sell the of the city owned grocery store “Caney Grocery”

MOTION:

SECOND:

1. ROLL CALL VOTE

Jeff Culver		Elizabeth Burch		Kenith Butts		Lori Patterson	
Mike Holeman		Becky Dye		Travis White			

6. ADJOURNMENT

MOTION:

SECOND:

2025 Mil Levy							
100,000	Appraised Value Residential Property				100,000	Appraised Value Commercial	
	Assessm					Assessm	
	11.50% ent Rate					25% ent Rate	
	Assessed					Assessed	
11500	Value				25000	Value	
	46.5 mills					46.5 mills	
	Tax					Tax	
534.75	Dollars				1162.5	Dollars	

2026 Proposed Mil Levy							
100,000	Appraised Value Residential Property				100,000	Appraised Value Commercial Property	
	Assessm					Assessment Rate	
	11.50% ent Rate					25%	
	Assessed					Assessed Value	
11500	Value				25000	Assessed Value	
	56 mills					56 mills	
	Tax						
644	Dollars				1400	Tax Dollars	
100,000	Appraised Value Residential Property				100,000	Appraised Value Commercial Property	
100,000					100,000		
	Assessm					Assessment Rate	
	11.50% ent Rate					25%	
	Assessed					Assessed Value	
11500	Value				25000	Assessed Value	
	56 mills					56 mills	
	Tax						
644	Dollars				1400	Tax Dollars	

Residential

Difference Per Year 109.25

Difference Per Month 9.1

Commercial

Difference Per Year 237.75

Difference Per Month 19.81

NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

2026

The governing body of

City of Caney

will meet on September 15, 2025 at 6:30 PM at City Hall for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.

Detailed budget information is available at City Hall and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2026 Expenditures and Amount of 2025 Ad Valorem Tax establish the maximum limits of the 2026 budget.

Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2024		Current Year Estimate for 2025		Proposed Budget Year for 2026		
	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2025 Ad Valorem Tax	Proposed Estimated Tax Rate *
General	1,613,706	22.461	1,444,109	24.438	2,100,205	363,992	30.283
General Obligation Bond an	1,269,425		424,876		424,380		
Library	72,893	5.969	77,724	5.969	91,609	84,137	7.000
Employee Benefits	435,263	16.942	456,728	13.660	542,625	192,313	16.000
Police, Fire, and Ambulance	57,976	3.073	23,396	2.478	69,162	29,784	2.478
Industrial	2,625	0.325	3,220	0.239	9,066	2,872	0.239
Special Highway	40,539		41,198		191,767		
Special Parks	6,128		5,000		15,233		
Vehicle Identification	98		100		14,135		
Tourism	24,559		48,563				
Street Sales Tax	24,656		27,000		498,894		
Solid Waste	244,349		249,572		336,906		
Grocery Store	1,159,720		1,227,807		1,254,244		
Water Filter Replacement							
Water Utility	809,931		776,947		762,755		
Sewer Utility	496,434		623,097		635,147		
Non-Budgeted Funds-A	655,546						
Totals	6,913,848	48.770	5,429,337	46.784	6,946,128	673,098	56.000
Revenue Neutral Rate**							46.214

Less: Transfers	400,000	511,000	485,000
Net Expenditure	6,513,848	4,918,337	6,461,128
Total Tax Levied	555,469	555,474	xxxxxxxxxxxxxxxxxx
Assessed			
Valuation	11,872,712	11,873,193	12,019,630

Outstanding Indebtedness,

January 1,

	<u>2023</u>	<u>2024</u>	<u>2025</u>
G.O.	7,977,551	7,626,987	7,235,168
Bon	0	0	0
ds	0	0	0
Rev	97,818	88,533	21,718
enue	8,075,369	7,715,520	7,256,886

Bon

ds

Othe

r

Lease Purchase

Principal Total

*Tax rates are expressed in mills

**Revenue Neutral Rate as defined by KSA 79-2988

Andrea Sibley

City Official Title: City Administrator

A RESOLUTION OF THE CITY OF CANEY, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE;

WHEREAS, the Revenue Neutral Rate for the City of Caney was calculated as 46.214 mills by the Montgomery County Clerk; and

WHEREAS, the budget proposed by the Governing Body of the City of Caney will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

WHEREAS, the Governing Body held a hearing on September 15, 2025 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

WHEREAS, the Governing Body of the City of Caney, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

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

The City of Caney shall levy a property tax rate exceeding the Revenue Neutral Rate of 56.000 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

ADOPTED this 15th, day of September 2025 and **SIGNED** by the Mayor.

