CITY OF KREBS COUNCIL MEETING MINUTES MARCH 19, 2024

1. MEETING CALLED TO ORDER -by Mayor Tommy Ray Walker

2.	ROLL CALL -by Cindy J. Cooper, City Clerk	
	David Bailey- present	Jason Wagnon- present
	Connie Poole- present	Dan Heathcock- present

- 3. PRAYER AND PLEDGE OF ALLEGIANCE. Prayer led by Dan Heathcock Pledge of Allegiance led by David Bailey
- 4. DISCUSS AND ACT TO APPROVE THE MINUTES OF THE FEBRUARY 20, 2024 CITY COUNCIL MEETING.

Dan Heathcock states he has one clarification he would like to make, to what is page eight of the February 20th meeting about two third of the way.

Mayor Walker asked if that was the one that has your name at the top?

Dan Heathcock states, yes. About two thirds of the way down, it says 'Dan Heathcock states yes, this is the motion I seconded', which would have been within the three working days, if I could put that in parenthesis. Instead of the line before where the mayor states' *if you vote for it, we will get to it as soon as we can'. Then Dan Heathcock states yes that is the motion I seconded*,' but it was not that motion, it was the motion of three days three working days. Mayor Walker asks "didn't Connie say that".

Dan Heathcock replies yes.

Mayor Walker asks what is the problem then, you didn't get to vote or what.

Dan Heathcock states no, it just looks like it could be either or so I just want to have it clarified. Cindy Cooper clarifies, he (Dan) just wants to make sure that no one thinks he was seconding what you said, *that we will get it done as soon as possible*. He wants to make sure he was seconding the three days, and that everybody is clear on that.

Mayor Walker asked if there was anything else?

Dan Heathcock makes a motion to approve the minutes as amended. Connie Poole seconds Mayor Walker calls for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon- yes, David Bailey- yes.

Motion passed

5. DISCUSS AND ACT TO APPROVE THE CLAIMS.

Connie Poole makes a motion to approve the claims. Dan Heathcock seconds. Mayor Walker states that is the way we are supposed to do it, whoever makes a motion needs to make sure they say what it is for to be clearer.

Connie Poole states did I not say that?

Mayor Walker and Cindy Cooper respond yes you did. Mayor Walker was clarifying. Mayor Walker states, that is what they told us, how we are supposed to be saying it. Mayor Walker calls for a vote. David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. Motion passed.

6. REVIEW CITY OF KREBS FINANCIAL STATEMENT WITH MIKE KERN.

Mike Kern has corrected page one and four of financial statements which have been given to council. Mike Kern states \$75,000 was transferred from capital improvements over to KUA. Mike states, its ok on the PWA side, because if you look at page R-4, the \$142,398.15 is what we transferred over to the KUA, we budgeted \$75,000, but we had to transfer more over because they needed more money over there. Mike Kern states, when you get over to the KUA side I will show you, that is the amount of money that came in so I had to adjust that by the \$75,000. All together the city side – go all the way over to page R4. On the city side we have expended \$233,433.38 more than we have taken in, a big chunk of that was the \$142,398.15 that was transferred over to the KUA. They needed money over there. Right now, they are pretty much on a break even, on cash flow. When we get to the KUA I will tell you more about some of those. The good part is we are getting close to getting our notes paid off so when we start looking at plans for the water plant it will be a big plus because we can allocate more money to making note payments. They are going to want us to pay part note, and part grant that is typically the way it works. Mike states, that is where we are on the city side.

- 7. BUSINESS PREVIOUSLY DISCUSSED.
 - A. DISCUSS AND ACT TO APPROVE ORDINANCE NO. <u>24-01</u> AMENDING ZONING LOTS 1-7 OF BLOCK 151, KREBS, OK FROM C-2 RESTRICTED COMMERCIAL TO C-1 GENERAL COMMERCIAL, AND LOTS 13-18 BLOCK 151, KREBS, OK, AND THE SPLIT PORTIONS OF LOTS 19-28 BLOCK 151, KREBS, OK FROM R-1 RESIDENTIAL TO C-1 GENERAL COMMERCIAL-

David Bailey makes a motion to approve ordinance NO. 24-01 as stated. Dan Heathcock seconds. Mayor Walker calls for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon-yes, David Bailey- yes. Motion passed.

