

CITY OF KREBS
COUNCIL MEETING MINUTES
APRIL 18, 2023

1. MEETING CALLED TO ORDER: by Tommy Ray Walker.
2. ROLL CALL by Sharon L Long, City Clerk. Tommy Ray Walker – present, Danny Heathcock – present, Connie Poole – present, Jason Wagnon – present, David Bailey – present.
3. PRAYER by David Bailey. PLEDGE OF ALLEGIANCE led by Tommy Ray Walker.
4. SWEAR IN THE NEW MAYOR, TOMMY WALKER. SWEAR IN COUNCIL MEMBER JASON WAGNON AND DANNY HEATHCOCK. Pat Layden swore in Tommy Ray Walker as the new Mayor, Jason Wagnon as Council Member for Ward 3 and Danny Heathcock as Council Member for Ward 1.
5. DISCUSS AND ACT TO APPROVE THE MINUTES OF THE MARCH 21, 2023 COUNCIL MEETING. Connie Poole made the motion to approve the minutes of March 21, 2023. David Bailey seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
6. DISCUSS AND ACT TO APPROVE THE CLAIMS. Connie Poole made the motion to approve the claims. Jason Wagnon seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.
7. REVIEW CITY OF KREBS FINANCIAL STATEMENT WITH MIKE KERN. Mr. Kerns instructed everyone to turn to page 3 to look at Statement of Revenue and Expenses month by cash basis. At the end of March 31, 2023 (9) nine months into our Fiscal year our total Revenues were \$1,950,429.44 based on (9) nine months actual and projecting for the year, it looks like on the Revenue side we will receive more money than we budgeted. Mr. Kerns instructed everyone to turn to page 5 to look at the Expenses. We have spent \$1,963,601.01 we have expenditures in excess of Revenues by \$13,171.57 based on these numbers I've done some projections; we are looking at a potential budget of only about 1% that we had last year based on 9 months so far. Mr. Kerns said they will be having a Financial Committee meeting in May, he is asking for everyone to have their budget information in by May 1, 2023. Mr. Kerns stated he will be needing all Department heads including Police Chief, Fire Chief and Street and Ally to put in a request for Capital Expenditures. Please keep in mind for the Police Department, vests, guns or anything like that, or any asset that has a life of 1 year is classified as a Capital Expenditure we need to put these in a separate category. Mayor Walker asked when this meeting was going to be. Mike Kerns stated 1 week before the Council Meeting and needs everyone to have all this information given to Kay Scott, Treasurer by May 1, 2023.
8. BUSINESS PREVIOUSLY DISCUSSED. None.
10. BUSINESS NOT PREVIOUSLY DISCUSSED.

