

**CITY OF KREBS  
PLANNING AND ZONING MEETING MINUTES  
MARCH 4, 2025**

- 1. MEETING CALLED TO ORDER** by Chairman Mark Moy
- 2. ROLL CALL** by Chairman Mark Moy     Richard Cotton- present     James Garigin-present  
Larry Coxsey-present     Dana DeFrange- present     Chairman Mark Moy- present
- 3. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE DECEMBER 3, 2024 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, Larry Coxsey- yes, Dana DeFrange- yes. **Motion passed**
- 4. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE DECEMBER 6, 2024 SPECIAL MEETING.**  
**James Garigin makes a motion to approve the minutes.** Larry Coxsey seconds. Chairman Moy calls for a vote. Richard Cotton- yes, James Garigin- yes, Larry Coxsey- yes, Dana DeFrange- yes, Chairman Moy- yes. **Motion passed.**
- 5. BUSINESS PREVIOUSLY DISCUSSED-** None
- 6. BUSINESS NOT PREVIOUSLY DISCUSSED**
  - A. DISCUSS DAVIS BUILDINGS, CONEX BOX/MILVANS, CONTAINERS.**

**Chairman Moy** we need to put something in our codes for these things, like the Davis buildings, Conex boxes, milvan containers.

**Larry Coxsey** I'm looking through the code books and it talks about putting unattached buildings and accessories and where they can be located in your backyard. No closer than 10 feet to the rear lot line Doesn't say anything about if it's off to the side of the house on your property or anything like that, but nothing in there specifically says anything about these Davis buildings, Conex boxes and stuff like that, which people should be, to my understanding, should still require a building permit. Just like people wanting to buy a house somewhere and move it in whole over to a piece of property. They still require a building permit, so I haven't found anything on it.

**Chairman Moy** do we want to put some regulations on it

**Larry Coxsey**, I think we need to try to do something to enforce the setbacks and stuff like that because I know a lot of people are, putting them right on the fence lines. If their fence is not in the proper place, kind of like some buildings and sheds that are on the easements, then we're going to run into that problem. That's why I'm saying something about a building permit, so it would at least go by the other regulations that we're going to set or we've got in place, so it shows placement to show that it's got the offsets so we don't get it on an easement or right away there.

**Chairman Moy** and if they don't have a survey how are you going to know that?

**Larry Coxsey** with a building permit we are requesting they have a survey, correct?

**Chairman Moy**, yes.

**Larry Coxsey**. if somebody wanted to move one in and we coded it as a building permit, they have to

provide that.

**Chairman Moy**, I think we need to

**Larry Coxsey**, I do to.

**Chairman Moy**, there is one right now that has three of them and the water runoff goes on the neighbor

**Larry Coxsey**, you can only cover so much percentage of your property. Would that fall under that? Max coverage 30% interior and 35% on the corner.

**Chairman Moy** do I hear motion we can send this to the council and tell them what are thoughts are and see what the attorney has to say. That's what I think we need to do.

**Richard Cotton** we would have to send it as a recommendation.

**Larry Coxsey** how would we word that to send it to the city?

**Chairman Moy**, we need to have building permit for Davis buildings, Conex boxes, milvan containers, prebuilt sheds and other storage containers. They need to fall under setbacks and surveys.

**Dana DeFrange** what about the buildings already there.

**Chairman Moy** there is nothing they can do about it if it's already there.

**Larry Coxsey**, makes a motion that this is sent over to the city council for them to discuss and approve with the guidance of the attorney. As a request to council, they have to have a building permit to bring these in with a survey so we can make sure the offsets are correct.

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

#### **B. DISCUSS BUILDING PERMITS. RESIDENTIAL & COMMERCIAL**

**Chairman Moy**, we need to be charging, we need to be inspecting too. I brought that to their attention once before and it fell on deaf ears but my opinion is you're going to have to inspect some of this.

**Larry Coxsey** Yeah, I think we brought that up that we could get a contract building inspector. That way it's not paid all year. He's paid per job, paid per house being built or structure and then that fee, whatever he's going to charge is charged for the building permit. That way the city's not out.

