

CITY OF KREBS
COUNCIL MEETING
MINUTES
MAY 21, 2024

1. MEETING CALLED TO ORDER by Mayor Tommy Ray Walker

2. ROLL CALL by Cindy J. Cooper, City Clerk

Mayor Tommy Ray Walker- present

David Bailey- present

Jason Wagnon- present

Connie Poole- present

Dan Heathcock- present

3. PRAYER AND PLEDGE OF ALLEGIANCE.

Led by Dan Heathcock

4. DISCUSS AND ACT TO APPROVE THE MINUTES OF THE APRIL 16, 2024 CITY COUNCIL MEETING.

[David Bailey made a motion to approve the minutes.](#) Jason Wagnon seconded. Mayor Walker called 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 made a motion to approve the claims.](#) Jason Wagnon seconded. 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 request council to look at page 3 of the statement of revenue and expenses. M. Kern states for the period ending April 30, 2024 we have revenues of \$1,917,964.89. Page five statement of revenues and expenses. Total expenses are \$2,192,420.73. M. Kern states the revenue side is holding up. M. Kern states on page 11 he has included the projected. He made some projections based on 10 months actually and 2 months projected. M. Kern projects the budget to be about 6.25 % less than it was last year. M. Kern states he handed this out so that next Tuesday when we have the first budget meeting and this can be used as a worksheet to start writing numbers down. M. Kern states the first thing we are going to look at, at the budget meeting is what all the salaries are because last year a salary increase was passed and made effective all the way back to July 1, 2023. M. Kern states we will have to look very closely at what kind of an increase we may be wanting to look at payroll wise.

Mayor Walker clarifies that Mike Kern is talking about an increase not a decrease.

Mike Kern states no he is not talking about a decrease. M. Kern states all the department heads need to look very closely at what they need for their capital expenditures. Not what they want- what they need. M. Kern states there is a big difference between wants and needs. M. Kern states the worksheet shows what the projected expenses are. M. Kern states it is just a projection. M. Kern states on line 49 of page 11, total general government we are looking at spending \$387,591. M. Kern states this is a very key number because that is where we try to put any extra money we might have. That's general government, it covers of common expenses for all the departments. A lot of insurances are paid out of there. M. Kern states this is a starting point.

7. BUSINESS PREVIOUSLY DISCUSSED.

None

8. BUSINESS NOT PREVIOUSLY DISCUSSED.

A. DISCUSS AND ACT TO APPROVE/DISAPPROVE PROCEDURE/GUIDELINES FOR CITY OF KREBS OFFICIALS PARTICIPATION IN RIBBON CUTTING /GRAND OPENING TYPE CEREMONIES

Cindy Cooper states we do not have any kind of policy or procedure set in place for this, so that is what this first one is because we have had a request from Mrs. Baugh to participate in a ribbon cutting ceremony for a new business she is opening. Cindy states we need to set some guidelines for what we want the procedures and rules to be for the council to be able to participate in that.

Connie Poole states on the guidelines you have here, it states only two council members can show up. It is not like a meeting so why can't all four council members be there if they want to.

Cindy states I don't know for sure, that may be possible, but I was under the impression that you all could not be anywhere together that made a quorum, but I will check with OML.

Connie Poole states I would not think that would be a quorum, it's a ribbon cutting. Connie states I think that we would all four like to attend. Connie states probably not all four would be able to attend because of work.

Cindy states, I agree with you and that would be better if we could do that.

David Bailey states if you stop and think about it, these eating things we go to everybody, all the council members are at it.

Connie Poole adds, and when we take pictures. To me it would not be a problem it's not a quorum.

Cindy Cooper states I will find out for sure and if that's the case we won't have that on there.

Jason Wagon makes a motion to table the procedure. Dan Heathcock seconds. Mayor Walker calls for a vote. David Bailey- yes, Jason Wagon- yes, Connie Poole- yes, Dan Heathcock- yes. [Motion to table passed.](#)

B. DISCUSS AND ACT TO APPROVE/DISAPPROVE RIBBON CUTTING CEREMONY FOR NEW QUILT SHOP CALLED "SEWCIAL TIME" LOCATED AT 785 WEST WASHINGTON, KREBS, OK.

