

**CITY OF KREBS
PLANNING AND ZONING MEETING MINUTES
AUGUST 5, 2025**

1. MEETING CALLED TO ORDER - by Chairman Mark Moy

2. ROLL CALL - by Chairman Mark Moy

Richard Cotton- present

James Garigin- present,

Dana DeFrange- present

Chairman Moy- present

3. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE JUNE 10 ,2025 MEETING

Richard Cotton makes a motion to approve the minutes. James Garigin seconds.

Chairman Moy calls for a vote. Richard Cotton- yes, James Garigin- yes, Dana DeFrange- yes, Mark Moy- yes. **Motion passed.**

4. BUSINESS PREVIOUSLY DISCUSSED

A. DISCUSS AND ACT TO RECOMMEND/NOT RECOMMEND CLOSING THAT SECTION OF PLATTED ROAD RUNNING NORTH AND SOUTH IN TOWNSITE ADDITION #8 BETWEEN LOTS 14 & 15, NORTH OF NE FILMORE AVE. KREBS, OKLAHOMA, PITTSBURG COUNTY

Dari Partain, I'm third owner in that home and we are trying to sell it, but it makes it a little difficult when the road is going through it. My parents owned it originally.

Chairman Moy, that street is somewhere 40 feet wide and according to your survey, you're going to be in the second 40. Half of that roadway goes to the Davis's and half of it would go to you. Your house is still going to be on their property.

Dari Partain, yes sir. We realized that and the first step is to close the road. Then the second step is to have them deed us that property and the house has been sitting there for 56 years.

Richard Cotton, yeah, it's been a long time, but to me it seems like it's the other way around. You need to buy property the 20 feet that it's overhanging on lot 14 first before we even think about vacating that street.

Chairman Moy, the second thing I'm going to say is you guys own all of lot 15.

Dari Partain yes, the 10 acres.

Chairman Moy if Davis's don't have objection,

Dari Partain, they don't.

Chairman Moy, then that road, what I'm trying to say is if anybody wanted to develop either side of that and we close the road because of the house, they can't do that. You see what I'm trying to say? They can't get to it. I don't think you can go around the other side and get to it.

Dari Partain, we don't want to develop on it and I can't speak for the future owners, but if it's closed then they won't know about it. And the Davis's have been there longer than we have and we have spoken to them. I know.

Chairman Moy, did you send the deal out 300, the foot radius of that property

Cindy Cooper, yes, that was done way back.

Dari Partain, no one has a problem with it.

Chairman Moy, who owns lot 10? Do you know? I didn't see that in here, even on my last month one. That'd be the one that is north of it? The only thing I'm scared to do is landlock somebody's property. Then they can't get to it.

Dari Partain, its landlocked now.

Chairman Moy, I know, but I don't know what the legal ramifications is. I mean I don't want to see the house tore down off over there, but I don't want to make a legal cause for the city for later.

Dari Partain, that road is only on our land. From what I could tell, it's nowhere else but on our land

Chairman Moy, it's got to go through.

Dari Partain, I didn't see that it went through and that was what I was just guessing is that when my mom supposedly had it closed that they closed it behind the house instead of on our property because the road is, it's just on our property.

Cindy Cooper, on that map right there, it still shows the whole road platted open. But on those two maps that I told you that I found, I can see where on the one they; I guess the resurveyed and they just left that one section open but again I never found anything where it was officially closed.

Chairman Moy, I really think this needs to be looked at through the city attorney. I mean we don't know what the legal ramifications might be one way or the other. Have you taken it to them? Have they discussed it?

Cindy Cooper, no, they haven't discussed it.

Dari Partain, so you've never closed roads here before? You've never closed any roads in Krebs?

Chairman Moy, not to my knowledge. We've closed alleys, different things. I don't know which road that would

Cindy Cooper, there's a couple that I have found when I'm looking back at the old stuff, I don't know off the top of my head where. Over there on the industrial side of 69. There's some of those that parts of them were closed, but I don't know if they had a planning and zoning board then.