**Chairman Moy**, exclusion, to that would be new commercial because that's got to go to state, but I think they should bring that building permit to us so we'd have it on file to know what was where and what was said.

**Richard Cotton**, you talking about commercial. Definitely!

**Larry Coxsey** so the discussion on building permits is what we'd like to request as a guidance, that is what everybody has to have before they even bring it to planning and zoning committee.

**Richard Cotton**, probably the best thing to do when if we're thinking about charging for a residential is one fee because you got different lots and stuff like that. Somebody's going to put a smaller house or larger house. The lots aren't very big that they're building on over here in Krebs anymore. Most of the big lots are all gone.

**Chairman Moy**, new construction residence, approximately \$10 for the first thousand square feet and a dollar for each additional square foot. I can tell you that McAlester's is way past that.

**Larry Coxsey**, when they do the building permits over there, are they getting their houses inspected

**Chairman Moy** yes

**Larry Coxsey**, how are we going to bring that up?

**Chairman Moy** with this recommendation. We see if we can do a secondary contract or something.

**Larry Coxsey** this kind of falls in what we're talking about is having a fee for a building permit, but here we don't have an inspector and just like a friend of mine he bought land over here and got a survey and shows his dimensions of his structure he is going to build, his house. it's all approved, everything's done on the books. His next question was, can I do my own plumbing and electrical?

And I said, it's a good question. He said there's nobody inspecting. So, what are you going to do? that's where we're getting in at all this.

**Richard Cotton**, you have to be certified to do electrical, mechanical and all that, and you have to go to a school in Oklahoma City get certified.

**Larry Coxsey**, but if nobody's doing an inspection, who's going to hold them accountable?

**Richard Cotton** if we're going to charge for a deal, what we're looking at is offsets mainly offset because we don't have any way of inspecting the electrical and stuff.

**James Garigin** in the state of Oklahoma, if you are an electrical person, electronic electrical worker, plumbing work, stuff like that, you must have a license

**Richard Cotton** Who checks that? The building? I know some people who do their own electrical. They are not certified.

**Chairman Moy** you can do your own plumbing and electrical. Your own, your own. And if anybody thinks it's wrong when they come to inspect it, which we don't have an inspector, then they can call in the state. Electrical inspector. Plumbing inspector, so on and so forth. And then if it's wrong, then they make you tear it out. If you are building something to sell, I think it needs to be licensed.

**Larry Coxsey** on this building permits and residential as far as issuing the building permits on residential commercial, since we don't have an inspector until we can possibly get one, can we put in to request certificates? I know that once a concrete person gets their stuff down, like commercial and all that, they have to submit a certificate. That person that did the concrete showing the specs they followed. Can we do that with electrical and plumbing too until we get an inspector? Can that be included in our discussion here?

**Chairman Moy** that can be included in our discussion. BOCA building code says you have certain things to, and that's what we're under, same as McAlester. We're not getting that inspected. So, I don't know how we can enforce it.

**Larry Coxsey**, far as issuing the permits and needing guidance for people to bring up here and give to Cindy, before it's ever brought to a meeting. We've had to have meetings three or four times and request this.

**Chairman Moy** that's what we need to do.

**Larry Coxsey**, I've got the survey, the survey with the structures, outer dimensions on it, showing the setbacks and all that kind of stuff. I know Mr. Jameson, Keaton, Jameson has turned in two building permits now into the city and his was cut and dry spot on. There was nothing to really question. Can we go back and look at that and kind get some more guidance off of what he turned in to make sure that that's what other people do.

**Caylin Crone** he's a realtor too, so he knows the state stuff. He knows inspection purposes what needs to be up to code.

**Chairman Moy** we need to charge for building permit

**Dan DeFrange** who's going to research and see what needs to be charged?

**Chairman Moy** McAlester is so much a square foot

**Dana DeFrange** so go McAlester since its Pittsburg County

**Chairman Moy** only thing is they inspect. I don't think you can charge \$300 for building permit and then never go inspect anything

**Larry Coxsey**, so do we need to put on the next meeting on the agenda, put these specific things on there and discuss and take a vote on that?

**Chairman Moy**, I think it needs to be with city council and let them look at it and I'll come up here on the next meeting.