Cindy Baugh with Sewcial Time quilt shop states her daughter and herself are starting a quilt shop. They hope to teach people in the community how to sew and quilt. We would love to have your support, and would be honored to have all be part of the ribbon cutting. Date to be announced.

David Bailey makes a motion to approve the ribbon cutting ceremony. Dan Heathcock seconds. Mayor Walker calls for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagon- yes, David Bailey- yes. [Motion passed.](#)

C. DISCUSS AND ACT TO APPROVE/DISAPPROVE BID IN THE AMOUNT OF \$8,200 FROM PARKER CONSTRUCTION, LLC TO FIX DRAINAGE ISSUES ON MARINO STREET BETWEEN DEGIACOMO AND N. CREEK

Mayor Walker states this bid came in a lot higher than expected, and states it will have to be added to next fiscal year's budget.

[Item dismissed.](#)

D. DISCUSS AND ACT TO APPROVE/DISAPPROVE REQUEST OF JENE FREDRICK TO RESIDE IN CAMPER TRAILER ON PROPERTY LOCATED AT 320 SW 3RD, KREBS UNTIL NEW HOUSE IS BUILT.

Mayor Walker asked J. Fredrick if he was planning on tearing down the two mobile homes that are currently here.

J. Fredrick replies yes. He states he recently bought the property, and that one of the properties had been broken into, and someone cut the electricity out of the walls. J. Fredrick states that during the ice storm all the pipes busted on the other one so he moved a travel trailer onto the property. J. Fredrick states he is trying to tear those down and build a home on the property.

Mayor Walker asks when J. Fredrick thought he might start building on the property?

J. Fredrick replied he is in the middle of tear downs so "I don't have a set time for that."

Mayor Walker states he needs to get a building permit first to tear that down then discuss about the house, and the rest of it.

J. Fredrick states he did not know the steps. J. Fredrick states, that the code guy came by, looked at it. J. Fredrick states he (code enforcement) was just worried about me dumping on the ground, and how it was all set up. I told him I have tanks for the water issue and I dump it in another spot. J. Fredrick states the code guy said I don't see any waste around here, everything is fine. J. Fredrick states the code guy told him to 'come down here and discuss it with you guys.' J. Fredrick states he did not know he needed a permit.

Mayor Walker states we have had a lot of people in the years before come tell us all the same things you just said then they never did build a house. They just kept the trailer there for a long time.

J. Fredrick states he is not trying to do that.

Mayor Walker states I am not saying you are. I am just saying that happens.

Connie Poole asked J. Fredrick how long he has been living there in the camper?

J. Fredrick replies just a few months.

Connie Poole asks how many months are we talking three, four, five or six?

J. Fredrick replied February, March, April, May.

Connie Poole states you know when you live in a camper you don't have sewer or anything like that, correct? So that is also a health factor for your neighbors.

J. Fredrick states he has it contained, and takes it somewhere to dump it.

Connie Poole states, but you still are not paying for water or utilities like everyone else is in the town.

J. Fredrick states he is hooked up to power so I am paying power utilities. But if I need to get my water source tuned on, I am going to have to have water on the property anyway after I pour cement.

Connie Poole asked when do you think you will pour cement?

J. Fredrick states he does not have that projected yet. Probably, November was my projection for start to build. I will have one of the trailers off, and one of the sheds off to have an open space to do the dirt work. I have trees I have to cut down. I have roots I have to pull up. There is a lot to the process. I don't have a bunch of money to do all that at one time so I am just piecing it out a little at a time. It's taking longer than I want but it's a work in progress.

Mayor Walker states we have laws against having travel trailers on private property. Trying to figure out when you are going to start on this. I know it's been there it seems like a year maybe longer. I drive by it every day. Mayor Walker asks J. Fredrick if he still has his two big dogs.

J. Fredrick replied yes. I was living in Fort Smith and had all my stuff there. Recently I got put on with DOC and moved back up here.