- A. DISCUSS AND ACT TO ELECT VICE-MAYOR. Connie Poole made a motion to elect David Bailey as the new Vice-Mayor. Jason Wagnon seconded the motion. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.
- B. DISCUSS AND ACT TO REZONE R-1 RESIDENTIAL TO C-1 COMMERCIAL, TND OVERLAY DISTRICT DESIGNATE COMMERCIAL AREA IN PLATTED LOCATED IN LOTS FIVE (5) AND EIGHT (8), BLOCK ONE HUNDRED FORTY-TWO (142), IN THE NORTH AND WEST ADDITION TO THE CITY OF KREBS. Zach Prichard addressed the council. Mr. Prichard stated this is the same thing we did in June of 2022. We have acquired an additional lot, the one listed on the agenda is the one on the South edge of the property on Harrison Street. We are just needing to apply this area to the district of TND to use with the rest of the property. Mayor Walker asked Mr. Prichard if this is where he is putting the beauty shop. Mr. Prichard stated “no”, but that it would be next to it. Connie Poole made a motion to rezone R-1 Residential to C-1 Commercial in the TND District. Jason Wagnon seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.
- C. DISCUSS AND ACT TO APPROVE ORDINANCE 23-04 FROM RESIDENTIAL R-1 TO COMMERCIAL C-1 FOR LOTS FIVE (5) AND EIGHT (8), BLOCK ONE HUNDRED FORTY-TWO (142) IN THE NORTH AND WEST ADDITION TO THE CITY OF KREBS. Connie Poole made a motion to approve Ordinance 23-04 from R-1 Residential to C-1 Commercial. Jason Wagnon seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- D. DISCUSS AND ACT TO APPROVE ORDINANCE 23-04 EMERGENCY CLAUSE. Connie Poole made a motion to approve Ordinance 23-04 Emergency Clause. David Bailey seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.
- E. DISCUSS AND ACT TO APPROVE RESOLUTION 23-02 AMENDING RESOLUTION 18-03 FOR THE MEDICAL MARIJUANA FEE. David Bailey made a motion to approve Resolution 23-02 for the Medical Marijuana Fee. Jason Wagnon seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- F. DISCUSS AND ACT TO APPROVE RESOLUTION 23-02 EMERGENCY CLAUSE. Jason Wagnon made a motion to approve Resolution 23-02 Emergency Clause. Connie Poole seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- G. DISCUSS AND ACT TO APPROVE 1ST QUARTER FIRE RUNS AND MEETINGS. James Cortassa addressed the council. Mr. Cortassa stated this is our normal 1st quarter normal fire runs and meetings that we are requesting payment on. Mayor Walker asked about the report of where the fires were located. Mayor Walker said he would like that report to be added to be a part of the quarterly's next time. Jason Wagnon made a motion to approve 1st quarter fire runs and

meetings. Connie Poole seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.

- H. DISCUSS AND ACT TO APPROVE SUNVIEW HOMES TO DO CONSTRUCTION FOR 19 HOMES, A RETENTION POND, STREET CONSTRUCTION, AND A STORM DRAINAGE SYSTEM FOR THE MAISANO ADDITION LOCATED AT TOWNSITE 7 LOT 42. ALSO, ADD 1 HOME TO THE WATERFRONT ADDITION LOCATED ON THE EAST SIDE OF SOUTH MAIN STREET. Ben McKay with Sunview Homes addressed the council. Mr. McKay said that originally the conversation was to try and put 20 houses here. Some of the concern was detention, water runoff, and things like that. Mr. McKay said that between lots 6 and 7 we have designated that area for a detention. Mayor Walker asked if Sunview is going to fix the streets and everything else they have talked about? Mr. McKay stated “yes”. Mr. McKay said that along the North and South Road taking it from about 15 feet to 27 feet, then the new road along the South side and then also along the North side adjacent to the property. Mayor Walker asked if there was going to be a fence around the detention pond? Mr. McKay replied they did not have that in the plans, but it’s not something that we are completely opposed of doing. Mayor Walker stated it is for safety reasons. Mr. McKay said it was going to be more of a detention than a retention, basically this would hold rain water, it’s not going to be like a sitting pond. Mr. Heathcock asked with heavy rain will the detention pond hold? Mr. McKay replied, this is designed to trickle the water, so that way it doesn’t have a big flow and on a heavier rain you’ll see it fill up and it will trickle its way down. Mayor Walker said he would need to get a building permit for each home if we pass this. Mayor Walker also said he wanted Sunview to use plastic tin horns to go under the driveways and he would like for Sunview to start fixing the streets before they start building homes. David Bailey asked Jonathon if the water plant will hold 20 extra homes? Jonathan replied “no” we are at our max compacity right now. David Bailey said he is not against these homes but we have an obligation to the citizens of this town to supply them water. Mayor Walker said that the water plant has been her for 60 years and if we keep adding homes, we won’t have enough to supply water to everyone. David Bailey made a motion to Table this and take a look at what the water situation is and what we can and can’t do. Jason Wagnon seconded the motion to Table. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion to Table.
- I. DISCUSS AND ACT TO FURNISH TWO (2) 2023 CHEVY TAHOE AND ONE (1) 2022 FORD EXPEDITION POLICE UNITS WITH EQUIPMENT FROM TURN-KEY MOBILE, INC. THIS IS FOR THREE (3) TOUGH BOOK COMPUTERS IN THE AMOUNT OF \$22,131.00. THE STYLES HAVE CHANGED BUT THE OPERATING SYSTEM IS THE SAME AS WHAT IS CURRENTLY BEING USED. REPLACEMENTS FOR UNITS 505, 506, AND 508. Chief Dennis Cook addressed the council. The operating system is currently the same as far as driver’s license, running tags etc. The Tough Books we are operating now are going to be obsolete. The new Tough Books are faster and have more programming features on them. David Bailey made a motion to furnish two (2) 2023 Chevy Tahoe’s and (1) Ford Expedition police units with equipment from Turn-Key Mobile, Inc. and (3) Tough Book computers in the amount of \$22,131.00. Danny Heathcock seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.