Chairman Moy, we closed the road down here for the new DG down here on electric, but they owned both sides of it. They owned the whole block on both sides of it. So, you didn't affect somebody that might be landlocked.

Dari Partain, they're landlocked now, sir. I mean there's no way to get there and the road doesn't even have a name and we've been there minimum 56 years.

Dana DeFrang, how would you get, if you close that road, how would you get to lot 10. Is there a road coming in from the north side? On the north side, north, south on the east or west or south side.

Dari Partain the only visible road is Fillmore and then the one off by the sewer that's on the east side of the 10 acres.

Chairman Moy, it's over on lot 16.

Dana DeFrang, how would you get to these lots if you close that road?

Chairman Moy, I don't know that.

Richard Cotton, I vote not to close it because until they acquire the property on the other side closing it doesn't mean nothing. They're still, the house is 20 feet on lot 14. It doesn't do any good to vacate it. Their house is still on the other people's property.

Chairman Moy, that's what said, when you close the road, each half of that road goes to each person.

Dari Partain, correct, it's a catch 22.

Chairman Moy, your house is still going to be on Davis's property.

Dari Partain, right. And we have spoken with them. I know it's hearsay but then I'm just taking it a step at a time. I mean if they deed us the property and I still have to have the road closed and it's a lot easier dealing with them than it is you on, no offense,

Chairman Moy, my motion's going to be that we send this on to city council and let the city council decide. We're just one piece of this deal and, well you don't see a lawyer sitting at our table so that needs to go to them.

Dari Partain, I know.

Chairman Moy, he needs to make a decision it needs to go to them. I'm going to give a hypothetical. 'You don't like what comes out and you sue then he's the one that's going to have to have the law. We don't know the law.' I'm going to make a recommendation that we send it to the city council and let Ronnie May...

Dari Partain, why didn't you make this two months ago instead of before? What you wanted was the survey. I got you the survey. Now you want to take it to the attorney

Chairman Moy, exactly what we're talking about.

Dari Partain, why didn't you tell me to take it...

Chairman Moy, you got a 40-foot roadway. The house is on all of it. We close the road and it goes to the Davis's. We're now hearsay.

Dari Partain, I understand, but why didn't you tell me this from the get-go? Why do we now have to go back?

Chairman Moy this is the first time I've seen you here.

Dari Partain, what I heard was I didn't need to come so I didn't and I said Then it was, we need a survey. Okay, I got you a survey. Well now we need to see the attorney. So, my question is, we get the attorney, what is the next step so I can go ahead and get it.

Chairman Moy, I guess you would have to talk to the city attorney and the city council because we don't have the authority.

Cindy Cooper, I can send it to the attorney before the next meeting.

Chairman Moy I think you're going to have to have the Davis's give you something in writing because when that road is closed, half of it is theirs, and your house is still on it. Sure, would've been nice 50 years ago if we've done survey.

Dari Partain, that's right. It should have been nice when they got the permit to have that straightened to begin with.

Chairman Moy, we're just here trying to help you. We're not trying to make you cause problems.

Dari Partain, well you cause some problems. You're not really helping. That's all right. That's how life

Chairman Moy, that's just the way it's got to go. I mean it needs to go to city council, and my recommendation is to send it over there.

Dana DeFrange seconds the motion.

Chairman Moy calls for a vote. Richard Cotton- yes, James Garigin- yes, Dana DeFrange- yes, Mark Moy- yes. **Motion passed.**

5. BUSINESS NOT PREVIOUSLY DISCUSSED

A. DISCUSSION AND INFORMATION SHARING ABOUT PROPOSED NEW TOWING LOT BUSINESS TO BE LOCATED AT 14 S. MAIN STREET, BLOCK 40, LOTS 13 & 14 PITTSBURG COUNTY, KREBS, OKLAHOMA.

Robert Tighe, we just wanted to come meet everybody and discuss what we plan to do. What's going on. We are looking at putting a fence just on our private property there, which is, I believe y'all have, it'll be butted up against the last building there over to the concrete retainer wall of the post office and then down to the backside, boxing it in as a legal tow lot to get our permits, we need to for them to expand their business into Krebs.