Mayor Walker states we give other people tickets for having a camper trailer on the property. Really, you should get a ticket.

You don't know when you are going to start, you don't when you are going to have a building permit or any of this stuff.

J. Fredrick states he can come down and get a building permit.

Mayor Walker states you can't get that until you start, you have to have plans drawn out. You have to have a plan; you have to go before the planning and zoning board. It's going to take several months, maybe two months or longer to get everything ready to get a building permit. It has to be coded. For years we have had a law that you cannot put a travel trailer on private property.

Connie Poole states, you are saying November that is like six months away.

J. Fredrick states, that is when he will have one trailer, and the shed torn out, and the trees cut so I can actually have an open space. There are three lots with two big trailers on them. The one I am tearing down; the whole side is gutted out. It's taking me a little bit longer to get it all down, but once its down I can cut the trees down, and cut the roots out.

Connie Poole asked if he bought the property with the trailers already on it?

J. Fredrick replied yes.

Dan Heathcock asked if he goes before the planning and zoning committee, and explained the situation with some kind of drawing of the house that he is going to put on the property, could he come back before the council then?

Mayor Walker states he needs to get a building permit first, before you do anything. Everybody else gets tickets over this. Why should he be different is what I am asking. Mayor Walker states you all want to make him a special deal? Is that what y'all are saying?

Connie Poole states six months is quite a long time.

Dan Heathcock states I am just trying to help the man, he came over here from Fort Smith to the city of Krebs.

Mayor Walker states we are trying to do what is legal for the city of Krebs. What we give everyone else tickets for, you're not going to give him one. Mayor Walker states I am just trying to make this equal for everybody.

David Bailey asks J. Fredrick if he has a place, he can take his trailer to for a while? Like and RV camp or park.

J. Fredrick states not really.

David Bailey states you might have to take it any way, if they don't agree on this, or end up getting a citation. Get started tearing things down. Show us what you are doing. Reapproach us again on this, and we might be able to do something to help you on that because you are showing progress. We might be able to work with you on that.

Connie Poole states her concern with this is the health issue with water, and sewer. Everyone else in town is paying for water and sewer.

J. Fredrick states he takes it to a facility and dumps it. I am not dumping it on my property.

David Bailey states we have a policy that says you can't do it, and that's the bottom line. The policy states you can't live in a camper on your property. Whether you agree with it or not that is the policy that has been created and what we have to go by.

David Bailey states I understand your position. We are in a no-win situation. We have had to write citations to people for this.

Mayor Walker states the best thing you can do is move it to a trailer park for a while until you get ready to start building. You start tearing it down, and get everything together we can talk some more about it.

J. Fredrick states “I am in the middle of tearing it down as we speak.” It’s a slow process. I don’t have a bunch of money and there is not a lot of contractors that want to do demo work.

Mayor Walker states, there are several around. Mayor Walker states we can’t wait another six months or year to see if you do anything with it.

J. Fredrick states, to pour cement. I am saying six months to pour cement. I am in the process of tearing it down. I should have one trailer completely done in less than a month.

Mayor Walker states until you start doing all this, you need to move to some park somewhere. To be legal with everybody else.

J. Fredrick states I am in the process.

Mayor Walker states he drove by, and has not seen anything. Mayor Walker states if you are going to tear it down that is fine but we cannot sit around six months or a year waiting then maybe all of a sudden you change your mind and you are not going to build it and you leave.

J. Fredrick states I understand, but I don’t have anywhere else to go. I am just trying to clean up that part of the neighborhood and tear down an eyesore. I am not trying to be like that. I am keeping it clean, mowed, and the trash picked up. I am doing my part for the community. It’s not an eyesore anymore.

Mayor Walker states several people think different. Mayor Walker asks for a motion.

J. Fredrick asks, as I am tearing it down right now do I need to come get a building permit, a tear down permit. What is it I need. Mayor Walker states you need to go to the planning and zoning board and they will tell you what you have to do. They meet the first Tuesday of the month. Come talk to them, they will tell you what you have to do. Once you have all that discussed with them, then we can go from there.