- J. DISCUSS AND ACT TO PURCHASE TWO (2) EYEWITNESS HD DASH CAM AND POWER UNITS FOR THE TWO (2) 2023 CHEVY TAHOE POLICE UNITS 505 AND 506. THIS IS TO BE PURCHASED FROM KUSTOM SIGNALS, INC AT A COST OF \$11,666.00. Chief Dennis Cook addressed the council. The cameras that we have in our cars is for videotaping action that occur. This is to update the 2 current cameras. Mayor Walker asked if we could use some of the IT money that we have. Chief Cook stated "yes". Mike Kerns stated with all these Capital purchases that we are looking at for the Police Department we have \$83,000.00 left in our Capital with all the items that are on the agenda tonight the total is about \$79,000.00, so it is within the budget. Connie Poole made a motion to approve two (2) eyewitness HD Dash Cam and Power Units for the two (2) 2023 Chevy Tahoe's Police units 505 and 506. Danny Heathcock seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- K. DISCUSS AND ACT TO PURCHASE TWO (2) EAGLE 3 DUAL KA-BAND ANTENNA AND CABLES FOR THE TWO (2) 2023 CHEVY TAHOE POLICE UNITS 505 AND 506. THIS IS TO BE PURCHASED FROM KUSTOM SIGNALS, INC. AT A COST OF \$5,390.62. Chief Dennis Cook addressed the council. This is also to upgrade our systems for the (2) Chevy Tahoe's Police Units. Jason Wagnon made the motion to approve (2) Eagle 3 Dual KA-Band Antenna and Cables for the (2) Chevy Tahoe's Police Units 505 and 506. Connie Poole seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.
- L. DISCUSS AND ACT TO CHANGE FROM MUSKOGEE COMMUNICATIONS TO METRO EMERGENCY UPFITTERS LLC FOR INSTALLATION OF CUSTOMER OWNED EQUIPMENT FOR THE TWO (2) CHEVY TAHOE POLICE UNITS 505 AND 506. THE COST OF INSTALLATION IS \$20,061.70 PER UNIT. TOTAL INSTALLATION COST FOR THE TWO (2) UNITS IS \$40,123.40 THROUGH METRO EMERGENCY UPFITTERS LLC. Chief Dennis Cook addressed the council. This is to update and install all of the emergency lights and light bars. We are going to take some of our stuff out of our old units and put in the new units, like our radios. Muskogee Communications has had our Ford for about 7 or 8 months, but they still have not received the equipment. Metro Emergency Upfitters LLC is a larger company and can get an SUV out in 8 days. Chief Cook also said that McAlester and Pittsburg County is using them, and say they are really good. Danny Heathcock made a motion to change from Muskogee Communications to Metro Emergency Upfitters LLC for installation of customer owned equipment for the (2) Chevy Tahoe Police Units 505 and 506. Jason Wagnon seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- M. DISCUSS AND ACT TO CLOSE THE CITY PARKS AND THE WALKING TRACK AT NIGHT. CLOSE AT 11:00 PM AND OPEN AT 6:00AM. David Bailey said he thinks it needs to be done. Last summer we had people go there staying all night. You can also tell they had been smoking marijuana and some other things. Mr. Bailey also stated that he had a few people tell him that they were afraid to go to the park in the early morning because of this. Chief Cook said that we will need to post some signs that state the open and closing times at the park and the walking track. Connie Poole made a motion to close the City Parks and the Walking Track at night at

11:00 P.M. and open at 6:00 A.M. David Bailey seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.