Chairman Moy, how you going enter?

Robert Tighe, it'll be entered, there's a drive there directly south of the building. There'll be a gate there at the south of the building I believe a 20-foot gate and then there's going to be a second gate on the backside of the property there entering onto what is actually mine going north onto lot 12.

Richard Cotton, are you just going to park vehicles in it?

Robert Tighe, just to park, say repoed vehicles, vehicles that have been towed until they're paid.

Richard Cotton, same on now, on the street and back behind, used car lot.

Robert Tighe pretty well. Yes, it's different but...

Richard Cotton, are you towing them in there for the transmission stuff?

Robert Tighe, no, this is just for Colbert's towing. Colbert's Towing needs to have a lot within Krebs or McAlester City limit to expand their legal business.

Richard Cotton, what kind of a fence is there going to be.

Robert Tighe, a seven-foot chain link fence.

Richard Cotton but one you can see through?

Robert Tighe, yes, no privacy fence? No, anything. They have to have a chain lake fence, drive through gates in order for them to pass their inspection for the business to get their towing license in this district.

Richard Cotton, the vehicles, how long will they be there?

Chairman Moy they could be there forever,

Tim Colbert, not necessarily a few will stay there overnight.

Chairman Moy, most of the time they're going to be there at least at least two weeks.

Richard Cotton, that one that's sitting on the street's been there over a month right there. It's right in front of your property?

Robert Tighe, yes. All the vehicles there parked are vehicles we are working on not being stored or anything. No, but they are ones being worked on. There's a, I believe you're talking about the green Chevrolet?

Richard Cotton, no, the pickup that's backed in backwards. It's the first one.

Robert Tighe, that one was moved there in the middle of an argument with the mayor. It used to be in the back. I got told to move it. It got moved to the front because it was the only place I had to put it. It is being moved. Yes, but we're still in the middle of figuring out the whole lease agreement with getting everything cleaned up back there still in the middle of figuring all that out to get the street cleaned up.

Richard Cotton, you're saying that no vehicles will be behind your fence back there behind it then?

Robert Tighe, not as of now, no. I don't plan to have anything back there. If I am to lease that property from the city as a parking lot, there may would be some then, but that's on me and not on them. This is, I run, I own and run R & R Automotive here in the old Coke plant building and then I manage the property here we're talking about, that's the second building. And then the lots

Cindy Cooper, at the last council meeting that they brought up about at the last council meeting they brought up about being able to rent that property behind the building, not where they're talking about putting the fence. And so right now the lawyer, they agreed that as long as they get something in writing from the railroad saying that they could lease it to them and with the agreement they'll move all the vehicles off the street and they'll be parked behind there. But there won't be a fence on that one. They're just wanting a fence on the two lots that they own all the way to the back where that survey is. So, it's kind of two different...

Robert Tighe, yes. Two different situations. Two different, completely different built businesses.

But yes, that's what we're in works of right now is getting a legal lease drawn up, leasing that back there and using the old rail bed as a parking lot to keep all these vehicles off the street to help appease everybody. But it is not anything that's going to be fenced or anything. It's just going to be cleaned up. The old, there's already gravel there that needs to be re-exposed. Grass grown up in, but no, this is just a, to make a legal towing lot. On most situations it's going to be two days, two a week holding for insurance to come pick vehicles up that have been wrecked. They have a salvage lot in Hartshorn that they keep all of their salvage.

Richard Cotton are these wreck vehicles?

Robert Tighe, there will probably be some wrecked vehicles, but it'll probably be mostly

Tim Colbert, some of them may be wrecked, some of them are overnight impounds, depending on the customer, whether they can afford to come get them the next day or whether they're going to get paid on Friday. Sometimes they leave them there, then we file on them, then we dispose of them at that time. But on an average, they're going to be in and out. Turn. Turn. If the open fence is a problem, they make these slats that we can put in the chain link fence that they cannot see inside the yard. That's an option. I mean I need get my fence built because we've messed around here for almost four and a half, five months and I've had fence sitting there for four months. We've already got it appraised, which anyway, we just need to build a fence where it's been section at and need to call ok811 to make sure we don't hit no utilities.