Mayor

Attested:

City Clerk

Roll Call Vote

A Roll Call Vote of the _City of Caney_ To Levy a Property Tax Exceeding the Revenue
Hearing to Exceed Revenue Neutral Rate held on _September 15, 2025_
Resolution No. __2025-16_____

Governing Body Member	Yes
Jeff Culver	
Mike Holeman	
Kennith Butts	
Travis White	
Becky Dye	
Lori Patterson	
Elizabeth Burch	
TOTAL	

Certified:

True Neutral Rate

15__

[illegible]

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WHEREAS, the Governing Body of the City of Caney, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

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

The City of Caney shall levy a property tax rate exceeding the Revenue Neutral Rate of 56.000 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

ADOPTED this 15th, day of September 2025 and **SIGNED** by the Mayor.

Mayor

Attested:

City Clerk

AFFIDAVIT IN SUPPORT OF GRANT APPLICATION SUBMISSION and AUTHORITY TO SIGN

Title of Project: Drinking Water System Improvements

I, Joshua Elliott being duly sworn, state the following:

1. I am the duly elected mayor of the city of Caney submitting this sworn statement in support of the attached *Water Projects Grant* application: Drinking Water System Improvements Project. The project will be located in Montgomery county.
2. All statements in this affidavit are based upon my personal knowledge and are true to the best of my knowledge.
3. I am aware of the project and have reviewed the application materials that are being submitted and authorize our professional consultant, Tom Finger, MAP, to sign and submit the application on our behalf.
4. I am aware of all aspects of the project as submitted and the requirements of the program and authorize the application to be submitted.
5. I acknowledge that the city of Caney retains all legal rights and responsibilities related to the purposes for which this application is being submitted.

Name: Joshua Elliott, Mayor

Signature: _____

Subscribed and sworn to before me this ____ day of _____, 2025

Notary Public

My Appointment Expires: _____

AFFIDAVIT IN SUPPORT OF GRANT APPLICATION

Title of Project: Drinking Water System Improvements

I, Joshua Elliott, being duly sworn, state the following:

1. I am submitting this sworn statement in support of the attached water projects grant application: Drinking Water System Standpipe Improvements Project. The project will be located in Montgomery county.
2. All statements in this affidavit are based upon my personal knowledge and are true to the best of my knowledge.
3. I am aware of the property to which the completion of this project will require entry and/or access. I will have acquired a legal right to enter and/or access all such property.
4. I am aware of all local, state, and federal permits that will be required in order to complete this project. I have acquired/applied for all such local, state, and federal permits.

Print Name: Joshua Elliott

Signature:

Subscribed and sworn to before me this ____ day of _____, 2025

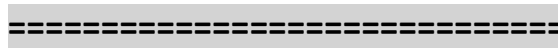
Notary Public

My Appointment Expires: _____

City of Caney Water Project Phases and Funding Components:

Phase #1: Water Supply Line From Coffeyville Funding Sources (Approx. \$7.8M Cost)

- a) **CDBG (\$1 Million Grant):** Is pending to apply towards the project cost
- b) **KDHE/SRF:** Loan Agreement Proposal is being developed for presentation to the City soon for financing of the amount of the project cost not addressed by CDBG (\$2.5 Million of the Loan is Forgivable/Grant)
- c) **KWO Construction Grant -- (#7E Agenda Item)** : Grant application proposed in the approximate amount of \$1.5M to pay towards project costs and to reduce the amount of the final KDHE/SRF Loan required



Phase #2: In-Town Water Distribution and Storage Improvements (Approx. \$15M+ Cost):

- a) **KDHE/SRF -- #7D Agenda Item:** Loan Application is proposed in the approximate amount of \$2.09 Million for financing the replacement of all Lead Service Lines. This is an EPA priority item which the City needs to be able to identify a plan for achieving per recent regulations. This assistance is 50% forgivable(Grant)
- b) **KWO TA Grant -- (#7E Agenda Item)** : Grant application proposed in the approximate amount of \$1 Million to allow for Engineering Design costs to be completed for the Service Lines and other Distribution System improvements. Completion of this design work, will better position the City for award/implementation of the KDHE/SRF Funding noted as per #7D, as well as future funding opportunities which factor in Project Readiness as a selection component
- c) **USDA, RD -- (#7F Agenda Item):** This proposed funding application is in development, and has been slowed due to the need to identify other funding resources to reduce the final USDA, RD funding needed(& overall City User Rates). USDA, RD staffing and funding resources available this Fiscal Year have been severely limited



**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
[MUNICIPALITY NAME], KANSAS
HELD ON [Date of Public Hearing]**

The [City Council/City Commission/Board] (the “Governing Body”) of the [Municipality Caney], Kansas (the “[City/District]”) met in [regular][special] session at 100 W 4th AVE Caney KS, 67333 at [Time of Public Hearing]. The following Governing Body members were present:

The following Governing Body members were absent:

The [Mayor/Chair] declared that a quorum was present and called the meeting to order.

