

CITY OF KREBS  
CITY COUNCIL MEETING MINUTES  
AUGUST 20, 2024

**1. MEETING CALLED TO ORDER** by- Vice Mayor David Bailey

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

Mayor Tommy Ray Walker- Absent    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 JULY 9, 2024, SPECIAL CITY COUNCIL- KUA BUDGET MEETING**

**David Bailey** is there a motion to discuss the act.

**Dan Heathcock** I'll move to approve the July 9<sup>th</sup>, 2024 special city council Kua budget meeting minutes

**Connie Poole**, I got a question here the words draft on this, is there going to be anything changed on this or is this going to be the official copy?

**Cindy Cooper** stated that it will be the official copy if you all don't vote to make changes, I put draft on there until you all approve it.

**Connie Poole** okay. I second the motion

**David Bailey**, Okay motions been made first and second.

Vice Mayor Bailey calls for a vote. Dan Heathcock-yes, Connie Poole, yes, Jason Wagnon, yes.

**Motion Passed.**

**5. DISCUSS AND ACT TO APPROVE THE MINUTES OF THE JULY 16, 2024 CITY COUNCIL MEETING**

**David Bailey**, I've got a question on that. I am going to have to ask our lawyer over there. The minutes were supposed to be posted 48 hours before the council meeting, and we were just able to get these minutes out. Is there a legality problem on that?

**Danielle Layden** Well, I think that. Was there another issue with it that with it not including everything from the last meeting as far as everything that was discussed?

**David Bailey**- Well, I wasn't not at this meeting

**Dan Heathcock** What are you asking?

**Danielle Layden**- With the minutes that were provided, they didn't include the *-interrupted by Connie*

**Connie Poole** they were not in the minutes so we haven't had a chance to look at them we just got these within the last, what 10 minutes, so we haven't had a chance to look at these yet.

**Danielle Layden** so you did receive it.

**Cindy Cooper** two of them, yes.

**David Bailey**- yeah so and I know minutes, and everything is supposed to be posted 48 hours before.

**Cindy Cooper**- the agenda, is supposed to be posted 48 hours prior.

**David Bailey**-yes, the agenda, yeah uhm, so they have not been able to look at these minutes, so can we not put these minutes on the next agenda to approve?

**Danilee Layden** in order for you to look over it I would say you probably have too

**David Bailey**, yeah, I need a motion or something to move these minutes to the next council meeting.

**Dan Heathcock**, I move that we table the minutes of the July 16<sup>th</sup> and the July 30<sup>th</sup>

**Cindy Cooper**- do them separately

**Dan Heathcock** Oh, we're just on the 16<sup>th</sup>

**Cindy Cooper**- yeah

**Dan Heathcock** Okay I'll move that we table July 16<sup>th</sup>, 2024, city council meeting

**Jason Wagnon** I'll second

**David Bailey** Okay been first and second. Jason Wagnon- yes, Connie Poole-yes, Dan Heathcock-yes. Okay motion has been accepted and we'll do this at the next meeting on these minutes.

**Motion Passed**

## **6. DISCUSS AND ACT TO APPROVE THE MINUTES OF THE JULY 30, 2024 SPECIAL CITY COUNCIL – KUA BUDGET MEETING**

**Connie Poole**, I make a motion that we table that also since we haven't had a chance to look at it.

**David Bailey** Okay

**Dan Heathcock** second

**David Bailey**, we got a motion on the floor that we table this until the next meeting. Okay. Jason Wagnon-yes,

**Connie Poole**-yes, Okay Dan Heathcock-yes. Okay, alright. **Motion Passed**

## **7. DISCUSS AND ACT TO APPROVE THE CLAIMS**

**Connie Poole**, I make a motion to approve the claims.

**Jason Wagnon** I second

**David Bailey**, okay we've had a motion first and second to approve the claims, Dan Heathcock-yes, Connie Poole-Yes, Jason Wagnon-yes. Okay been approved. **Motion Passed**.

**Cindy Cooper**, so they just got the claims too just FYI. Yeah, you just got the claims too so you haven't had the chance to look over those either.

**David Bailey**, oh we hadn't.

**Cindy Cooper**, No

**David Bailey**, The claims for this month?

**Cindy Cooper**, that uhm. That y'all just voted on

**David Bailey**, oh

**Connie Poole**, I'm jumping ahead I'm looking at Mikes stuff so she's correct on that.

**David Bailey**, okay what do we have here, now wait a minute. We just now got the claims or what

**Cindy Cooper**, yes, the claims and those two minutes.

**David Bailey**, Okay.

**Connie Poole**, so is that something we're going to have to table also?

**David Bailey**, are we going to have to table to approve the claims? We need to approve these claims

**Dan Heathcock** We've already voted on it

**Cindy Cooper**, yes, you've already voted on it

**David Bailey**, yeah, we've already voted on it to approve

**Dan Heathcock**, we had to table the last two minutes of the last two meetings special meeting and council meeting, but then the claims that belong to those minutes can we go ahead and approve those.