B. DISCUSS AND ACT TO APPROVE AN EMERGENCY CLAUSE REGARDING ORDINANCE NO. 24-01: THAT AN EMERGENCY IS HEREBY DECLARED TO EXIST FOR THE PRESERVATION OF PUBLIC PEACE, HEALTH, AND SAFETY BY WHEREOF IT IS NECESSARY THAT THIS ACT TAKE EFFECT AND BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL. –

Mayor Walker asks for a motion

Dan Heathcock makes a motion to approve emergency clause regarding ordinance NO. 24-01 as stated. David Bailey seconds. Mayor Walker calls for a vote. David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. Motion passed.

C. DISCUSS AND ACT TO APPROVE ORDINANCE 24-02. AN ORDINANCE CLOSING PLATTED ALLEYWAYS LOCATED IN BLOCK ONE HUNDRED FIFTY-ONE (151) IN THE NORTH AND WEST ADDITION TO THE CITY OF KREBS, PITTSBURG COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF. –

Mayor Walker asks for a motion.

David Bailey makes a motion to approve ordinance NO. 24-02 as stated. Jason Wagnon seconds. Mayor Walker calls for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon-yes, David Bailey- yes. Motion passed.

D. DISCUSS AND ACT TO APPROVE AN EMERGENCY CLAUSE REGARDING ORDINANCE NO. 24-02: THAT AN EMERGENCY IS HEREBY DECLARED TO EXIST FOR THE PRESERVATION OF PUBLIC PEACE, HEALTH, AND SAFETY BY WHEREOF IT IS NECESSARY THAT THIS ACT TAKE EFFECT AND BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL. –

Mayor Walker asks for a motion.

Dan Heathcock makes a motion to approve emergency regarding clause NO. 24-02 as stated. Jason Wagnon seconds. Mayor Walker calls for a vote. David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. Motion passed.

- 8. BUSINESS NOT PREVIOUSLY DISCUSSED
 - A. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE NOMINATION OF RICHARD COTTON, AS APPOINTED BY MAYOR TOMMY RAY WALKER, TO THE PLANNING AND ZONING BOARD-

Mayor Walker states the reason for this nomination is because one of the members of the planning and zoning board had to quit, which left an open position.

Connie Poole asks which one?

David Bailey states Robert

Mayor Walker states, Patton, 'Moose'. Mayor Walker states Richard is an architect, engineer and all that stuff, so he will be a great use to the Planning and Zoning Board. Mayor Walker states the other board Richard is currently on (Board of Adjustments), has not had any meetings yet because there has not been anything for them. Mayor Walker states he will seek a replacement for the Board of Adjustments.

Dan Heathcock makes a motion that Richard Cotton be appointed to the Planning and Zoning Board. Connie Poole seconds. Mayor Walker calls for a vote. David Bailey- yes, Jason Wagnonyes, Connie Poole- yes, Dan Heathcock- yes. Motion passed.

B. DISCUSS AND ACT TO APPROVE/DISAPPROVE HIRING OF NEW CITY TREASURER TO START TRAINING TO REPLACE CURRENT CITY TREASURER WHO WILL BE RETIRING. STARTING SALARY \$17.25 PER HOUR-

Mayor Walker states "we need to get a head start on this, there is a lot somebody is going to have to learn pretty quick".

Connie Poole asks when is she retiring? What is the retirement date.

Mayor Walker states, maybe end of the year, December.

Cindy Cooper states it has not been determined yet. She is not for sure yet. Cindy Cooper states it will depend on how soon we can get somebody trained.

Mayor Walker states she wants to make sure they are trained before she leaves.

Connie Poole states let me ask, "I was thinking Cindy, was being trained for the treasurer's job also, am I wrong on that?"

Cindy Cooper states I am being trained as City Clerk and cross training on some of that. But I cannot do both.

