

CITY OF KREBS
COUNCIL MEETING MINUTES
MAY 16, 2023

1. MEETING CALLED TO ORDER by David Bailey, Vice Mayor.
2. ROLL CALL by Sharon L Long, City Clerk. Tommy Ray Walker – Absent, David Bailey – present, Danny Heathcock – present, Connie Poole – present, Jason Wagnon – present.
3. PRAYER by Danny Heathcock. PLEDGE OF ALLEGIANCE led by David Bailey.
4. DISCUSS AND ACT TO APPROVE THE MINUTES OF THE APRIL 18, 2023 COUNCIL MEETING. Connie Poole made a motion to approve the minutes of April 18, 2023. Jason Wagnon seconded the motion. Vice Mayor Bailey called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes. Motion passes.
5. DISCUSS AND ACT TO APPROVE THE CLAIMS. Connie Poole made the motion to approve the claims. Danny Heathcock seconded the motion. Vice Mayor Bailey called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes. Motion passes.
6. REVIEW CITY OF KREBS FINANCIAL STATEMENT WITH MIKE KERN. Mike Kerns instructed to turn to page (3) for the Statement of Revenues and Expenses with Modified Cash Basis. For the 10 months ending April 30th 2023 our total Revenues \$2,115,623.14 and total Expenses on page (5) \$2,206,274.43. We have spent \$90,651.29 in excess of what we have taken in. The big-ticket item that we purchased the month of April, was 2 Police cars, which was ordered 8 months ago. Our Revenues and Sales Tax will be more than the total budget and, for the Sales Tax, we still have 2 months to go. Our Franchise Tax is in excess of our budgeted amount and our Use Tax is also in excess. The Revenues are holding up even though we had to spend the money on Capital items. Mr. Kerns asked if there were any questions. No questions.
7. BUSINESS PREVIOUSLY DISCUSSED.
 - A. 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 is to address the council. Mr. Heathcock had some questions for Mr. McKay. Mr. Heathcock stated he would like to see some things printed in writing that was discussed in the prior meeting. He wants the fence around the Retention Pond in writing. He also asked if the Storm Drainage was going to be constructed around the properties and if this would direct the rain away from the new and existing homes. Mr. McKay replied that he would assume the drainage system would be put along the roadway but he would have to look at the storm water plan. Mr. McKay also said that we had 20 lots, we removed one of them and made that the Detention area there so it will all flow to that area and into the creek on the North side. Mr. Heathcock asked if we could get that in writing for the City of Krebs that it is being done for that purpose. Mr. McKay

replied “yes” he would assume that is part of the Engineering. Mr. Heathcock also asked if there was going to be plastic pipes “Tinhorns” placed under the driveways. Mr. McKay said “yes” for all the driveways. Mr. McKay said that one of the things that was mentioned was using the corrugated pipe verses the PVC pipe but we can have that notated in the Engineering plans. Mr. Heathcock asked if we could add the stipulation of no swimming pools or excessive water usage for the first (3) years. Mr. McKay replied he thinks you can, it’s a matter of how you want to verbalize that. Mr. Bailey asked Jonathan Clifton about the situation at the Water Plant and if he was able to speak with the Engineers on whether or not we can handle the extra homes. Mr. Clifton said “yes” he sent the numbers to Mr. Fox and the City Engineer. He read the numbers and said for the 60 houses that we are expected to get and along with current houses, we should be good. Mr. McKay wanted to discuss the roads, he wants to push back on doing anything right away because we will have cement trucks going over top of it and we don’t want to damage the new roads.