In accordance with a Notice published on [Date of Publication] in [Name of Newspaper], a newspaper of general circulation in the [City/District], a public hearing was held by the Governing Body relating to a proposed loan in an amount not to exceed \$[Maximum Amount of Loan] (the “Loan”) to be taken by the [City/District] from the Kansas Public Water Supply Loan Fund (the “Fund”) administered by the Kansas Department of Health and Environment (“KDHE”) pursuant to K.S.A. 65-163c *et seq.* Proceeds of the Loan would be used by the [City/District] to finance certain modifications and improvements (the “Project”) to the [City/District]’s water supply and distribution system (the “System”).

A record of persons attending the public hearing and a transcript of summary of the proceedings at the public hearing are on file with the [City Clerk/Secretary of the District].

The [Mayor/Chair] informed those present of the issues involved in the Governing Body making a decision whether to proceed with the Loan process, including entering into a loan agreement (the “Loan Agreement”) with KDHE to fund the Project. Information regarding the scope of the Project, the proposed Loan repayment terms, the covenants proposed to be contained in the Loan Agreement and other relevant matters were discussed by the [Mayor/Chairman] and consultants to the [City/District].

Members of the public were permitted to make statements and ask questions of the Governing Body and the [City/District]’s consultants. After all present were given an opportunity to speak and ask questions, the [Mayor/Chair] closed the public hearing.

The matter of proceeding with the application process came on for consideration and was discussed. Thereupon, [Councilmember/Commissioner/Board Member] presented and moved the adoption of a Resolution entitled:

**A RESOLUTION AUTHORIZING THE COMPLETION OF AN APPLICATION
TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT REGARDING
A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND**

[Councilmember/Commissioner/Board Member] _____ seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: _____.

Nay: _____.

The [Mayor/Chair] declared the Resolution duly adopted; the [City Clerk/Secretary] designating the same Resolution No. 2025-14.

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon adjourned.

[City Clerk/Secretary]



RESOLUTION NO. 2025-14

A RESOLUTION AUTHORIZING THE COMPLETION OF AN APPLICATION TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT REGARDING A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND

WHEREAS, the [*Municipality Name*], Kansas (the “[*City/District*]”) is a duly incorporated [*city of the [class of city]/rural water district*] organized under the laws of the state of Kansas (the “State”) which operates a public water supply and distribution system (the “System”); and

WHEREAS, the [*City Council/City Commission/Board of Directors*] (the “Governing Body”) of the City has heretofore determined in to be in the best needs of the customers of the System to undertake certain modifications and improvements (the “Project”) to the System; and

WHEREAS, the pursuant to K.S.A. 65-163c et seq. (the “Act”), the Kansas Department of Health and Environment (“KDHE”) administers the Kansas Public Water Supply Loan Fund (the “Fund”) from which loans are made to certain qualified Municipalities (as said term is defined in the Act) to finance modification and improvements to public water supply systems; and

WHEREAS, the [*City/District*] has heretofore made an application to KDHE for a loan in an amount not to exceed \$[**Maximum Amount of Loan**] (the “Loan”) to finance the Project; and

WHEREAS, the Governing Body has conducted a public hearing this date on the advisability of proceeding with the completion of the application for the Loan and desires to authorize the appropriate officials of the [*City/District*] to accomplish the completion process.

BE IT RESOLVED BY THE GOVERNING BODY OF Caney, KANSAS, AS FOLLOWS:

Section 1. Loan Application. The [*Mayor and City Clerk/Chair and Secretary*] of the [*City/District*] are hereby authorized to cause to be prepared and to execute a Loan Application, including all attachments thereto (jointly, the “Application”); in substantially the form presented to the Governing Body this date, in order to provide financing for the Project. The Application shall be forwarded to KDHE as soon as possible.

Section 2. Further Proceedings. The [*Mayor and City Clerk/Chair and Secretary*] and the other officers and representatives of the [*City/District*] are hereby authorized and directed to take such other action as may be necessary to complete the Application and to coordinate processing of a loan agreement for the Loan (the “Loan Agreement”); provided that the authorization to execute the Loan Agreement shall be subject to further resolution of the Governing Body.

Section 3. Further Authority. This Resolution shall be in full force and effect from and after its adoption.

Adopted by the Governing Body of the [*Municipality Name*], Kansas on [Date of Public Hearing].

(SEAL)

[*Mayor/Chair*]

ATTEST:

[*City Clerk/Secretary*]

RESOLUTION NO. 2025-15_

A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT TO SELL REAL ESTATE AND BUSINESS ASSETS AND EQUIPMENT BY AND BETWEEN CANEY LAND BANK AND HANS RETAIL CANEY, LLC.

BE IT RESOLVED by the governing body of the City of Caney, Kansas, by virtue of its authority under Chapter 12, Article 4, of the Code of Ordinances of the City of Caney, hereby authorizes and directs the Mayor and City Clerk to execute a Contract to Sell Real Estate and Business Assets and Equipment by and between Caney Land Bank and Hans Retail Caney, LLC, and such other instruments as may be necessary or convenient for such transaction.

Adopted this 15th day of September 2025.

Joshua Elliott, Mayor

ATTEST:

City Clerk