Connie Poole states, I know, so why aren't you moving up to that position.

Cindy Cooper states we have to have someone in here. I filled the city clerk position, so technically the city clerk position is not open, but hers will be because she is the one retiring. So, at that point when she retires then I may switch. The titles may switch. If somebody comes in that may be better inclined to do that, to be a treasurer than me, then maybe.

Connie Poole states, if she is retiring in December, you are wanting us to hire somebody now-Cindy Cooper interrupts to say "I don't know when she is retiring".

Connie Poole states you have been trained for some of this already.

Cindy Cooper replies, some, yes.

Connie Poole states, so why would we want to hire somebody else right now? And pay them \$17.25 an hour?

Cindy Cooper states because there is no way-I do not know how Kay did it-but there is no way I can do both of those jobs, and train someone. I am telling you there is a lot between the city clerk, and that. I just don't think I can do it all efficiently and effectively like it needs to be done. The money is important clearly.

Connie states that I understand

Dan Heathcock asks if the council can know who the applicants are before the hiring is done. Mayor Walker states all we do is interview them, and then you pass them or don't pass them. Mayor Walker states but I can hire-

Dan Heathcock asks can we turn in names; do they have to be from Krebs?

Mayor Walker states not as far as I know.

Cindy Cooper states no, they go through Express

Dan Heathcock asks "if there is someone, we know that would be interested, can we send them up to fill out an application?"

Cindy Cooper responds, they need to go through Express Employment, that is who is doing it. Dan Heathcock asked that's the only way they can be hired?

Cindy Cooper states yes, they vet them out, they are supposed to, they check their background and stuff like that.

Mayor Walker states they (Express) looks all that up, they take care of workers comp,

background checks. They take care of a lot of business doing all that. Mayor Walker states with the new open records act there is a bunch of people wanting stuff, you have to go back there and go through a whole pile of papers to find the information.

Connie Poole states, we aren't on the next one right now, we are not on the records. Am I correct?

David Bailey asks is it going to take ten (10) months to train somebody? That's what we are looking at.

Mayor Walker asks, ten months?

David Bailey states yeah, if its first of the year. In December you're talking ten months, that's a long time of training for somebody. David Bailey states he is not against this," I just think that's a long time for training somebody."

Mayor Walker replies when you are talking about the treasurer. We went through a bunch of treasurers, and everybody else before we finally went through them, (Express) and they found one, Kay, which worked out great but you are not going to learn all the stuff she knows in even ten months. There is a lot of stuff. You do not realize what they do out there.

Connie Poole states we have already invested in Cindy so far, she has gained knowledge, I am thinking the same way, that's a lot of months to train somebody. I'm feeling she is already doing a pretty good job.

Mayor Walker states she is doing great at what she is doing. But she is not getting all the training that the treasurer requires. She is trying to get all this figured out over here between all the planning and zoning and other boards and all the other stuff, it kept her busy, a lot busy, doing everything

David Bailey asks, so this person would totally be being trained for treasurer? Mayor Walker replies yes, that would be best if we can find a good one with some experience Connie Poole asks Cindy if she was not interested in that position at all, that we go ahead and post that position.

Cindy Cooper responds "Not necessarily what I am learning so far is great, and I like it. I believe everyone should be cross trained because it's such a small office.

Connie Poole agrees everybody in office should be crossed trained

Cindy Cooper states, so when one person is down someone else can pick it up. I definitely believe in that. My concern is that we have somebody trained enough, when Kay is not here, to be able to continue on without there being a hiccup. Sometimes, it's hard to get good employees. They are not all like me, sometimes they don't work out. I just know there is a lot. I do not want to

fail. If I am having to do all this, something else goes by the wayside.

Connie Poole states I do not think you will fail. I think you assert yourself really well. Connie asks who trained Kay?

David Bailey states she had four days training. My wife trained her in four days. Which she did not have enough training.

Kay Scott states your wife trained me in the clerk stuff, she did not train me for the treasurer. David Bailey states "really there was not much training to it."