Larry Coxsey addressed the council. Mr. Coxsey stated he lives on the end of Church Street. Mr. Coxsey said he doesn’t think it’s the concern of houses being built there, it’s the number of houses and the amount of traffic this is going to create just on one street getting in and out of there. For the people that live on the corner they will have at least 70 to 100 vehicles going by every morning. And not to mention that if there are 2 vehicles driving in opposite directions one of the vehicles has to pull off in the grass or the ditch. He also stated the drainage is not good, especially after a hard rain, so just adding Tinhorns and piping it in will not work. He also stated no one has ever mentioned to any of the community members about who could qualify to buy houses in this Addition, not everybody can from my understanding. Mr. Coxsey asked if anyone has gone to the other Addition that has been built and spoke with the people that reside there? Mr. Heathcock said he hasn’t heard of any complaints. Mr. Coxsey said we should, in order to find out what they are dealing with.

Caylin Crone addressed the council. Mrs. Crone stated she has a legal issue that pertains to what we are talking about. She stated that she submitted an appeal about the State Law and our City Ordinances. Mrs. Crone said if we vote on this today, she will go to the States Attorney’s Office who is already aware of this issue. We have in our city ordinances a Planning and Zoning Commission; we also have Board of Adjustment. Mrs. Crone said that if this is voted on tonight that the States Attorney’s Office will be notified and further steps will be taken. Mrs. Crone went on to say that other community members will be contacting their personal Attorneys if this goes through. Mrs. Poole asked if they should Table this till next month. Connie Poole made a motion to Table Sunview Homes construction. Jason Wagon seconded the motion. Vice Mayor Bailey called for a vote. Jason Wagon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion to Table.

- B. 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. Officer Jordan worked for us almost 3 years, he left a little early by just a few months of his contract. Chief Cook made a recommendation not to have Officer Jordan re-pay City of Krebs in the

amount of \$6,249.00. Connie Poole made a motion to not have Officer Jordan repay the City of Krebs \$6,249.00. Jason Wagnon seconded the motion. Vice Mayor Bailey called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes. Motion died.

8. BUSINESS NOT PREVIOUSLY DISCUSSED.

- A. DISCUSS AND ACT TO EXTEND VARIANCE FOR TEMPORARY HOUSING FOR 195 SW 3RD. BILL PEMBERTON TO ADDRESS THE COUNCIL. Mr. Pemberton said he is asking for a little more time. He said he has been trying to do the house by himself, said he has had some health issues. Mr. Pemberton said he needs another 6-month extension to finish his house. Connie Poole made a motion to give temporary housing for 195 SW 3rd a 6-month extension. Danny Heathcock seconded the motion. Vice Mayor called for a vote. Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.
- B. DISCUSS AND ACT TO APPROVE QUOTE FOR INSTALLATION OF EQUIPMENT TO LEA PARK & PLAY IN THE AMOUNT OF \$6,285.00. Connie Poole made a motion to approve quote for installation of equipment to Lea Park & Play in the amount of \$6,285.00. Danny Heathcock seconded the motion. Motion passes.
- C. DISCUSS AND ACT TO APPROVE RESOLUTION 23-03 FOR CLOSING THE CITY PARKS AND WALKING TRACKS AT NIGHT. Chief Dennis Cook addressed the council. We discussed in the past to open both parks and walking tracks at 6:00 a.m. and close both at 11:00 p.m. Chief Cook said that we need to get signs posted at both parks. Connie Poole made a motion to approve Resolution 23-03. Danny Heathcock seconded the motion. Vice Mayor Bailey called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes. Motion passes.
- D. DISCUSS AND ACT TO APPROVE RESOLUTION 23-03 EMERGENCY CLAUSE. Danny Heathcock made a motion to approve Resolution 23-03 Emergency Clause. Jason Wagnon seconded the motion. Vice Mayor Bailey called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes. Motion passes.
- E. DISCUSS AND ACT TO ALLOW DANNY HEATHCOCK TO REMAIN ON THE GENE HEATHCOCK COMMUNITY CENTER BOARD AND BE WARD 1 COUNCIL MEMBER. Danny Heathcock addressed the council. I submitted a copy of the State Law; it states that its legal for me to stay on the Board since I've been a member for over 10 years and never accepted any pay. That was the stipulation of the State Law. Vice Mayor Bailey asked Mr. Heathcock that if a problem or issue comes about, are you willing to resign? Mr. Heathcock said “yes”, he would resign. Connie Poole made a motion to allow Danny Heathcock to remain on the Gene Heathcock Community Center Board and be Ward 1 Council Member. Jason Wagnon seconded the motion. Vice Mayor Bailey called for a vote. Connie Poole – yes, Jason Wagnon – yes. Motion passes.
- F. DISCUSS AND ACT TO APPROVE JORDAN VALDEZ AS AN ACTING MEMBER OF THE KREBS FIRE DEPARTMENT. Jim Cortassa addressed the council. Mr. Cortassa said he Would like to bring