**Larry Coxsey**, we get on the agenda for city council just to discussion. So, they're not voting on it or do we need to discuss and act on it through there.

**Chairman Moy** we haven't discussed any prices. I don't really know how to go about doing that.

**Caylin Crone**, you have to have a meeting here. If you have your meeting, you propose whatever your fee, whatever you want it to be through here, you come up with it, how you would have it here. Y'all vote that that's what you want and you take it for them to pass.

**Cindy Cooper**, to make the recommendation?

**Caylin Crone**, you make the recommendation of the fee.

**Chairman Moy**, we don't have a lawyer here to tell us whether it's right or wrong or indifferent. So, all we can do is make a suggestion whether we vote on it or not. Then the city has to do that.

**Caylin Crone**, I'm saying for following an agenda. So how you would've to list it to avoid any open meetings violations, you couldn't just vote on it right now type thing is what I was getting at.

**Chairman Moy**, I might try to call and see what their charges are and then go from there.

**Larry Coxsey**, so then again, we need to get on the agenda to actually get guidance since we don't have an attorney here for us, we need the guidance from him on what's allowable.

**Chairman Moy**, I think we're going to have to,

**Cindy Cooper**, shouldn't I be able to send this to the attorney prior to the meeting and that way he can look at it

**Larry Coxsey**, yes, because by law if he's hired through the city, he's supposed to represent us also.

**Cindy Cooper**, yes, yes, he works for the city.

**Dana DeFrange**, he doesn't, what to charge.

**Chairman Moy** he won't know.

**Chairman Moy** you want to pick a figure? You want do a little bit more research?

**Larry Coxsey**, I think we need to do a little more research.

**Chairman Moy**, okay, so we're going to table that for this moment.

**Larry Coxsey makes a motion to table.** James Garigin seconds. Chairman Moy calls for a vote.

Richard Cotton- yes, James Garigin- yes, Larry Coxsey- yes, Dana DeFrange- yes, Chairman Moy- yes. **Motion tabled.**

### **C. DISCUSS CITY PROPERTY AT NW 2<sup>ND</sup> STEET AND NW HARRISON AVE**

**Larry Coxsey**, so this is Kirby's survey showed there the roads?

**Cindy Cooper**, no, the city actually did that survey.

**Chairman Moy**, See the red? Yeah, see the black top says asphalt road.

**Larry Coxsey**, I see what you're saying. Who would've thought that happens in Krebs?

**Chairman Moy**, Harrison actually goes right straight up and dead end on Second Street where they got it blocked off right now.

**Larry Coxsey**, right now Harrison Street is taking a big chunk of that Powell property.

**Chairman Moy**, that's correct.

**Richard Cotton**, Two properties.

**Larry Coxsey**, yeah, Reese and Powell.

**Richard Cotton** Actually the third one right there is right at the corner of it. You might as well say it's on their property too.

**Chairman Moy** I don't think you can close it

**Larry Coxsey** No. I think the only way to do that and correct that is actually put the road where it belongs.

**Richard Cotton** Yep, that's right.

**Chairman Moy**, I don't think they're going to do that either.

**Larry Coxsey**, well people need to be treated fairly and the Powells, Reese and other people, they're not being treated fairly when you go in and you just put a road wherever you want to

**Chairman Moy** Been that way 72 years. Now whether they go condemn it and take it or already can condemn it and take it

**Cindy Cooper**, or if they got compensation way back when, whoever owned it and I mean, **Larry Coxsey**, Well I know Mr.... I'm not going to say it because it's not in here, but yeah, there's other roads that it was taken on off of somebody's property.

**Cindy Cooper**, yeah. Oh, I don't doubt that.

**Dana DeFrangé** That wouldn't be grandfathered?

**Larry Coxsey**, don't know.

**Chairman Moy**, So I'm going to run a road through the middle of your house and no, I mean that's another one of them legal issues, what I was about to say.

**Cindy Cooper**, but I think there's something that says that if you want to protest that you have a certain amount of time to do that. You have to protest it within a certain amount of time. And I'm pretty sure 70 years is past that time.

