

CITY OF KREBS  
COUNCIL MEETING MINUTES  
OCTOBER 17, 2023

1. MEETING CALLED TO ORDER by Mayor Tommy Walker
2. ROLL CALL by Cindy J. Cooper, City Clerk. Tommy Walker- present, Dan Heathcock- present, Connie Poole- present, Jason Wagnon- present, David Bailey- absent. (David Bailey arrived at 1920)
3. PRAYER AND PLEDGE OF ALLEGIANCE. Prayer by Dan Heathcock. Pledge of Allegiance led by Mayor Walker.
4. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE SEPTEMBER 19, 2023 COUNCIL MEETING. Mayor Walker asked for a motion. Connie Poole made a motion to approve the minutes. Jason Wagnon seconded. Mayor Walker called for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon-yes. Motion passed.
5. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE SEPTEMBER 29, 2023 SPECIAL MEETING. Mayor Walker asked for a motion. Connie Poole made a motion to approve the minutes. Jason Wagnon seconded. Mayor Walker called for a vote. Jason Wagnon- yes, Connie Poole-yes, Dan Heathcock- yes. Motion passed.
6. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE CLAIMS. Mayor Walker asked for a motion. Connie Poole made a motion to approve the claims. Dan Heathcock seconded. Mayor Walker called for a vote. Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. Motion passed.
7. REVIEW CITY OF KREBS FINANCIAL STATEMENT WITH MIKE KERN. Mike Kern requested the council turn to page three, of the City of Krebs statement of revenues and expenses. For the three months ending September 30, 2023, the total revenues were \$605,708.34. On page five, you will see that the total expenses were \$619,180.83. We have spent \$13,472.49 more, than the revenue. Mr. Kern states, one thing to keep in mind is, we have spent budgeted amounts on capital outlays, of over \$100,000.00. It's all budgeted, and won't be reoccurring expenses within the next nine months. Revenue wise, we are a little bit ahead of the budget, and the expenses are all within the budget. Mr. Kern asked for questions or comments. No questions or comments voiced at this time.
8. BUSINESS PREVIOUSLY DISCUSSED
  - A. KREBS CITIZEN JEANNIE GIAUDRONE TO UPDATE THE BOARD ON POSTAL SERVICE/FEE. Mrs. Giaudrone states she is getting discouraged at the lack of response from the post master general. Mr. Giaudrone states she sent a certified letter to the post master general on August 25, 2023, but tracking as of this date shows it has not been delivered. The letter she sent to post master general, was a request to, either, provide curb service for residents of Krebs, or lower the rate of the postal boxes. Mr. Giaudrone states she has talked to several of the senior citizens in Krebs, and many of them are having a hard time with the price of the postal boxes. The price of the postal box rental has more than doubled since 2016. The smallest box in \$166.00 the next size up is \$210.00. Mrs. Giaudrone states she was told by the postal service, that the price of the postal box rental is based on location, and the fee group. The fee group is determined by zip code, population, real estate values and 'Competitive verses market dominate', which means if someone like UPS is renting boxes in the area. Mrs. Giaudrone states she called multiple other comparative towns to find out what they were paying. None of them even come close to what Krebs is having to pay. Mrs. Giaudrone read a letter she wrote

to the postal regulatory commission of affairs and government relations, and to the post master general requesting free, curbside mail delivery as it was intended, or affordable box rental. She did get a response from a lady named Helen Husberton, from the regulatory commission. In the letter Ms. Husberton tried to explain the reason for the rates, which included a 10-year plan to achieve financial sustainability, and service excellence, the postal service adjusted market dominated prices for all postal boxes, how affordable it is and how many employees they have to support. Ms. Husberton suggested that Mrs. Giardrone fill out a form 4027, which is a request of change to rural delivery. Mrs. Giardrone states she had already filled one out, and it was denied. Mrs. Giardrone sent in another letter, and told Ms. Husberton she would refuse the curbside delivery unless, everyone in Krebs was offered curbside delivery, or a reduction of the postal box rental rate. Mrs. Giardrone is not doing this just for herself, but for the many low income people living in Krebs. It is not fair, for the people of Krebs to be treated this way. Mrs. Giardrone was granted a curbside mail box, which she did refuse. Mrs. Giardrone suggests that everyone fill out the 4027 form and write letters to the post master.

Krebs resident Gloria Davis requested to ask Mrs. Giardrone a question pertaining to this matter. Mayor Walker stated Mrs. Davis could ask the question.

Gloria Davis asked, if the people that currently have curbside mail boxes had been grandfathered in to have them, and was that why some people in Krebs had curbside service and others could not get curbside service.

Mrs. Giardrone states she was told, that was the way it always has been, and the way it would stay.

Mayor Walker expressed his gratitude to Mrs. Giardrone, not only for her dedication and effort of the past two years, but also, her continued commitment to this undertaking.

Ward 1 Councilman Dan Heathcock asked for clarification of what the form number was.

Mrs. Giardrone states it is form 4027.