Robert Tighe We were just coming to talk here before we get all of the markers redone. We've already had the markers done once and then realized through discussion we came to the wrong meeting. So now we are here talking to everybody explaining out business plans and trying to keep the city happy, trying to keep everybody else happy all at the same time.

Tim Colbert and bring more revenue to the city. I've been in business 25 years. I think it's going to be a good thing for the town of Krebs.

Dana DeFrance, is there any EPA regulations that's on a wrecker yard?

Tim Colbert there's going to be no dismounting or anything like that.

Dana DeFrance like wreck cars, the antifreeze and stuff like that.

Tim Colbert, usually stuff like that. It's already exposed on the highway. We clean it up to that point in time and basically usually that done deal

Robert Tighe, we're open to if the city would prefer say a slack covered fence to cover it, but we were under the assumption that the city wanted the fence to be see through so we can, we're trying to keep everybody happy. We can do one way or the other. It's we're just,

Chairman Moy, I'm getting straight and honest with you. I get more complaints over your business than I do any of them and down, I know what you're saying, but you've got cars sitting around that's been over here for four or five months, six months.

Robert Tighe, I understand it. I understand what's happen. I get it. I understand some people, some people don't like it, but I mean we're an automotive shop. We get done what we can get done. We are in the very early stages. I mean I can talk about the tax dollars. I've made a difference in the community already and I think my tax dollars are a little more important than a few elderlies complaining about parking.

Richard Cotton, what if you just put a fence on the front part?

Robert Tighe due to Oklahoma State towing laws, it has to be boxed in on all four corners.

Tim Colbert, no access.

Robert Tighe, that's why we, that's the only reason we have to have a fence. It is because to get his towing permits for the city of Krebs, for the city of McAlester in this area. It's going to be state

inspected and state approved. Are you talking about covering the fence? Fence on the front part where the sidewalk is?

Richard Cotton, can't you make a six foot where you can't see in through there?

Robert Tighe Yes., we can, they make plastic s sliding that we can slide through that chain link to cover the front. Yes.

Richard Cotton, there's nothing uglier than *inaudible* cars.

Robert Tighe, yes, that's fine. That's fine. With other discussions we had brought that up and people recommended against it, but if that's what the planning zoning board,

Richard Cotton, you get half a dozen in there when you pull up to the post office. That's the first thing you see.

Robert Tighe, we can gladly, we can gladly cover the front side to take care of anything unsightly. Yes. That's no problem at all.

Tim Colbert, you guys can choose a color. It doesn't matter me.

Robert Tighe, we've already had some run-ins and some disagreements with others and we're just trying to keep everybody happy. It's like the agreement I've had with the city. Once we get the lease lot, I'm going to be cleaning all that grass up. I'm going to be maintaining the entire railroad property, keeping everything because it's grown up bad now.

But the city hasn't been able to keep up with the brush hogging, so we've already made the agreement that we'll be doing all the brush hogging, mowing, keeping everything cleaned up, organizing everything properly. It's a little disorganized now just because we're still waiting on a couple agreements and it takes a lot of effort to move all the vehicles and I don't want to move them all and then move them all again in a week.

Richard Cotton, how big is the gate going to be in the front?

Tim Colbert 20 foot.

Robert Tighe, but then again, we're just looking to have a legal lot and we will probably use the rear gate more than anything. That's the front. It's just so we have dual access. If something is to be in the way and we need one has to be in the lot overnight. We have two different gates to enter in. Yes. No, we're here trying to make sure we do our best to keep everybody happy. I know there are certain situations where some cars need to be moved and there's already been plans made to move all of the vehicles that have been here for more than eight months out to our private property outside of town. We're just, since we're in the middle of riding up an agreement and everything, I was trying to wait out until we got all that set in stone.

Richard Cotton, are you one of the mechanics?

Robert Tighe, I am one of the mechanics and the owner of the business.