- N. DISCUSS AND ACT TO HIRE A NEW POLICE OFFICER TO REPLACE 505. OFFICER JORDAN JAMES RESIGNED EFFECTIVE MARCH 29, 2023. Chief Dennis Cook addressed the council. We are having a hard time hiring Police Officers, I have 2 applicants right now; we use to have a lot but we don't have that anymore. We just can't seem to get anyone that wants to be a Police Officer. I have 2 applicants; I have 1 from Brady Bailey and 1 County Deputy. I've called and spoke with the City Attorney about hiring Mr. Bailey to see if that would be legal as long as they are on opposite shifts. Pat Layden confirmed that this would be legal as long as they *[sic] in regard to his father, Chris Bailey who is a current Police Officer* are on different shifts. Connie Poole made a motion to hire Brady Bailey to replace 505. Danny Heathcock seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.
- O. DISCUSS AND ACT TO HAVE THE ANNUAL MAY CLEAN-UP DAY. FOUR (4) ROLLOFFS WILL BE DELIVERED ACROSS THE STREET ON MAY 19, 2023 AND PICKED UP ON MAY 22, 2023. THE CITIZENS CAN BRING ITEMS TO BE DISPOSED OF FROM MAY 19, 2023 THROUGH MAY 21, 2023. ITEMS NOT ACCEPTED WILL BE LISTED ON THE FLYER IN THE NEWSPAPER. WE WILL ALSO PUT THE INFORMATION ON THE BACK OF THE WATER BILL, THE ELECTRONIC SIGN, AND THE WEBSITE. Jason Wagnon made a motion to have Annual May Clean-Up Day on May 19 – May 21, 2023. David Bailey seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- P. DISCUSS AND ACT TO SEPARATE THE FACILITATOR AND HEAD COOK POSITIONS FOR THE COMMUNITY CENTER. ALSO, TO HAVE THE FACILITATOR, HEAD COOK, AND ASSISTANT COOK POSITIONS TO REMAIN PART TIME AND BE PAID AS A SALARIED POSITIONS. David Bailey said he thinks it's a good idea. Mayor Walker said it would be hard to do both jobs, it's too much. David Bailey made a motion to separate the Facilitator and Head Cook positions for the Community Center. Connie Poole seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- Q. DISCUSS AND ACT FOR THE HEAD COOK POSITION TO HAVE A STARTING SALARY OF \$14.00 PER HOUR AND A 20 HOUR WORK WEEK WHICH EQUALS \$280 PER WEEK. Connie Poole made a motion for the Head Cook position to have a starting salary of \$14.00 per hour and a 20-hour work week which equals \$280 per week. Danny Heathcock seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- R. DISCUSS AND ACT FOR THE ASSISTANT COOK POSITION TO HAVE A STARTING SALARY OF \$12.00 PER HOUR AND A 20 HOUR WORK WEEK WHICH EQUALS \$240 PER WEEK. Danny Heathcock made a motion for the Assistant cook position to have a starting salary of \$12.00 per hour and a 20-hour work week which equals \$240 per week. Jason Wagnon seconded

the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.