**Dana DeFrangé** Somebody to take care of it. That's what you're getting paid for.

**Larry Coxsey**, rumor from what I'm hearing is, all that gravel area, they're wanting to close it off and give Mr. Kirby opportunity to purchase it.

**Chairman Moy**, yes. That's what he's wanting to do. Stop the curb cutting the corner, which actually was really the corner.

**Larry Coxsey**, how can that be done whenever if he purchases that he's actually purchasing part of Mr. Powell's property? Because it extends over there.

**Chairman Moy**, it shows you the loop there. So, I don't know. That's another one of them things I think the city attorney needs to address.

**Larry Coxsey**, I agree with you.

**Chairman Moy**, I'm going to make a recommendation that we don't close it right now until we get something from the attorney. I can't see where we can.

**Chairman Moy**, I made a motion. Dana DeFrangé seconds. Chairman Moy calls for a vote. Richard Cotton- yes, James Garigin- yes, Larry Coxsey- yes, Dana DeFrangé- yes, Chairman Moy- yes. **Motion passed.**

#### **D. DISCUSS MEETING TIMES**

Board agrees to request council to change meeting time so that all meetings are starting at the same time for increased convenience and less confusion for the public.

#### **E. DISCUSS AND REQUEST THAT ALL REZONING AND OTHER RELATED ACTIONS TAKEN BY THE CITY COUNCIL WITHOUT THE PLANNING AND ZONING BOARD PRIOR TO JULY 2024 BE PROPERLY REPEALED, AS THOSE ACTIONS WERE VOIDED FOLLOWING STATE STATUTES (11-43-109 & 11-44-101). THIS IS NOT AN ACTION REQUIRING AN AFFIRMATIVE VOTE OR RECOMMENDATION; RATHER, IT IS TO ENSURE THAT THE NECESSARY FILINGS AND ACTIONS ARE TAKEN TO CORRECT THE VOIDED ACTIONS AND INITIATE THE CORRECTION PROCESS.**

**Caylin Crone** this is to discuss just the actions that we have to, as far as the city goes. City council had another property that was done during a planning and zoning board, which we had it established. We just didn't have anybody serving, which I could provide you all papers, which I've done before. But as far as that goes, those are voided actions verified, confirmed by the attorney. What they had to do was repeal that over those properties. What I'm doing is based off of that was we were told that they needed to be just brought up in a public meeting. Didn't necessarily have to be, a city council meeting. It's not an affirmative vote; it's not anything that requires any vote from anybody. It's just to bring it up to initiate that with the pretty much the city, for the city to go ahead.

The city clerk just takes them and repeals and make sure that we send out notices which covers your due process of allowing them. There's no for due process, not an established process of this is exactly how you are given due process. You all could establish a way because it's going to come back to y'all. That's why I brought it here because at the end of the day when everybody's trying to get their stuff corrected, it's going to come back here. And so that's where before it goes onto the city council. So that's why I brought that up as far as so that we could get that going and get those letters out to property owners. Mine even falls under it, which is another reason I want mine done. So, if I have taxes or anything that I hopefully would get back, but I doubt it, that I could do that.