Richard Cotton, there's two of you?

Robert Tighe, me and my father. I own the building and the business. Yes.

Richard Cotton, you got a banging business. I can tell you that.

Robert Tighe we are trying to keep everybody happy. Yes. Trying to service, to service the community. Well, trying to help bring some tax dollars into the community to help better some of the parks better. I'm over the property. I'm the one that manages the property. So, I own the building that's on lots seven, seven through 10 and then a very close friend owns the building that's on lots 11 and 12 and since he is an oil field consultant out of town, I manage the property for him and control everything.

Chairman Moy you got the old double cola buildings, what we call it, and the building that's left there is the old Schiltz brewery building.

Richard Cotton, now do you own actually 13 and 14 or are you going to lease it?

Robert Tighe, the owner of the building is leasing 13 and 14 to this gentleman right here (Tim Colbert).

Tim Colbert, can I ask something if you don't mind, is there an actual ordinance against building a fence? Is there an actual city ordinance against building a fence in the city of Krebs?

Chairman Moy, no, no. That's the reason why we're discussing with you. We're just, we're telling you what's going to come back with everybody griping.

Tim Colbert, what happens tomorrow if I go there and start laying fence poles down and unloading fence

Cindy Cooper did you call Okie811.

Tim Colbert, I didn't say dig I said lay it down.

Richard Cotton, are you fixing to go to the council in two weeks?

Robert Tighe, we've already been to the council and the council sent me here thinking that there was a fence zoning established.

Tim Colbert, we had to get a survey that took another three months.

Chairman Moy, we require everybody to have a survey even if you're just putting up a fence so we make sure we don't end up with a house on somebody else's property.

Cindy Cooper, it's already commercial. So really all they have to do once they get their business license is come over here and get the business permit.

B. DISCUSS AND ACT TO RECOMMEND/NOT RECOMMEND GRANTING PERMIT FOR CONSTRUCTION OF BARNDOMINIUM WITH SHIP, AT 20 SE ADAMS AVE. BLOCK 39, LOT 6 PITTSBURG COUNTY, KREBS, OKLAHOMA. AFTER TEAR DOWN OF OLD RESIDENCE.

Chairman Moy, ya'll got the survey and you got a drawing.

Tina Shumway, it's a barndominium with a residence and a shop.

Chairman Moy, I'm going to throw a big deal into your deal If it's going to be a commercial building, you have to go through the department, the fire marshal.

Tina Shumway, it's not going to be a commercial building right now. It's going to be a residence with a shop on it like a garage. We're not doing a business right now. We hope to do that later down the road, but not right now. One side is going to be a two bedroom.

Chairman Moy, I understand that really well. I understand that really well. All I'm saying is if when you do decide to turn that in to say that's commercial, then you're going to have to have that state inspected, for fire, electric, plumbing, all the above.

Richard Cotton, and rezoned, I think.

Chairman Moy, yes. I don't know whether that's not or not, I don't know.

Tina Shumway, when we asked about that I was told that it was already zoned for residents and commercial.

Chairman Moy, I think anything over commercial, but it's a certain, I need to look at that. We need to look at that too because that's the second lot where they cleared off the house. It's the next lot down on Adams.

Richard Cotton you're going to tear all the houses.

Tina Shumway, we going to tear the house down.

Richard Cotton, yeah, I know which one. I went by it today. I couldn't figure out which one it was because the survey doesn't show the existing house.

Johnny McDaniel The deal with that is it's already there. So, what our plan is, we want to clean off the junk out of it right now and we want to keep all the one by tens in that tire house to skin the inside of the new shop that we build or new house. The only reason I call the shop says we're just going to buy a metal building up 30 X 50 put in there and

Tina Shumway, a barndominium

Mark Moy, you're going build a pole barn.

Tina Shumway, yes.

Richard Cotton, but eventually you're still going tear that down?

Johnny McDaniel yes. I just wanted use that garage to store all that stuff. Put some racks in there to keep as much as I can. All that.

Richard Cotton, it's in pretty bad shape.