Dan Heathcock clarifies that right now he needs to move his travel trailer somewhere.

Mayor Walker states that would be the best deal. That would be the legal thing to do.

Dan Heathcock states, right that is my understanding. Because the policy of Krebs is set like they are. [Dan Heathcock makes a motion that Jene Fredrick move his travel trailer until he gets further along with his project.](#)

Connie Poole asks, if he can get a phone number for the code to get information tomorrow. Could he get the phone number of someone on the planning and zoning commission and contact them before they have the meeting.

Mayor Walker states everything is supposed to go through the planning and zoning board. That is the new rule y’all voted on.

Mayor Walker states they need to have everyone at the meeting. We will see how it goes. Once you move if you get a bunch tore down and keep going and planning and zoning approve it, then we can see about getting a permit.

J. Fredrick asked if he could go to the planning and zoning and get approved, stay on the property and bring it back to you guys and you see my progress at the same time.

Mayor Walker states, first take it to the planning and zoning board and see what they say about it, then we will go further after that. First you need to go the planning and zoning board. First Tuesday of the month at 6:00 PM. We are trying to be fair to everybody.

J. Fredrick asks so you are giving me till I go to the zoning board on the first Tuesday of the month to do all this.

Mayor Walker states go talk to them and tell them what you are wanting to do. They will tell you what you can do. Then we will go from there.

Mayor Walker asked Dan if he had made a motion.

[Dan Heathcock confirms he made a motion for Jean to move his camper.](#)

Connie Poole asks what time frame are we talking about? As far as him moving his camper.

Mayor Walker states it will be next month when they have the first meeting.

Connie Poole seconds the motion. Mayor Walker Calls for a vote. David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes. [Motion passed.](#)

Dan Heathcock asked if he can leave his camper on the property until he goes to the planning and zoning meeting?

Mayor Walker states until he talks to the planning and zoning meeting which is the first Tuesday of the month. That’s three time I have said that.

Dan Heathcock states what he was unclear on is if he has to move his camper before that time.

Mayor Walker responds “for the fourth time, the planning and zoning board meeting is Tuesday. He should go to the meeting on Tuesday. These are the rules you all voted on. I am trying to stay within the law and with what you all voted on.

E. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE DISMISSAL OF CITATION ISSUED TO ALAN BOATWRIGHT FOR A TRAVEL TRAILER BEING PARKED IN A DESIGNATED MOBILE HOME LOT WITH WATER HOOK UP. IT IS NOT MR. BOATWRIGHTS TRAILER.

Mayor Walker gives history on this as; The owner of this travel trailer had recently moved to a lot in this mobile home park so he could care for his terminally ill father. A 10-day waring citation was issued for having the travel trailer parked in the mobile home lot. During the 10 days the owner died in a bike accident. Mayor Walker states that left everyone not really knowing what

was going on with the trailer as far as who's going to take it over. Mayor Walker states it is legal to have a travel trailer in a mobile home park temporarily as long as they don't stay a long time. Mayor Walker states he thinks it's up to 30 days. Mr. Boatwright was issued a ticket for the travel trailer being there.

Police Chief Dennis Cook states you can't have a travel trailer in a trailer park. Those are your city ordinances. Mayor Walker states it depends on what year you go by. I have looked over every one of them since 1970 something.

D. Cook states there are certain requirements. D. Cook states the trailer its self has to be 900 feet in length, it has to be permanently hooked up to sewer and water which it's not. The wheels have to be removed and a permanent front porch has to be installed. Those are your requirements.

Mayor Walker states to D. Cook, like Connie always tells me, how about a little empathy for the family. They have no way to move it. He is dead, and the dad is about to die. How about giving them a little break. We do that for other people.

Connie Poole asks if the trailer has water and sewage.

Mayor Walker states it did, they had both water, and sewage. He owes a bill right now but he is not alive to pay it.

D. Cook states he was on a cut off notice and he was alive.

Mayor Walker states he was going to move it June the 4th, that was the plan. They are trying to figure out someone to move it. Move it out of the way and get it over with.