**B. ACT TO APPROVE/DISAPPROVE SUNVIEW CONSTRUCTION TO PROCEED WITH THE DEVELOPMENT OF THE MAISANO ADDITION. LOCATED AT TOWNSITE 7 LOT 42 TO INCLUDE THE CONSTRUCTION OF 19 NEW HOMES, PLUS 1 HOME IN THE WATERFRONT ADDITION LOCATED AT 408 POND DRIVE. IN COMPLIANCE WITH ALL LOCAL, STATE AND FEDERAL REGULATIONS.**

Jay Mauck, with Sunview construction states he is hopeful to get this project moving forward. Jay states he would request a contingency upon full engineer approval. Jay states that the planning and zoning commission had stated that they needed DEQ permits on sewer and water. The reason I am asking for the contingency, is it will allow us to close the property with Mr. Maisano, and have the property to go into Sunview's name, which would allow us to make the application to the state of Oklahoma as the owner, for the sewer and water permits. A couple of other reasons for the contingency. That allows us to close with Mr. Maisano, and we get full engineering plans. We won't start anything; "I just want to know we have the commitment from the town to build the houses for the Choctaw nation." The other one is, that once we get the application from the engineer for the building permits, and those applications are reviewed by the city, or whoever reviews them, then that application has to be signed by the city, and the owner, to go to the state. It will then take probably 3 or 4 months to get those lines approved, as the state is extremely backed up. Another reason is, we have a deadline with the Choctaw nation for 2024, to have these homes completed. This will allow us the commitment to move forward with what we need to move forward with. That is the reason I am asking for this to be considered tonight.

Mayor Walker states, per previous conversation about 8-inch sewer, water, and everything that we had been asking for, plus you stated you would fix the pond back, and put a fence back up for the resident Emma McCullar.

Jay states yes, they will put a fence on the property line, and if she wants a pond, they will build her a little pond back.

Ward 2 Council Member Connie Poole ask Ms. McCullar, "Is this something you would agree on, you're not giving us any kind of answer".

Ms. McCullar states, that she feels like this is not a conversation to have at this time.

Jay states he will get with Ms. McCullar to discuss it.

Mayor Walker states we are trying to do what we can. There are some details to be worked out. The main thing is that you told me, that you are going to write down everything that you say you are going to do.

Jay states that will be in the plans, that is why the city needs a full set of plans.

Mayor Walker states yes, the city needs a full set of plans.

Jay, states that he has a stamped copy from the engineer, but you cannot get a DEQ permit off the engineering plans.

Mayor Walker views the plans and verifies that it is stamped. Mayor Walker asked Mark Moy, Chairman of the Planning and Zoning commission to view the stamped plan.

Chairman Moy views the stamped plans and states, this is some of the things what we asked for. Chairman Moy states, there is no easement for the water.

Jay states there is already an existing easement there.

Chairman Moy states, there is a road there, but is there and easement from here to there? (references plans)

Jay points to plans and states you can barely see it, see that little dotted line, that is a 5-foot easement.

Chairman Moy states it would be hard to get equipment down a 5 feet easement, and suggest -interrupted by Jay

Jay interrupted Chairman Moy to say there is also 30-foot easement here. This 30-foot easement goes through.

Chairman Moy suggested, take 2 foot off every one of these lots and run that road down through there, that will make 2 ways out.

Councilman Dan Heathcock asked for clarification on what Chairman Moy was saying.

Jay shows Councilman Heathcock the area they are referring to, and states he was talking about the road on the back side. Referring to Spruce. He is saying, if that road went through.

Councilman Heathcock asked if that would be possible to cut off a little on each one of the properties?

Chairman Moy states the road the city planned, does not go all the way through. It stops at what you are calling Masino.

Pat Layden clarifies with Jay, that what he is asking from the council tonight, is to approve, just in principle, to allow this to go through, subject to, and contingent upon submitting formal engineering plans to the council. If they do not approve those, you understand they could drop this or back out of it. You would have to submit new plans that are approved.

Jay states yes, he understands, and that it would be at great expense to Sunview to have to do that, which is why he wants to make sure they have some support.

Mr. Layden states to the council, in good faith, generally and principally, if its approved, it is still subject to the final plans.

Councilman Heathcock states that he did not hear an answer about the street going all the way through. Would that be possible?

Mayor Walker states it does not go all the way through now.

Chairman Moy states no, it does not, but if you shorten all the lots 2 feet, they could run the road from Maisano into Creek.

Mayor Walker states we need two ways in and out.

Chairman Moy states they did agree to black top Spruce.

Jay states, it is something he can look into.

Councilman Heathcock asks, if we will have answer when we get the plans?

Jay states yes.

Mayor Walker states this is not the final plan.

Jay states we have to know we are moving forward

Councilman Heathcock states, and also so we can know we are staying in compliance with the law being in accordance with the law.

Mayor Walker asked for a motion. Connie Poole makes a motion to approve to allow Sunview Construction to proceed with the development of the Maisano addition. Dan Heathcock seconded. Mayor Walker called for a vote. David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. Motion passed.