**Chairman Moy** we're talking about the property down below Catholic church?

**Caylin Crone**, we're talking about all of them that were done in the last...

**Cindy Cooper**, that five acres down there, that one's been repealed. Yeah, we already did that one.

**Caylin Crone**, essentially any properties that were done without the planning zoning, they cannot exercise zoning, the city council cannot exercise zoning without a planning and zoning board. That's been confirmed by case law and all that stuff the attorney was talking about. So anyways, so as far as that voids any of those that were done because they were not following procedural rezoning. What that means is since it's voided, you have to send notice to the parties that own the properties now or whatever the case is. You send it out to give them due process of having it done correctly. Maybe they don't want to have it rezoned. Maybe they didn't do anything with it once they had it rezoned to whatever they want to keep the old zoning, then they could do that. They don't have to, but it just would be no charge to them. Whereas normally it's a charge to rezone have a new rezoning. They wouldn't have to pay that because it's not their fault that was done that way. But if they wanted to change anything and make it okay, now we want to rezone it to commercial instead, then they'd have to pay, it's a whole new zoning, but just to redo it the proper way, they could do that or they could appeal it to the board of adjustments, which even if the Board of Justice says yes, you're right, it just comes back to y'all anyways to redo it correctly. Either way it's going to be the same thing. They just avoid a meeting by doing it the other way and giving them a timeframe. And if they don't contact you within that timeframe, then it goes right back to new rezoning if they wanted to and paying the fee. But you have to give them the 30 days or it could be 15. That would be an attorney questions. It is 15, but you could give them 30. It's up to you all to due process. You make your own. It's not a jury type thing or a court. You don't have to have a trial. It's not anything like that. So that's why I just brought it up so that we could get it initiated. And then just to kind of let you all know as far as if there was a process that you wanted to go off of, because like I said, mine was done in 2014, so mine was done without one. We had building inspection, but as far as the rezoning and stuff.

**Larry Coxsey** the building inspection was Ed Klink. Mr. Klink he's the one that gave her a building permit and went down there as the process was going and said, yeah, that's good.

**Caylin Crone**, I don't want to keep letting it go and then end up having a bunch of stuff and I've got, like I said, I've got enough on my plate so I'm just bringing that up. Also, we have some major projects that are going to be going on in the city that can affect a lot of the area of Krebs, flooding, all that stuff. Because of how it was done, it didn't follow state or state statutes because there were several meetings that had to be held and there was just the one because we didn't have the planning zoning mainly. And so those are all voided by operation of law. So that's just why I brought that up. If y'all have any questions for me,

**Larry Coxsey**, I will have to say I've seen Mr. Martin today and talked with him a little bit and his exact words were what's caused him the most headache is because the way the city council approved it in the first place, he said it was commercial. If they hadn't have done that when we'd had to go commercial all the way to begin with, he said my deal would've have gone through a lot quicker even though they set him back too. But he said for it not being done right by the city council, come back and bit him there.

**Chairman Moy**, I think it's going to come back to the city council again because we don't have any legal deal in McAlester planning and zoning has no nothing on that. That all goes over the codes department and it goes over to city engineering, which we don't have either one. I mean my opinion is you're going to

open up a can of worms, it's going to be ugly. Do I think it should be?

**Richard Cotton**, yes.

**Caylin Crone**, it's the law, so unfortunately, I've been bringing it up for a year and a half and they could have afforded themselves a lot of headaches had they just, everybody listened and it's not everybody's going to be right. I'm not going to be right. Everybody's not going to be right. I understand mistakes are made, but for 12, 13 years of being your own planning and zoning and city council, that's a big no. I mean that's been confirmed by OMAG. Talked to state's attorney's office. I mean our own attorneys have verified that as well, which is why that was done at the meeting where it was repealed. And that's like he said, it doesn't actually have to be brought up in the public. You're trying to establish, like I said, this doesn't have to be brought up. The reason I'm doing it like this is because we want to develop a good rapport with our community. It's time that we do that and show that everything's going to be more public and allow them to be involved because you have a lot of people my age coming here and I can tell you right now, they don't. I have friends that would move here, but they won't just for the pure fact, it's a headache. It's a literal headache. It's easier to move to McAlester at this point because they don't know what's what. There's nothing that's put into writing. Well, there is. It's just not followed. The reason, that's why I said it wasn't followed. Yeah, it wasn't followed. But that's why I just brought it here because really, it's just to kind of let you all know that I'm requesting that and that this request will cause a lot of contact from people that get notified that their zoning was repealed and here's their process that they can go off of which will bring these. And just to give y'all maybe an opportunity to input what direction you would hope that to set that up where oldest first or newest first or emergency reasons, things like that. Some people can apply for variances and stuff through instead of doing a full rezoning. There's a lot of ways of going about that, but you're going to have to figure that out as you go. You'll have to set something, but you'll have to figure out the rest as you go based off of what the people are requesting.

**Larry Coxsey**, so if they got it rezoned through back some time ago, and already built something on it like you did, you'll have to request a variance and whoever else has already built.