D. Cook states absolutely.

Mayor Walker states Alan does not own that trailer park his daughter does. Is there any way that if we get the trailer moved.

Mayor Walker states Alan told him he would move it for sure.

Connie Poole asks why Alan was moving the trailer when it is not his trailer.

Cindy Cooper responded, because he got a ticket for it being on his property.

Mayor Walker states Alan rented a spot to him is why they are giving him a ticket.

Connie Poole asked if he rented it on his private property or if it was a trailer park?

Mayor Walker states it is a trailer park. Mayor Walker states what he has been reading on this, about a trailer being there for 30 days or something like that. They are not made to be there permanently, which he was not going to be.

David Bailey states he has no problem with what happens with the ticket, but does have a problem with the council dismissing tickets. David Bailey states he feels that should be up to the prosecutor, and judge that dismisses the ticket. We should keep it there. Otherwise, we can get into a mess that way. David Bailey states he has sympathy for the family. David Bailey states, I have no problem if the judge was to dismiss this case.

Mayor Walker states he tried to get our lawyer, to do it, and he refused and told me to go to court.

D. Cook states, after the fatality on the motorcycle, two days later he dismissed the ticket.

Mayor Walker states he did not know that, nobody had told him.

Dennis Cook states, you didn't ask.

Mayor Walker states, I ask everybody else.

Dennis Cook states, you didn't ask me.

Mayor Walker states he could not get a hold of him at that time. Mayor Walker states all you had to do was tell somebody down here because he owed a water bill.

David Bailey states well the police officer dismissed that, and us all being in agreement we can just strike that off there.

Mayor Walker states Alan will get it moved off there, and if he doesn't you can give him another ticket.

D. Cook states we won't give him a ticket, we will give the daughter a ticket.

David Bailey states my problem is I don't want to see the city council getting into dismissing tickets.

Connie Poole states, I had a problem with that too.

David Bailey states the state statue 29-8 says the mayor has the right, but it has to go through the council for that to be dismissed, and I believe it becomes immunity.

D. Cook states it's immunity. After the ticket has been written, and everything has been processed the mayor has immunity to grant immunity only if the council approves it.

David Bailey states, I believe if we start doing that we would get in a lot of problems.

Attorney Danielle Layden states, I can elaborate on that. The mayor does have authority to pardon tickets if there has been a conviction. Once the mayor has decided to pardon, he has to bring it before the council explain the reason for the pardon then it would be up to the council to decide whether to pardon or not.

Connie Poole asks, what the time frame for the trailer to be moved is.

Mayor Walker states he was going to move it by June 4th, that is what the original deal was but since he is no longer with us Alan is trying to get it moved somewhere. They can't get ahold of any family. Mayor Walker asked D. Cook if he knew of any other family. Mayor Walker states the only family they know of is the dad who lives in the trailer park, and is dying. Mayor Walker states Alan will get it moved.

Mayor Walker tells D. Cook that he appreciates him doing that, and he know the family will to. [Item dismissed.](#)

F. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE PAYMENT OF COMP TIME, VACATION AND SICK LEAVE ACCRUED FOR LESLIE A. COX. GROSS AMOUNT IS \$14,449.64 LESS TAXES OF \$4,528.66 WHICH EQUALS \$9,920.98.

D. Cook states L. Cox left and is working in Eufaula.

David Bailey states it is my understanding, in our contract we have if they do not fulfill their time, she owes us \$4000.

D. Cook states, that is correct.

David Bailey asks, should that not be separated off the total of this? That we would pay her \$5920.98. Where do we get our \$4000?

D. Layden states, if that amount is correct. You do have to pay that to her, but because of the contract, and her not fulfilling the obligations she agreed to in the contract, the city separately could sue her in court.

Mayor Walker asked D. Layden if Pat had said anything about the codification that was supposed to have been done that has not been done?

D. Layden asked if he was refereeing to this case.

Mayor Walker states on a bunch of cases since 2018. They are supposed to be codified and sent to the state. It has to be done and put in special book. Pat originally made the book, but have not seen anything done since 2018.