Tina Shumway, yes, we know that. We're not going to do anything with that garage. Okay. It's as much of goner as the house is. It's literally falling down. Yeah. That's why we decided to just tear it down. And then beside that, the plumbing is 120, 30 years old, so it's little bitty teeny from 130 years old. We would like to take the septic all the way to the main line if we could.

Yeah, yeah, yeah. Well, we plan on doing all that. It's all going to be modern and new instead of all this old rigged. Oh, my goodness. Pressure. No water pressure, water pressure. No, nothing. Oh my God. The roof is 30 feet tall and this is a one story. I mean it is crazy the way it, it's built all the doors. It's got 20 doors in this house.

Chairman Moy ask for a recommendation to give the building permit.

Tina Shumway, this is Johnny McDaniel and he's my son and Allison Shumway the house is in her name. Allison Shumway, my daughter. This is a family thing. It always has been. Everybody's lived in it.

Richard Cotton, makes a motion to recommend granting a permit. Chairman Moy seconds.

Chairman Moy calls for a vote. Richard Cotton- yes, James Garigin- yes, Dana DeFrange- yes, Mark Moy- yes. **Motion passed.**

C. DISCUSS AND ACT TO RECOMMEND/NOT RECOMMEND BUILDING PERMIT FOR ADDITION OF COVERED ENTRY WAY AND STAIR COVER AT 15 S. STREET, BLOCK 41, LOT 3 PITTSBURG COUNTY, KREBS, OKLAHOMA

Joshua Dolans. I live across the street here from City Hall in the old Solomon 32 building. I've been making some plans for a number of years to do well, more or less take care of the stairway and a few other projects on this side of the building. But I guess ultimately, I'm here to maybe look at maybe getting some support, maybe some good graces from the council and working on this project. I believe most of y'all thanks to Cindy has a copy of the project I'm speaking of in front of you as well as a planned aerial view of where the actual building will rest within the property of mine.

Richard Cotton, do you own a lot two.

Chairman Moy, he owns everything from Main Street to Ottie Shields' place.

Joshua Dolans, I didn't know what sort of questions y'all might have concerns or maybe even complaints. I didn't know what was going to happen. I didn't come quite very prepared besides the drawings and the aerial views.

Chairman Moy, as I told you before, I really didn't think you had to have a building permit because you're not changing the structure. All you had to do is add the door. That's my opinion, but go ahead.

Joshua Dolans, I didn't know what to do from here. The stairs have been there for years. When I originally moved in, there were several people stated to me that the stairs were worth more than the building. So, it's been my concern for a while that I need to get those preserved by putting some sort of an awning over the top of them as well as stopping a lot of flooding. I get when the weather comes out of the north side and it floods the downstairs; it goes obviously the side. The dirt on this side of the building is about two and a half to three feet higher than the dirt on the other side. The water comes in from the footing area or the foundation. I deal with any kind of header rains. I get quite a lot of standing water downstairs and it's quite the path layer, but as well as having another exit there is really nice and maybe putting in a type of a drive through so I can utilize some of this traffic that blasts by my house every day.

Richard Cotton, did you put that access on the roof too?

Joshua Dolans, yes,

Richard Cotton, that's kind of nice.

Joshua Dolans, t's very nice compared to how I used to have to get up there.

James Garigin what actually is that just for observation?

Chairman Moy, cover the holes so the water doesn't go in the building.

Joshua Dolans, ultimately. The building obviously needs a new roof and I am preplanning to put a new roof on it, so I needed better access up there.

Chairman Moy makes a motion to recommend issuing a building permit. James Garigin seconds.

Chairman Moy calls for a vote. Richard Cotton- yes, James Garigin- yes, Dana DeFrange- yes,

Mark Moy- yes. **Motion passed.**

6. COMMENTS FROM PLANNING AND ZONING COMMISSION.

None

7. ADJOURN

James Garigin makes a motion to adjourn. Richard Cotton seconds.

Chairman Moy calls for a vote. Richard Cotton- yes, James Garigin- yes, Dana DeFrange- yes,

Mark Moy- yes. **Motion passed.**