**Pat Layden** You should if you see that they are legitimate if you see now that they've been paid or taken care of. The process is you voted to approve the payments and then you look now the end of the month or the next month you look to see if those have been paid and if they've been paid then you approve it as being a legitimately paid and then you move on.

**David Bailey**, so we were okay approving these claims then, right?

**Pat Layden** if they're legitimate, if they've been paid

**David Bailey**, yeah

**Pat Layden** and their legitimate you voted for them so you look back and see you know last month we voted to paid something, and then clerk is directed then the treasurer or whoever to pay those and if they've been paid you come back to this meeting and approve it.

**David Bailey**, Okay

**Dan Heathcock** We just now got the paperwork on that to show whether they've been paid or not. Can we take the treasurers word for it?

**David Bailey** Come on up Kay

**Kay Scott**, I'm sorry, but these claims have not been paid.

**Pat Layden** I don't know whether they have been paid or not. That's the thing, their asking should they pay them. If they haven't been paid then they can't approve the claims.

**Kay Scott**, well they have to approve them before we can pay them

**David Bailey** right

**Pat Layden** is that, I mean if their legitimate. Are they legitimate.

**Kay Scott**, these are these are claims that have not been paid.

**Connie Poole**, my question is why did we get these today, why didn't we get so we could look at them two days ago

**Kay Scott**, because I because I didn't have time to get them all in there.

**Dan Heathcock** Are these legitimate claims?

**Kay Scott**, yes

**Dan Heathcock**, can we take your word for it?

**Kay Scott**, do you want to see all the invoices?

**Dan Heathcock**, I don't. I think I can take your word for it

**Kay Scott**, Okay I've got the invoices in there on my desk. They have purchase orders that were signed before the invoices issued or *inaudible*.

**David Bailey**, if we don't approve these claims people are not going to get paid am I right?

**Kay Scott**, Right

**Dan Heathcock** so we've already approved them so.

**David Bailey**, right we done approved them we just caught this.

**Pat Layden** That's correct. That's the stage we're in and that's what needs to be done. Approve them. You voted for this it's legitimate I think that is what Connie is saying I mean that the council has to know ahead of time what the payments are and what's being done.

**David Bailey** Yeah

**David Bailey** But we've done made a motion to approve them

**Cindy Cooper**, you voted yes.

**David Bailey**, we done made a motion to approve and approved them before we caught this so the claims have been approved. Okay going to number 8. Are there any questions or anything left on this before we move from it. Going to number 8. Okay no questions

**Connie Poole**, so we all said yes to it.

**Cindy Cooper** yes

**David Bailey** uhm

#### **8. REVIEW CITY OF KREBS FINANCIAL STATEMENT WITH MIKE KERN**

**Mike Kern**, you all should have a copy of that in your booklet there, we're looking of course at the first month of the fiscal year. We do I don't have anything in the budget column because we haven't approved the budget yet so can't put that in in this report but the actual revenues as you can see for the month of July. First month of the fiscal year 2024-2025, \$165,411.96 then we have to go all the way over to page five, our total expenditures \$190,114.10 so we've spent \$24,702.14 above what we took in. A couple of the items that we should note back over on page one the general insurance is \$18,000.00 that is a that only happens every six months so that will not be a monthly charge and then within the police department they had two different annual program invoices that they had to pay, and those are for the current physical year so those are non-recurring expenses so there's not a lot you can tell about one month, but the revenues overall are pretty much average for budget that we are trying to get approved. So, like I say we only got one month here so we're just going to have to be careful from here on out that's all I can tell you right now. Any questions or comments?

**David Bailey** any questions or comments. Okay

#### **9. BUSINESS PREVIOUSLY DISCUSSED - None**

**David Bailey**, guess we don't have anything there so

#### **10. BUSINESS NOT PREVIOUSLY DISCUSSED**

**David Bailey**, Nothing there so okay

#### **A. DISCUSS AND ACT TO GO INTO EXECUTIVE SESSION PURSUANT TO OKLAHOMA STATE STATUTE TITLE 25 SECTION 307 (B)(1) TO DISCUSS EMPLOYMENT STATUS, TERMINATION, PROMOTION, PAY SCALE, OR ANY OTHER RELATED ITEMS CONCERNING EMPLOYMENT OF W. KAY SCOTT, CITY TREASURER**