**Caylin Crone**, yeah if mine doesn't follow zoning, yeah, I'll have to go to board of adjustments and request variance if my home doesn't meet requirements and I'll have to get that. I mean a lot of these are going to be a simple vote. I mean you can't make somebody tear a house down and stuff either. They have property rights and interest and stuff. A lot of it's just a formality of getting it done through y'all, sent there and doing it the right way. It's just going to be, a formality of doing it the legal way. So

**Larry Coxsey**, that's what Richard Blanc said.

**Caylin Crone**, yeah, he brought it up too.

**Chairman Moy**, any discussion. I know what action is but I don't know what it's going to cause you

**Larry Coxsey**, we're probably going to have to get some more legal guidance on that too. Because if we don't, one or another, either way you go, there's good possibilities the city is fixing get sued and our tax dollars are what's going to pay for the lawsuits when things aren't done.

**Caylin Crone**, no one's entitled to zoning. That's the only thing. So, your building stuff is going to be, that's a different issue and you may get around that part. I'm specifically referring to zoning. Because your building stuff is a little bit different. Those laws are, it doesn't necessarily, sometimes it doesn't require action here. So, they voted on it even though y'all aren't here to review the stuff. You may not have a lot to do with some of those things, but the zoning specifically is not, you're not entitled to that. Just like the city can go in and do a comprehensive plan and rezone all kinds of stuff. Oh, well, I mean it is what it is. You're going to rezone all this land to residential even though it's ag to follow this comprehensive plan. That's how it goes. So, you're not titled just like if somebody buys a property and it was rezoned before them and then it comes back. None of those lawsuits have gone through, even at the Supreme Court. They don't go through. It goes back to the city because they're not entitled to it to a zoning. So as long as you don't take from them. But if it's a procedural error, you have to correct the error, which would be going about it the right way or granting the variance.

**Chairman Moy**, do we want to make a motion to see what the city attorney says? I hate to, **Larry Coxsey**, I think we need more legal guidance on it.

**Chairman Moy**, I mean I know what she's saying. I know she's right, but...

**Caylin Crone**, it is just a matter of the law, and the law's going to be a pain in the butt. But that is how it is.

**Dana DeFrangé** when did we quit having a zoning board.

**Chairman Moy** they never did. Krebs never had zoning.

**Larry Coxsey**, Yeah, they did. Spencer, Sherry DeFrangé was on it

**Chairman Moy**, when I was on in 1982 all we discussed was the codes, just the codes.

**Larry Coxsey**, this was a planning and zoning committee. Whenever they developed that. It was the guy that she was talking about, Sherry DeFrangé, Jack Mauser.

**Dana DeFrangé**, Sammie Spencer, Elvin. Ward's wife was on it. I don't know if that was planning and zoning or if it was just code.

**Caylin Crone**, it was planning and zoning. You can go back in minutes and there's some in those old minutes and stuff back in the nineties.

**Dana DeFrangé**, yeah, Steve. That could be a screwed-up deal. I mean how many things has happened in the last 20 years?

**Chairman Moy**, wow a bunch.

**Richard Cotton** a bunch.

? how many did Prichard get approved over there and he had no survey or anything for each proposed lot that he wanted. They just passed on one deal.

**Chairman Moy**, that'll be your big one. He was supposed to come before city council with an engineer about the flood, but he'd never did that either. But do

? He, ain't going to do it.

**Caylin Crone**, I know that overlay, depending on all that, that would flood us more than we're already flooded down there. That's why these things are in place. because the city's not coming down and fixing it. We are. We're fixing it. We're fixing the flooding and cleaning out the ditches and maintaining all that because they claim that that is not their stuff. So, because our driveway now. Okay, gotcha. That's all I need to know.

**Larry Coxsey**, they haven't done any upkeep on that in 20 years. Like that one in particular, it's supposed to have a, it's not called a drainage study or maybe it's a runoff survey.

**Chairman Moy**, it should always have runoff. So again, I'll make a deal, but how do y'all want to handle this? You want, I mean you want to send it back to the city council. Do you want to talk to the city council and the lawyer? Start with?