- S. DISCUSS AND ACT TO ALLOW A SUPPORT GROUP OF MEMBERS THAT HAVE LOST SPOUSES, FAMILY MEMBERS, ETC TO HAVE MONTHLY MEETINGS AT THE COMMUNITY CENTER. Linda Testa addressed the council. Mrs. Testa said that she met with everyone last week to discuss a support group. She was wanting to know the council members thoughts about a support group and if there would be a charge? Connie Poole said that there should not be a charge to have the monthly meeting and asked Mrs. Testa if Thursday afternoon at the Community Center from 2-4 pm would be a good time to have the meeting? Mrs. Testa said “yes”, that would work. Mr. Heathcock asked Mrs. Testa if there was going to be a paid professional that would be there at the meetings? Mrs. Testa said “no”. Connie Poole made a motion to allow support group of members that have lost spouses or family members, etc. to have monthly meetings at the Community Center free of charge. Jason Wagnon seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- T. DISCUSS AND ACT TO PURCHASE A CARPORT FOR THE FARMER'S MARKET LOCATED AT SOUTH MAIN STREET AND HWY 270 INTERSECTION. Mayor Walker stated that we need a good carport that will last a long time. Mike Kerns stated this should probably be paid out of the Street and Ally Fund. Mr. Kerns said on page 9 of the Street and Ally Revenues and Expenses we have a budget for Capital Expenditures within the Street and Ally Fund and that is different from the Street and Ally Department. Within the General Fund, we have \$151,367.00 budgeted for Capital purchases. Connie Poole made a motion to purchase a carport for the Farmer's Market located at South Main Street and Hwy 270 Intersection. David Bailey seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- U. DISCUSS AND ACT TO ALLOW PITTSBURG COUNTY EMERGENCY MANAGEMENT TO HAVE ACCESS TO THE SIRENS IN KREBS. LARRY PARTAIN HAS RESIGNED FROM THE EMERGENCY MANAGEMENT POSITION EFFECTIVE APRIL 1, 2023. David Bailey made a motion to allow Pittsburg County Emergency Management to have access to the sirens in Krebs. Danny Heathcock seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.
- V. DISCUSS AND ACT TO PURCHASE A 2018 VERMEER BC700XL WOOD CHIPPER FROM UNITED RENTALS IN THE AMOUNT OF \$14,498.00. Mike Kerns stated we need to fund this out of the Street and Ally Fund. Connie Poole made a motion to purchase a 2018 Vermeer BC700XL wood chipper from United Rentals in the amount of \$14,498.00. Jason Wagnon seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.
- W. DISCUSS AND ACT TO PAY 50% DOWN PAYMENT ON THE PLAYGROUND EQUIPMENT WHICH WOULD EQUAL \$6,458.00 TO LEA PARK & PLAY, INC. David Bailey made a motion to pay 50% down payment on the playground equipment which would equal \$6,458.00 to Lea Park & Play

Inc. Jason Wagnon seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes.

X. DISCUSS AND ACT TO APPROVE THE PAYMENT OF COMP TIME, VACATION AND SICK LEAVE ACCRUED FOR JORDAN JAMES. GROSS AMOUNT IS \$11,193.98 LESS TAXES OF \$3,431.59 WHICH EQUALS \$7,762.39. Connie Poole made a motion to pay Jordan James Comp time, Vacation and Sick Leave which equals to \$7,762.39. Jason Wagnon seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.

Y. DISCUSS AND ACT TO APPROVE THAT OFFICER JORDAN JAMES REPAY THE CITY \$6,249 FOR UNIFORMS FOR THE PAST 3 YEARS AND \$475 FOR THE PRE-EMPLOYMENT PHYSICAL, AS PER REQUEST BY POLICE CHIEF DENNIS COOK. Chief Dennis Cook addressed the council. I have consulted with our City Attorney to do some research to find out if we can do this, because Jordan James was still under contract. Pat Layden said that he has seen a copy of the agreement contract, he is still reviewing to determine any recourse and weigh everything with Chief Cook so he can make a recommendation. Pat Layden further stated, he is not prepared tonight because he needs more time to review. Connie Poole asked if they should Table this. Mr. Layden said that would be his recommendation. David Bailey asked Jordan James if he had anything to say?

Jordan James addressed the council. I feel that this is a pretty harsh price. In the contract it states “any and all” as far as starting out. As I understood, I would probably have to pay for the physical and the first set of uniforms. By contract we are supposed to get money for our uniforms every year. I spoke with the FOP, and they said that this should not be any part of a contract. Jordan said \$6,000 is a lot of money. Connie Poole made a motion to Table. Jason Wagnon seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passes to Table.

10. COMMENTS FROM THE COUNCIL AND MAYOR. None.

11. ADJOURN TO KUA. Mayor Walker made a motion to adjourn. Connie Poole made a motion to adjourn. David Bailey seconded the motion. Mayor Walker called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion adjourned.