**David Bailey**, do we have a motion to go into executive session

**Jason Wagnon** I'll make the motion

**Dan Heathcock** I'll second

**David Bailey**, okay Dan Heathcock-yes, Connie Poole-yes, Jason Wagnon-yes. Let's go into executive session. **\*Council and Pat Layden go into executive session\***

#### **B. DISCUSS AND ACT TO GO BACK INTO REGULAR SESSION**

**Dan Heathcock**, I motion that we go back into regular session

**Jason Wagnon** I'll second

**David Bailey**, Okay Dan Heathcock-yes, Connie Poole-yes, Jason Wagnon-yes. **Motion Passed**

**C. DISCUSS AND ACT ON MATTERS OF EXECUTIVE SESSION REGARDING EMPLOYMENT STATUS, TERMINATION, PROMOTION, PAY SCALE OR ANY OTHER RELATED ITEMS CONCERNING EMPLOYMENT OF W. KAY SCOTT, CITY TREASURER**

**Connie Poole**, I make a motion to terminate W. Kay Scott with no rehire, and denote in salary for zero dollars for that position

**Jason Wagnon**, I'll second it

**David Bailey**, Okay Jason Wagnon-yes, Connie Poole-yes, Dan Heathcock- yes. **Motion Passed**

Okay Pat or Mr. Layden what do we do at this process here and the return key what do you do?

**Pat Layden**, what is that was the terminate effective immediately?

**David Bailey**, Yes

**Pat Layden**, then usually at this time you'll want to get your keys back from the employee and allow her time to get her personal stuff that she wants to get tonight or come back tomorrow or whatever, but you want to get your keys back, lock it up, and then inform the employee that they're not supposed to go back into the office until you can arrange a time too

**David Bailey**, Kay, I need your keys and your card

**Kay Scott**, I'll have to go into my office and get *\*Kay Scott asks officer Corey Cantrell to escort her to her office.\**

**David Bailey**- Okay. Oh God. Should she turn them over to me or

**Pat Layden** Well it's usually the city clerk who would be responsible for just holding on to the keys that's my suggestion

**David Bailey**, Okay cause I sure don't want them

**Dan Heathcock** "Now Cindy you'll make sure no one else gets those keys right?"

**Cindy Cooper**- "Well it depends on how much money they offer me you know, so who am I going to give them too?"

**Dan Heathcock** You just hold on to them

**David Bailey**, inaudible

**David Bailey** I will probably be down here about 10 or 11 tomorrow I've got to come in and they've got to run x-rays and stuff on that shoulder

**Cindy Cooper**, okay. can we go on inaudible

**David Bailey** What's that

**Cindy Cooper**, can we not move on to the next agenda items because that's done

**David Bailey** yeah, I guess we can. Pat, can we move on to the next agenda item?

**Pat Laydon**, Inaudible yeah, we can move on

**David Bailey**, okay alright well I'm going to go back to business not previously discussed because with the way things are there's only three of us that can sign checks uh Mayor Walker, me, and Kay. Mayor Walker has the covid so I don't know how long he'll be out and be able to do anything uh Kay's not here evidently, she ain't gonna be able to sign checks cause she's terminated, so we have to have two people on the check deal. I would like to make a motion or whatever to put at least two of the council members at this time on the checking account to where we can sign checks and we can get payments and so forth out and keep the city running until we can get some other things done and I would like that to be the motion I'd like to appoint, Danny would you be interested and Connie would you be interested?

**Dan Heathcock**, I will

**Connie Poole**, Yes

**David Bailey**, Okay I'd like to make a motion to appoint Danny Heathcock and Connie is to be on the checking account.

**Cindy Cooper**- If it's not on the agenda can you do that?

**David Bailey**- Pat can I do that?

**Cindy Cooper**, if it's not on the agenda he can't make a motion

**Pat Laydon**, *inaudible*

**Kay Scott**, my card and there are my keys. *\*Kay Scott gives keys and cards to David Bailey.\**

Pat Layden what did we do on the number attached *inaudible*

**Cindy Cooper**, on 10? Well 10 is business not previously discussed so it's always A, B, C, D, & E, all these different things are business not previously discussed.

**Pat Layden** Well so we can add that, we can add something that was unforeseen or we didn't know it was going to happen so it's an emergency.

**Cindy Cooper**, Okay

**Pat Layden** So we can add it

**Cindy Cooper**, so say exactly what how you want it worded

**David Bailey**, Okay I want to appoint Danny Heathcock and Connie on the checking account to be able to sign checks to where we can make payments.