**Caylin Crone**, can I request something that the city council has gotten us in here? So, it's like taking the ones that already did it incorrectly back to them for them to continue to do it incorrectly. And, also, they're not the ones going to have to front this. It starts here. That's why I came here. Plus, also, they don't do anything. The city council can sit there and say stuff all they want. It's not anything that anybody can go against.

**Chairman Moy**, but the only thing we're here for is advise

**Caylin Crone**, to establish maybe to give y'all an opportunity of how you would like those to be done so that the letters when they go out or when you get those requests in to be on those rezoning that you could put the oldest first or the most if there's an emergency, they could write that. They could put that on the request. Give them an option to do that. That's what this is for. So that y'all can maybe discuss that and establish how the planning and zoning would like those brought to y'all. You're going to have three at a time probably. I mean, I'm just saying just an estimate. Three or four depending on how quick and easy some of them are. Some aren't going to do anything. They're going to go to the board of adjustments and they're going to have their first meeting ever and have to approve variances. So, the city council's really not going to be involved in this part of it until you all have been involved in it. And I'll let you know that if a



ward comes open, my ward comes open, I will volunteer to serve on here to help with that as well. So, I'm not going to just get y'all on a headache. I would volunteer to give myself one also.

**Chairman Moy**, do I hear motion or do we want to die for lack of anything? No, you made a motion.

**Larry Coxsey**, I'd make a motion that we need to look into this and try to get things done correctly. That way we don't have problems with what's already been approved that if they've got the option to come back and try to get it done and looked at correctly and make sure that we don't cause problems to somebody else's property and stuff like that. I think we need to take a look at a lot of it again.

**Chairman Moy**, do I hear a second one more time? Do I hear a second do Well, Larry, we're all on your side, I think. But I think

**Larry Coxsey**, you got to stand up for what's right.

**Chairman Moy**, I got to think, I got to look at this a little bit harder for myself because....

**Larry Coxsey**, I understand it's going to go back a ways and it's going bring up some headaches. I do.

**Chairman Moy**, and I don't know how you can correct something that was already done. I don't know how that can be done. I know what she's saying, but I think somebody's got to sue to get that done.

**Caylin Crone**, I got it done. I've already got it done on other properties. That's what I'm saying. I'm just bringing them all as a lump deal instead of bringing it up here every month.

**Cindy Cooper**, and you're saying it's just for the zoning, right?

**Caylin Crone**, It's just the zoning

**Cindy Cooper**, so, probably the first thing to figure out is how far back we got to go and how many actual zonings were done.

**Lana DeFrange**, exactly.

**Caylin Crone**, there's probably not as many as you think that there is. There's going to be a lot, but there's probably not as many. Because I was looking back, even in a year's time, there wasn't a whole lot. So you're really not going to have a lot is what you're thinking because you're probably combining building, you're thinking of all the houses that have went all that those, some of them were done on land that was already zoned correctly. So, you're not going to run into that.

**Larry Coxsey**, So, it's just the zoning.

**Caylin Crone**, all I'm requesting is that the zoning be so that those can be sent over to the county clerks and adjusted and we can get letters out to people and allow them, if they want to keep that zoning that they have, then they just bring it right back and have it done correctly. Or if they don't, they don't want to mess with it and they like how they had it. It goes with what they have then they don't need to do anything. But it gives them the opportunity to have it done correctly within a certain timeframe and not to pay money. They're not going to be out any money. It's just a matter of coming and doing it the right way. Because we didn't have hearings, they didn't have the two hearings with a property that was done bound by us. I stood up there, it's on the minutes.

I asked where was this hearing at? This is it I was told by Chuck Nelms, he was mayor. I said, this is the hearing. No, it isn't planning and zoning is not the city council. And I said, you have to have two hearings. You have this one and then the one with the city council, they get one hearing and approve. It had no merit to approve it. We didn't have a comprehensive plan and you can't exercise zoning without a planning and zoning commission. And that's what I tried to tell them. And then when they found out Yes, that's correct, even Pat, pat even said that that was correct, which is neither here nor there. But he even knew it was correct and said the same thing. He said, but I just can only advise I can't. And I understand that they're going to do whatever they want to do, just

**Chairman Moy**, I'll tell you what he advised me. Bring it up again to vote on it again.

**Caylin Crone**, anyways, but the long story short is that that was done. I sent in an appeal to our board of adjustments that we also didn't have. And it sat there and then it held these people up and it caused them problems also. And then who did they, then they're getting frustrated. And then our city rapport with our community is terrible. So that's why I'm fighting all of this to do it the right way. And I think we're

getting confused on who has power in doing things and who doesn't. I think we have people in positions that are trying to do things that they don't have any say in anyways.