9. BUSINESS NOT PREVIOUSLY DISCUSSED

A. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE CONTRACT FOR EMPLOYMENT FOR PAT LAYDEN LAW FIRM. Mayor Walker asked for a motion. Connie Poole makes a motion to approve the contract for Pat Layden Law Firm. Dan Heathcock seconded. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. Motion passed.

B. DISCUSS AND ACT TO APPROVE/DISAPPROVE REQUEST OF CAROLYN MCNATT FOR USED CAR SALES PERMIT LOCATED AT 64 SOUTH MCFARLAND, KREBS, OK.

Carolyn McNatt request approval to put in a used car lot.

Mayor Walker asked the name of the other business that Ms. McNatt owns that are adjacent to the car lot.

Ms. McNatt states Brewed Awakening and Tanning.

Mayor Walker asked if they have an aerobic system.

Ms. McNatt states she is not sure.

Mayor Walker asked maintenance supervisor Billy Robinson to verify that they do have an aerobic system.

Councilman Heathcock makes a motion to approve the car lot. Jason Wagnon seconded. Mayor Walker calls for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon- yes, David Bailey- yes. Motion passed.

C. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE APPOINTMENT OF ETHAN BROWN TO THE KREBS VOLUNTEER FIRE DEPARTMENT WITH A PROBATIONARY PERIOD OF ONE (1) YEAR.

Fire Chief Jim Cortassa states Eathan Brown is currently a McAlester police officer who lives on London Road.

Mayor Walker asked chief Cortassa how many members they currently have.

Chief Cortassa stated they have 14 total.

Mayor Walker asked for a motion. Dan Heathcock makes a motion to approve Ethan Brown to the fire department.

David Bailey seconded. Mayor Walker called for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon- yes, David Bailey- yes. Motion passed.

D. DISCUSS AND ACT TO APPROVE/DISAPPROVE 3<sup>RD</sup> QUARTER FIRE RUNS AND MEETINGS.

Mayor Walker asked for a motion. Connie Poole makes a motion to approve the 3<sup>rd</sup> quarter fire runs. David Bailey seconded. Mayor Walker calls for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon- yes, David Bailey- yes. Motion passed.

E. REVIEW OF FIRE RUN LOCATIONS FOR 3<sup>RD</sup> QUARTER WITH FIRE CHIEF JIM CORTASSA.

Mayor Walker advises council to look in their books to see the report of fire runs made in the city of Krebs, and the ones made outside the city of Krebs. Mayor Walker ask Chief Cortassa why, Krebs was paying for all the fuel for every run in the county, where as all the other fire services get \$1000.00 a month for fuel. Mayor Walker suggests the fire department figure out a way to pay for some of the gas.

Chief Cortassa states a lot of it is Krebs fire district. It is more than just city limits.

Mayor Walker states he is aware, but the fire department is getting money from the county for the trucks

Mayor Walker states, someone has to pay for the gas, which is getting higher and higher and ask Chief Cortassa why he did not think the fire department should pay for some of it. How come all the other cities are getting money for fuel, but Krebs is not?

Chief Cortassa states he cannot speak to the other cities.

Mayor Walker states this is something that needs to be discussed.

- F. COMPARATIVE REVIEW OF POLICE ACTIVITY REPORTS FOR THE MONTH OF SEPTEMBER, FOR THE YEARS 2022 & 2023 WITH POLICE CHIEF DENNIS COOK. Review is withdrawn.

- G. REVIEW OF CODE ENFORCEMENT AND ANIMAL CONTROL REPORTS FOR THE MONTHS OF JUNE THROUGH SEPTEMBER WITH POLICE CHIEF DENNIS COOK.

Mayor Walker states that there have been no reports for three months.

Chief Cook states he does not have anything. "I have zero complaints on property".

Mayor Walker states, the last report we have is June, and it has several "going to be looked at".

Chief Cook states, I can only report to you what I have, and I have zero.

Mayor Walker states, June was the last month that had any reports, and in the meeting, we stated we would review it the next month. We have not reviewed it in three months.

Chief Cook states, I don't have anything to report. There is nothing to report.

- H. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE PURCHASE OF UNIFORMS FOR THE POLICE DEPARTMENT, FROM SPECIAL OPS UNIFORMS IN THE AMOUNT OF \$10,288.15.

Ward 2 Councilwoman Connie Poole questioned why this was on the agenda, if this is in the contract.

Mayor Walker states, this was put on the agenda, to make council aware of what the once-a-year cost of the uniforms are. Mayor Walker asks for a motion. Connie Poole makes a motion to approve the cost of police uniforms for the stated amount. Dan Heathcock seconds. Mayor Walker calls for a vote. David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes, Motion passed.

11. COMMENTS FROM THE COUNCIL AND MAYOR. None.

12. ADJOURN TO KUA. Mayor Walker asks for a motion. Connie Poole makes a motion to adjourn to KUA. David Bailey seconded. Mayor Walker calls for a vote. David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. Motion passed.