

CITY OF KREBS  
COUNCIL MEETING MINUTES  
JULY 18, 2023

1. MEETING CALLED TO ORDER by Mayor Tommy Ray Walker.
2. ROLL CALL by W Kay Scott, City Treasurer. Tommy Walker – present, David Bailey – present, Jason Wagnon – present, Connie Poole – present, Dan Heathcock – present.
3. PRAYER led by David Bailey AND PLEDGE OF ALLEGIANCE led by Mayor Walker.
4. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE JUNE 20, 2023 COUNCIL MEETING. Mayor Walker asked for a motion. Connie Poole made a motion to approve the minutes. David Bailey seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Dan Heathcock – yes. Motion passed.
5. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE JUNE 23, 2023 SPECIAL CITY COUNCIL MEETING. Mayor Walker asked for a motion. Connie Poole made a motion to approve the minutes. Jason Wagnon seconded the motion. Mayor Walker called for a vote. Dan Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passed.
6. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE JULY 11, 2023 SPECIAL CITY COUNCIL MEETING. Mayor Walker asked for a motion. David Bailey made a motion to approve the minutes. Connie Poole seconded the motion. Mayor Walker called for a vote. Jason Wagnon – yes, David Bailey – yes, Dan Heathcock – yes, Connie Poole – yes. Motion passed.
7. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE JULY 13, 2023 SPECIAL CITY COUNCIL MEETING. Mayor Walker asked for a motion. Connie Poole made a motion to approve the minutes. David Bailey seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Dan Heathcock – yes. Motion passed.
8. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE CLAIMS. Mayor Walker asked for a motion. Connie Poole made a motion to approve the claims. David Bailey seconded the motion. Mayor Walker called for a vote. Dan Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passed.
9. REVIEW CITY OF KREBS FINANCIAL STATEMENT WITH MIKE KERN. Mr. Kern stated to turn to Page 6 General Fund Revenues and Expenses. For the 12 months ending June 30, 2023 – total Revenues were \$2,385,045.88. On Page 8 – total Expenses were \$2,554,565.95. One of the things that happened in the month of June that is kind of distorting, is we had 3 payrolls. There is a loss of \$169,520.07 for the 12 months ending. Revenues were off by \$20,000 which has affected the upcoming budget. There will be a decrease of 5% in the overall budget for this next fiscal year. The final budget will be done after the negotiations with the police contract are finished. Any questions or comments?

10. BUSINESS PREVIOUSLY DISCUSSED.

- A. DISCUSS AND ACT TO AMEND ORDINANCE 03-02 TO REDUCE TO FIVE (5) MEMBERS INSTEAD OF NINE (9) MEMBERS OF THE PLANNING AND ZONING BOARD. Mayor Walker stated that we have to have at least five (5) members. Mayor Walker asked for a motion. Connie Poole made a motion to have 5 members. Jason Wagnon seconded the motion. Mayor Walker called for a vote. Dan Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passed.
- B. DISCUSS AND ACT TO DECLARE THE EMERGENCY CLAUSE TO AMEND ORDINANCE 03-02. Mayor Walker asked for a motion. Connie Poole made a motion. Jason Wagnon seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Dan Heathcock – yes. Motion passed.
- C. DISCUSS AND ACT TO APPROVE/DISAPPROVE 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. Mayor Walker asked for a motion. Connie Poole made a motion then asked the question, are we legal now since we made this ordinance? Can we approve it or is there any stipulations? Mayor Walker stated that we are just now starting back with the planning and zoning board. Councilwoman Poole asked if we have to have them appointed before we can do anything with this? Mayor Walker stated that's basically it. David Bailey asked if there was anything from anyone in the audience. Councilwoman Poole asked if could table it or what we needed to do? Councilman Bailey stated that we wanted to set it aside not to do away with it. Mayor Walker stated that we want to postpone it until we get the planning and zoning board set up again. Then we will come back to it. This is what our lawyer told us to do.
- Richard Lerblance asked if he could address the council on behalf of Mr. Maisano. At present you don't have a planning and zoning board. Now you are implementing one with 5 members on that. Mayor Walker stated hopefully within a month. Mr. Lerblance stated from there you will bring the proposal back to the planning and zoning commission board and they can either vote to approve or disapprove it. If they approve it then it comes back to the council for your vote. Mayor Walker stated that it has to go to the adjustment board too after the 5. Mr. Lerblance interrupted by saying it goes from the planning committee to the adjustment board? Mayor Walker stated that by the time it comes back to the council, we hope to have the planning board and the adjustment board. Mr. Lerblance stated that he understood up until now the council has gone ahead and approved different additions and changing of the ordinances and zoning issues without the planning commission. Mayor Walker stated that for years we didn't have anybody that wanted to be on the planning and zoning so we had nothing else to do. Mr. Lerblance stated tonight you have it on the agenda to approve or disapprove construction so couldn't you go ahead, like you have done in the past, and go ahead and approve that. Mayor Walker stated no. We are trying to do it the legal way. You know that we have to have this