Amendment David Bailey request amendment to previous comment. David Bailey states it sounds like I said you can learn how to do this in four days, and that's not accurate. What I was saying was that four days is not enough training. David Bailey clarifies what he was saying was that she only had four days training, and that was not enough. No one could come in here and learn this system in four days. *

Kay Scott states she was just training me for the clerk position.

David Bailey states right, you just kind of got your feet wet because she (his wife) did not have any training at all when she came in.

Kay Scott states she already had knowledge before she came here, of the accounts payable and accounts that sort of thing.

Mayor Walker states she knew a lot of that before she came here.

Connie Poole states, I am assuming, if we hire through Express that's what we will get again. So, I am thinking that is what we need to do. I think the time frame from now till the end of the year, I think that is too many months to be training somebody for this position

Mayor Walker states if you have never been a treasurer, how do you know how long it will take to train one.

Connie Poole states I don't.

Mayor Walker states we want to train somebody good when they get in there

Connie Poole states if we are going through Express then they are going to send us someone like Kay, that already has a lot of knowledge.

Mayor Walker states right, but it's getting harder and harder for them to find anybody.

Connie Poole states, that's their job though, that's what we are paying them for correct? Mayor Walker states we have been waiting on someone.

David Bailey states let's look at it this way, food for thought. Say we hire this person; we amend this where its three months, then in three months the council can look at it, and see where this person is at. If we have to extend a little time, we extend a little more time. David Bailey states that is just a theory. There y'all can take it and do what you want with it.

Connie Poole states I think we should table it till June or July, and then I think those number of months there would be sufficient. I think right now we are jumping the gun. I think your hiring a person for forty hours, paying them \$17.25 an hour, y'all are saying we don't have the money in the budget or something so that's what I'm looking at also.

David Bailey states, so you are saying maybe hire them-

Connie Poole asks Mike Kern if our fiscal year starts in July Mike replies, yes, July.

Mayor Walker states y'all are going to do whatever you want to do, but when it gets toward the point when someone has to take that over, and they aren't trained enough, it makes everything a lot worse.

Connie Poole states, I think we should table it for now.

Mayor Walker states you could hire them month by month if you want to.

Connie Poole states, [inaudible] Connie Poole states, 'I say we disapprove it now until June or July.

Dan Heathcock states, I'll second the table, if you want to make a motion to table.

Connie Poole states if we disapprove it now, we can bring it back on the agenda in June, correct?" "Am I correct?"

Pat Layden states, you can bring it up anytime.

Connie Poole states I am going to disapprove it right now. I make a motion to disapprove the hiring of the new city treasurer for now.

Mayor Walker states, alright, not hiring anybody.

Dan Heathcock seconds.

Mayor Walker clarifies" Connie made the motion and you (Dan) seconded it.'

Dan Heathcock states yes.

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

C. DISCUSS AND ACT TO APPROVE/DISAPPROVE HIRING OF PART TIME RESEARCH CLERK. SIGNIFICANT INCREASE IN REQUEST FOR OPEN RECORDS REQUEST AND NEW LAW GOING INTO EFFECT CONCERNING OPEN RECORDS REQUEST THAT REQUIRE REQUEST TO BE ANSWERED WITHIN TEN (10) DAYS. STARTING SALARY \$17.25 PER HOUR.

Mayor Walker states what they will be doing, is going through those piles of paper work, and looking stuff up that someone walks in here and wants information about something that happened ten years ago. They have to go through all those papers to find that.

Connie Poole, asks, have you got a number, on a monthly basis of how many requests you have coming in?

Mayor Walker states Kay can probably tell you,

Cindy Cooper states she can probably tell you, and I can tell you, just since I have been here, maybe because I know more of what they are asking for, but it has increased significantly in the past six weeks. I would say most of the phone calls are coming from out of state, and other places. Connie Poole asked, how many do you think last month you researched.

Cindy Cooper states I don't know. I can't give you an exact number. There is at least two or three a week that require some significant research, unless it's on the same piece of property that I just got done researching the day before, obviously those are easier. Most of the stuff is not online, most of it is in those files. You have to actually go through the files.