**Richard Cotton**, no authority.

**Caylin Crone**, they don't have the authority to do it. I mean it is got to start here. Rezoning would be sent over, and then you give them a timeframe that y'all could establish. That's why I brought it up. Y'all could establish that as long as it's more than 10 days' time. Then they come to y'all, if they want to appeal it, which if you explain it in there, you can use however verbiage you want to, but that they don't have to appeal it. They can just come and have it done the correct way or they can appeal it, which is just an extra meeting for them at the board of adjustments. And if they approve it, it comes back here anyways. So that's all it is, just to have them done correctly so that if it comes back down 20 years from now, the city's not getting sued because we got flooding or whatever the case is because somebody rezoned it to commercial in the middle of the city and things like that.

**Chairman Moy**, you (Cindy Cooper) want to look and see what you can come up with?

**Larry Coxsey** 'll do some research and find out when that planning and zoning, the old planning zoning was done away with. And at least that'll give us a date that we know we can go back to and look and see. Maybe kind of get an idea of how many things have been rezoned within so many years and kind of go from there.

**Chairman Moy**, you look at any of these maps they may show his house is residential. It really isn't, it's on 31 highway. And we changed that a long time ago. I don't know that we had planning and zoning back then when all that was done.

**Caylin Crone**, I know in the nineties because I went back and looked and I know in the later nineties there was some there and it was like I said, later nineties, I was going through some stuff and they had a planning and zoning meetings.

**Dana DeFrange**, they had a zone rule back in 93, 94. I don't how soon they had it.

**Chairman Moy**, I don't have a problem with the one back and redoing, but you're going to catch some opposition.

**Dana DeFrange** in 93,94, that's when ImoJean *inaudible* and that's when we filed the papers, put it in the newspaper, sent out all the letters and zoned the shop commercial. That was, we went in 93, so it had to be 93, 94.

**Cindy Cooper** that there was a planning and zoning?

**Dana DeFrange**, I mean there was one, yes, there was, well, let me rephrase that. I don't know if they had a board or not, but I had to go through all the steps to zone the lot.

**Caylin Crone**, they had meetings, they had had their own minutes. When I was looking back at some stuff, I found their own meeting that. And like I said, that was in the nineties. I don't know, I can't remember off the top of my head what year it was.

**Chairman Moy** we put in the zoning in 1982. I can tell you that I was one that did it, but everybody prior to that, myself, I've been mechanician up there for years and I fall under the grandfather's clause. But yeah, let's just see what we can come up with and go from there. We're not going to table it. She's going to see what this, then we'll come back.

**Cindy Cooper**, gather some information.

**Chairman Moy**, she'll (Caylin Crone) probably be able to do some of that too.

**Caylin Crone**, I have stuff. I just didn't bring it in here. I didn't know what y'all were going to want to do. So whatever y'all are thinking you can,

**Chairman Moy**, I really don't know what to do.

**Caylin Crone**, they can request anything from me and I can provide it copies of anything that they may need. And then that's a decision. However, the city wants to proceed with getting those over to the city or the county clerks in and out to the people. But this was more just kind of bringing it up to y'all. Allow y'all time to maybe consider what order or how y'all would want to do that. Or maybe have a say in sending

those notices out. Sending out the newest ones first or the oldest ones first or however.  
**Cindy Cooper**, easiest first.

**6. COMMENTS FROM PLANNING AND ZONING COMMISSION.** - None

**7. ADJOURN**

**James Garigin makes a motion to adjourn.** Larry Coxsey seconds. Chairman Moy calls for a vote. Richard Cotton- yes, James Garigin- yes, Larry Coxsey- yes, Dana DeFrange- yes, Chairman Moy- yes. **Motion passed.**