Jordan on as acting member of the Krebs Fire Department. He is working for Jackie Brannon; he is new to the area and lives on Electric Avenue. Mr. Cortassa said he used to be an EMT in Texas. Jason Wagnon made a motion to approve Jordan Valdez as an acting member of the Krebs Fire Department. Connie Poole seconded the motion. Vice Mayor Bailey called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes. Motion passes.

- G. DISCUSS AND ACT TO CONSIDER FIXING THE CONDITION OF FILLMORE AVENUE. WOULD LIKE FOR 1/4 QUARTER MILE OF THE ROAD TO BE REPAIRED OR RESURFACED. ALICE EAKLE TO ADDRESS THE COUNCIL. Mrs. Eakle stated she lives at the end of Fillmore Avenue been at the same address since 1964. The road was paved about 20 years ago, but it's in bad repair and needs to be fixed. David Bailey said what we need to do is go look at it to see what we can do. He asked Mrs. Eakle to give him some time to be able to get something done. Billy Robinson stated that he can get over to look at it tomorrow morning. Vice Mayor Bailey stated we do not have to make a motion on this.
- H. DISCUSS AND ACT TO PURCHASE TYPHOON I – 9HP MOSQUITO FOGGER FROM MOMAR. TOTAL COST OF PURCHASE IS \$16,330.82. Billy Robinson addressed the council. Mr. Robinson said the mosquito machine we have is 24 years old and it does not work. He said he has rebuilt the engine 3 times. Danny Heathcock made a motion to purchase Typhoon 1-9HP Mosquito Fogger from Momar for total cost of purchase \$16,330.82. Jason Wagnon seconded the motion. Vice Mayor called for a vote. Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.
- I. DISCUSS AND ACT TO GO INTO EXECUTIVE SESSION PURSUANT TO OKLAHOMA STATE STATUTE TITLE 25 SECTION 307 (B) (1) TO DISCUSS THE STATUS OF THE ANIMAL CONTROL/CODE ENFORCEMENT. SHOULD THIS BE CLASSIFIED AS A POLICE OFFICER. Jason Wagnon made a motion to go into Executive Session Pursuant to Oklahoma State Statute Title 25 Section 307 (B) (1). Connie Poole seconded the motion. Vice Mayor Bailey called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes. Motion passes.
- J. DISCUSS AND ACT TO GO BACK INTO REGULAR SESSION. Danny Heathcock made a motion to go back into regular session. Jason Wagnon seconded the motion. Vice Mayor Bailey called for a vote. Danny Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes. Motion passes.
- K. DISCUSS AND ACT ON THE STATUS OF THE ANIMAL CONTROL/CODE ENFORCEMENT. Vice Mayor David Bailey stated that we will send the Animal Control/Code Enforcer to Cleet to become a Police Officer and still be Animal Control/Code Enforcement. Danny Heathcock made a motion for Animal Control/Code Enforcement to be classified as a Police Officer. Jason Wagnon seconded the motion. Vice Mayor Bailey called for a vote. Jason Wagnon – yes, Connie Poole – yes, Danny Heathcock – yes. Motion passes.

9. COMMENTS FROM THE COUNCIL AND MAYOR. No comments.

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