David Bailey ask is there anyway of straighten the files up, to get them where you can just run back there eventually.

Cindy Cooper responds, ideally, that is what I would like to have happen. Is for all those files to be straightened, and put in order, so that they are filed by the same thing, like address instead of different things. And then scanned in, and put on line. That would make it a lot more efficient. David Bailey states so that is what this person would be doing, and getting this all straighten up back there, because it is a mess back there.

Connie Poole asks, what are we considering part time? How many hours a week are we considering?

Cindy Cooper states, I would say twenty hours, that's what I consider part time.

Connie Poole states, and we are going to start them at \$17.25 an hour, and we have employees here that have been here ten or twelve years that are not making that much. I have a problem with that.

Kay Scott states everyone is making over that.

Cindy Cooper states, I thought that was what the minimum was now.

Connie Poole asks if everyone was making over \$17.25.

David Bailey states, that's what we are paying the cooks down there aren't we, or something close to that.

Kay Scott states the people working through Express are coming in at \$17.25. We have two of those right now.

Connie Poole states I would just like a better number than like two or three a week. I would like a solid number. Log them, and log what you are having to go look at.

Mayor Walker states we can try it for 90 days, that's the period, after 90 days to see if they stay or don't stay.

David Bailey states that would be good.

Mayor Walker states we can give somebody a chance, they may not last a week.

David Bailey states, well we would know where we were at in 90 days, whether it's worth keeping or what.

Connie Poole states it is not to exceed 20 hours a week, correct? I want to make sure we have everything right. Connie Poole states, there are three people in your office, and its time consuming for y'all to look up two or three researches a week?

Mayor Walker states they probable get twenty phone calls.

Kay Scott states, each person has a different job to do, Jayme's is utilities stuff, and hers (Cindy) is clerk stuff.

Connie Poole states, that why everybody needs to be crossed trained. That's another good reason for cross training.

David Bailey states, I say we give this girl ninety days, see if she can get it shaped up, see where we are at. If nothing else she might get it straighten up enough you can get back there to see what you got.

Dan Heathcock so is that the motion;

David Bailey makes an amended motion that we hire this girl for ninety days, for trial, and probationary, and after 90 days let's see where we are at. How many cases we are getting, and take another look it.

Connie Poole states we are talking 20 hours a week. Nothing over that because then we are talking overtime pay, correct?

Cindy Cooper states, no, they still have to get over 40 hours to get overtime. Cindy Cooper asks David Bailey for clarification of the motion. Motion to hire for 90 days then reevaluate in 90 days. David Bailey states, reevaluate in 90 days to see if we want to continue on, or whatever we need to do at that point.

Dan Heathcock, are you saying 20 hours a week.

David Bailey states for 20 hours a week.

Dan Heathcock seconds. Mayor Walker calls for a vote. David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. Motion passed as amended.

D. DISCUSS AND ACT TO APPROVE/DISAPPROVE \$100 INCREASE FOR BOBBY WATKINS TO WEED EAT AREA AT PARK, AROUND BATHROOM, SIDEWALKS, PAVILION AND PLAYGROUND. –

Mayor Walker states this was not being done before.

David Bailey states, I put him in for that. Let me tell you, all that Fernando did was work the bathrooms. That was all he done, took care of them, and cleaned. I have never seen this park look so good since Mr. Watkins took over down there. What he is doing, is he is doing the whole park. He has done a tremendous job, it's the cleanest, the best I have seen it in years. What this is, up around the bathroom, the pavilion and the kid's playground. We get the grass cut, but we don't have time to weed eat it all the time, and it starts growing over, so he will be responsible for weed eating all this and keeping that up along with that. To me, as much as you have to weed eat here, and there, it's worth another \$100 a month, so that's why I put this in here. He is doing a heck of a job up there. Mayor Walker asks, is this just like when he (Fernando) had it, nine months out of the year, and in the winter time it is closed?

David Bailey states yes, it closes down in October. David Bailey asks Billy Robinson for clarification on when it closes down.