planning and zoning, it's a state statute. So we have to go by what the state statute says. Mr. Lerblance asked so all the ones that you previously passed, are they null and void or are you holding your breath on them. Mayor Walker stated that he isn't a lawyer so he couldn't tell you on that but we are trying to bring it back and do it legal. Mr. Lerblance asked if Sunview Homes could be given a timeframe on when you might be. Mayor Walker stated that we are hoping to have this settled by the next council meeting, have all the board members. As soon as we get enough people on the list, then I'm going to nominate and go before the council to vote on who will be on it. I'm trying to make it fair. Getting one from each ward and one at large. The statutes say that we can do it all at large but I think it will be more fair if we get one from each. Mr. Lerblance stated equal representation. Mayor Walker stated that we have four wards. Mr. Lerblance asked then for 10 C, you going to just vote to table that? Mayor Walker stated no we are going to make a motion to postpone it until we have the planning and zoning board. Mr. Lerblance stated well that tabling it then. Mayor Walker stated no that it's his understanding that tabling has to be brought back at the next meeting but if we postpone it, we can bring it back when we get all of our ducks in a row. Mr. Lerblance stated that he thought all the collateral issues had been taken care of: the water issues, the road work, the detention pond, all those things have been taken care of. Mayor Walker stated they are going to do all of that. The only thing left is, some of the streets are going to be widened. So pretty much will have everything done of what they want.

Councilman Bailey made a motion to postpone until a planning and zoning board is in place.

Councilwoman Poole seconded the motion. Mayor Walker called for a vote. Dan Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passed to Postpone.

11. BUSINESS NOT PREVIOUSLY DISCUSSED.

- A. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE APPOINTMENT OF CHRISTOPHER SKINNER TO THE KREBS VOLUNTEER FIRE DEPARTMENT WITH A PROBATIONARY PERIOD OF ONE (1) YEAR. Assistant Fire Chief Leo Baughman addressed the council. Mr. Baughman stated that he was speaking on behalf of Mr. Skinner. He is a police officer in McAlester and he is on shift this evening. Mr. Skinner will be able to make fire calls during the day. He works the swing shift. He was on the fire department previously for 3 years. He went to law enforcement and now he's wanting to come back and do community service. He lives 2 blocks from the fire department here in Krebs. David Bailey stated that he is a good man and just made sergeant. Mayor Walker asked for a motion. Connie Poole made the motion to approve. David Bailey seconded the motion. 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 2ND QUARTER FIRE RUNS AND MEETINGS FOR PAYMENT TO THE FIREMEN. Mayor Walker asked for a motion. David Bailey made a motion to approve. Connie Poole seconded the motion. Mayor Walker called for a vote. Dan Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passed.
- C. DISCUSS AND ACT TO APPROVE/DISAPPROVE A RESOLUTION TO CHANGE THE SPEED LIMIT AROUND THE SCHOOL FROM 25 MPH TO 10 MPH. Mayor Walker explained that there are a lot of people that are speeding around the school. David Bailey made the motion to lower the speed

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

- D. DISCUSS AND ACT TO GO INTO EXECUTIVE SESSION PURSUANT TO OKLAHOMA STATE STATUTE TITLE 25 SECTION 307 (B) (2) TO DISCUSS NEGOTIATIONS WITH KREBS POLICE OFFICER'S 3 YEAR FRATERNAL ORDER OF POLICE CONTRACT FOR 2023 THROUGH 2026. Mayor Walker asked for a motion. Connie Poole made the motion to go into executive session. David Bailey seconded the motion. Mayor Walker called for a vote. Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes, Dan Heathcock – yes. Motion passed. Council members decided to have Police Chief Dennis Cook, FOP representative Corey Cantrell, W Kay Scott, Mike Kern, City Attorney representative to stay for the discussion.
- E. DISCUSS AND ACT TO RETURN TO REGULAR SESSION. Mayor Walker asked for a motion. Dan Heathcock made a motion to return to regular session. Jason Wagnon seconded the motion. Mayor Walker asked for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Dan Heathcock – yes. Motion passed.
- F. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE 3 YEAR FRATERNAL ORDER OF POLICE CONTRACT FOR THE KREBS POLICE OFFICERS. Mayor Walker asked for a motion. Dan Heathcock made a motion to Table. David Bailey seconded the motion. Mayor Walker called for a vote. David Bailey – yes, Jason Wagnon – yes, Connie Poole – yes, Dan Heathcock – yes. Motion Tabled. Officer Corey Cantrell would like to have a special meeting.
11. COMMENTS FROM THE COUNCIL AND MAYOR. Connie Poole stated on 8<sup>th</sup> & Harrison, Mr. Lay, the alleyway is washing out. We fixed it about 3 years ago. He would like to have it fixed again. When are we going to get the mosquito truck started? Mayor Walker stated we have and will be doing is about twice per week. Especially around these little creeks and ditches.
12. ADJOURN TO KUA. Mayor Walker asked for a motion. Jason Wagnon made the motion to adjourn. David Bailey seconded the motion. Mayor Walker called for a vote. Dan Heathcock – yes, Connie Poole – yes, Jason Wagnon – yes, David Bailey – yes. Motion passed to adjourn to KUA.