Connie Poole asks if she owes us \$4000 can we not deduct it from this here?

D. Layden states, Pat said he does not think so because it would be a separate breach of contract.

Connie Poole states, so we can disapprove this. Not give it to her right now till we make arrangements for her payment. Can we do that? Is it legal to that?

D. Layden states, Pat said at this time, that is money that is owed to her but it does not stop you from proceeding forward with a law suit for the bonus. It is two separate issues.

David Bailey states if you don't get that, and you go get another officer.

Connie Poole states, we don't have to approve this right now.

David Bailey agrees.

Connie Poole states, we can bring it back on the next agenda and find out from her how she is going to pay the \$4000. Connie asks if that is something we can do.

David Bailey states I am for giving her every penny she deserves, but she owes us \$4000 and I want our money.

Connie Poole states we did that in good faith that she was going to stay with our police department instead of going to Eufaula.

Mayor Walker states, I thought she was only going to get like \$5000. She got \$1000 when she started.

D. Cook states, the contract reads \$3000 upon signing/hiring and \$1000 upon each anniversary day.

David Bailey states we did that, and Pat Layden drew the contract up.

Connie Poole states, we don't have a problem with that. We agreed to that, but when she ends up leaving early, she is actually voiding her commitment to us. So, if we disapprove this can we bring it up again next month?

D. Layden states, when she talked to Pat, he said L. Cox is owed this money. She is entitled to being paid this money. So that may set the city up for being sued by her.

Connie Poole asked if there is a timeframe that we have to pay her this money?

D. Layden states, I would think so. D. Layden asked when she left?

Cindy Cooper states the fourth of this month was her last day.

Mayor Walker states as our lawyer is telling us these are two separate issues, and that we really need to pay her or she might sue us.

D. Layden states if she is owed the money, and is entitled to the money, putting it off another month.

Connie Poole asks if we approve it tonight then we can go in, and request our money from her in a certain amount of time also.

D. Layden states essentially you could file a law suit.

Mayor Walker states we need to pay her first, right?

D. Layden states essentially.

Mayor Walker states we don't want to start another law suit against us.

Connie Poole states correct, but we still want our money. She did not stay with us which is why we gave her that money in good faith. She is not doing her part.

D. Layden states, Pat states he is willing to help. That would be a separate issue. You could not decide whether or not to sue her at this meeting. It would have to be on the next.

Dan Heathcock asked, if we pay her this money, and she decides to pay back the money owed, no lawsuit would be needed.

D. Layden states exactly.

[Dan Heathcock makes a motion to pay Lesile Cox.](#) Connie Poole seconds. Mayor Walker calls for a vote. David Bailey- abstains, Jason Wagnon- yes, Connie Poole- yes, Dan Heathcock- yes.
[Motion passed.](#)

10. COMMENTS FROM THE COUNCIL AND MAYOR

Connie Poole states she stopped in the new coffee place across the street on the corner – “The Illish”
She states it was a very nice pleasant place in there. It’s a nice addition to our town. It is absolutely gorgeous inside like a brand-new building. Pleasant atmosphere for conversation.
Mayor Walker asked if they sell liquor and/or coffee.
They do not sell anything.

Mayor Walker presents plaque to Steve DeFrange. Steve has been here 20 plus years, selflessly serving the community. He is always down there. He has talent and skills to do everything. Always tries to help us. Steve is on the board of the heritage museum, treasurer at the Krebs center. Hands on type of guy. He deserves to be recognized for all that he does. He has an altruistic spirit. The other plaque is for Jackie Smith who has done a lot for the city of Krebs. He is always helping at the city park with the trees, and everything around here.

11. ADJOURN TO KUA

[Dan Heathcock makes a motion adjourn to KUA.](#) Jason Wagnon seconds. Mayor Walker calls for a vote. David Bailey- yes, Jason Wagnon- yes, Connie Poole- yes. Dan Heathcock- yes. [Motion passed.](#)