Billy Robinson states it closes when it gets cold, and stays cold.

David Bailey states, starting in October or November somewhere in there. David Bailey states he (Mr. Watkins) has done a fantastic job, I have never seen it look that good.

Mayor Walker states, he (Mr. Watkins) is always over there anyway.

Laughter.

Dan Heathcock makes a motion that it be added to the pay. Connie Poole seconds. Mayor Walker calls for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon- yes, Dvid Bailey- yes. Motion passed.

E. DISCUSS AND ACT TO APPROVE/DISAPPROVE RESOLUTION 24-01 WHICH ESTABLISHES A SCHEDULE OF FEES TO BE APPLICABLE TO RECORDS RELEASED BY THE CITY OF KREBS, FOR COPYING AND/OR MECHANICAL REPRODUCTION OF RECORDS AND FOR SEARCH OF RECORDS. – Mayor Walker states we need to charge something for all this.

Connie Poole makes a motion to approve resolution NO. 24-01. David Bailey seconds. Mayor Walker calls for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon- David Bailey- yes. Motion passed.

Pat Layden states, with these open records, a lot of these cities are dealing with these problems. These people are just calling in, asking for records. Number one, you can require them to put up a deposit. First of all, you can require them to put it in writing, what they are asking for, the records, and then if you know an estimate or how many pages, you can require the person to put up a deposit. In most circumstances you can charge for time, a period of time you would estimate. A lot of time when you tell people to put up a deposit, and they have to put up some money, you never hear from them again.

Cindy Cooper states, I put that in the resolution actually, if it was over a certain amount because I was thinking sort of that same thing.

Pat states that's legal, and that will get rid of a lot of people just calling in, asking you to drop everything, and spend all your time doing this.

Dan Heathcock asks if you can have an ordinance, and resolution with the same numbers? Mayor Walker states they are different. A resolution might not last as long.

F. DISCUSS AND ACT TO APPROVE AN EMERGENCY CLAUSE REGARDING RESOLUTION 24-01: THAT AN EMERGENCY IS HEREBY DECLARED TO EXIST FOR THE PRESERVATION OF PUBLIC PEACE, HEALTH, AND SAFETY BY WHEREOF IT IS NECESSARY THAT THIS ACT TAKE EFFECT AND BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL –

Mayor Walker asks for a motion.

Connie Poole makes a motion to approve emergency clause regarding resolution 24-01. David Bailey seconds. Mayor Walker calls for a vote.

David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. Motion passed.

9. COMMENTS FROM THE COUNCIL AND MAYOR-

Dan Heathcock request that, when we come to getting a new treasurer, we get a Forensic audit of the city books.

Kay Scott states, that is completely necessary. Kay Scott states, it needs to be done.

Mayor Walker askes how much that will cost.

Kay Scott states she is not sure how much a Forensic audit would cost.

Mayor Walker states it used to be a pretty good penny.

Pat Layden states it would be expensive.

Kay Scott states, it's a deep dive, it goes back several years.

Mayor Walker states it used to be around \$10,000.

Mike Kern states it would be more than that.

Pat Layden states at least.

Kay Scott states, probably \$20,000 to \$50,000.

David Bailey asks how much?

Kay Scott repeats \$20,000- \$50,000

Mayor Walker states they do detail of everything

David Bailey clarifies of everything?

Kay Scott states that it is necessary.

Connie Poole states you're getting a new city treasurer, and things I think that is what we

should do. That would be the proper thing for us to do. Cindy Cooper states yes, absolutely. Kay Scott states they will do it all, the whole city, not just in here. It will be everywhere. Dan Heathcock states so we will have to have that put on the agenda, and brought up. David Bailey states we will look at that when the time gets here. Kay Scott states "I prefer that it be done before I left, actually."

10. ADJOURN TO KUA

Mayor Walker asks for a motion.

David Bailey makes a motion to adjourn to KUA. Connie Poole seconds. Mayor Walker calls for a vote.

Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon- yes, David Bailey- yes. Motion passed.