**Pat Layden** and that's it.

**Dan Heathcock**, should we go tomorrow to get this done at the bank?

**David Bailey**, well I don't know, we're going to have to move fast

**Pat Layden** they will have a copy of the minutes, so the quicker that can get done and signed

**David Bailey** did you have something Mike?

**Pat Layden** that is what he was saying. The bank is going to want something papered up.

*Lot of inaudible talking*

**Jason Wagnon** and I will second your motion

*More inaudible talking*

**David Bailey**, okay Danny seconds that motion *inaudible*

**Cindy Cooper**, who did?

**David Bailey**, Danny seconds

**Cindy Cooper**, Danny did?

**David Bailey**, I mean Jason did. Alright Danny, Dan Heathcock-yes, Connie Poole-yes, Jason Wagnon-yes okay

**Dan Heathcock**, Cindy will we be able to get a copy of that in the morning so we can get that done at the bank

**Cindy Cooper**, Of these minutes?

**Dan Heathcock** of that number of the minutes

**Cindy Cooper**, of that what?

**Dan Heathcock** of that number of the minutes. That part just concerning the bank part

**Cindy Cooper**, uhm

**Dan Heathcock** That's all we have to show to the bank

**David Bailey**, well we'd probably have to make a call up there

**Cindy Cooper**, wait what is it that they need?

**Pat Layden** they will need, generally they would need a copy of the **entire** minutes of the meeting saying what we did to give them authority to put them on the

**Cindy Cooper**, no I won't have that in the morning, first thing.

**Dan Heathcock** I just I haven't had to turn in the entire minutes in the past when I have done it for the church.

**Pat Layden** can you do, is it practical to do just that one short period of the minutes?

**Cindy Cooper**, I can do that, if that's legal I mean I don't know.

**Pat Layden** What I'm saying is just do that part and say you know set it up like you normally do and say number ten and then say that you know emergency motion was made by acting mayor and to appoint those two and then then the mayor can sign that. Just that small part, you're just the preparer

**Cindy Cooper**, Okay

**Pat Layden** then can take that to the bank

**Dan Heathcock** of course at the top of it you will have the August 20<sup>th</sup> meeting.

**Mike Kern** you will have to list all the accounts.

**Cindy Cooper**, I don't have access to that

**Mike Kern** you don't?

**Cindy Cooper** uh-uh no.

**David Bailey**, you got that lined out there Cindy?

**Cindy Cooper**, so Okay, and you said? Hold on just a second, and he needs to sign that, the acting mayor will.

**Pat Layden** Tommy (mayor) will. Tommy will need to sign that

**Cindy Cooper**, oh okay, the minutes?

**Pat Layden** whoever is acting mayor or Tommy could or the acting mayor

**David Bailey**, Tommy's out of commission

**Mike Kern**, what I was acting mayor what I was telling her is you probably need to list checking account numbers

**David Bailey**, Okay

**Mike Kern**, because there will be check signing on the general fund, the street and alley fund, the senior citizens account, and IT fund, training fund, there's about well you can see them listed over there on over on the financial statements

**David Bailey** Just all of them

**Mike Kern**, like I said there's general fund, senior citizens, street and ally, capital improvements, IT, municipal court, and training. All those we'd have to list.

**David Bailey**, Okay write that down

**Mike Kern**, cause the bank needs to know specifically which accounts it's all these right here it's got the last four digits of that checking account number

**Cindy Cooper**, Okay

**Mike Kern**, yeah, the bank will need that specifically

**Cindy Cooper**, the last four numbers

**Mike Kerns**, yeah

**Cindy Cooper**, okay

**Mike Kern** alright are you going to try and type these in the morning

**Cindy Cooper**, well I don't have a choice, so yes

**Mike Kern** no, no what I was saying I can come over and make sure that these numbers are right.

**Cindy Cooper**, Okay

**David Bailey**, if you'd do that Mike, I would appreciate it

**Mike Kern**, because the bank will want to know specifically

**David Bailey** yeah, I will be down in the morning it will be about 10 o'clock I got to go see the doctor

**Mike Kern**, Okay I'll come by about 10 and make we're all three can see that.

**David Bailey**, yeah Okay we ready to move on? Looks like your up Mike.

\*The following are the minutes of the agenda item that was added during this meeting as discussed in the minutes above \*

CITY OF KREBS  
COUNCIL MEETING MINUTES  
AUGUST 20, 2024

1. MEETING CALLED TO ORDER – By Vice Mayor David Bailey
2. ROLL CALL by Cindy Cooper, City Clerk -Vice Mayor David Bailey-present, Jason Wagnon-present, Connie Poole- present, Dan Heathcock- present

\* Emergency motion made by acting mayor David Bailey to appoint Danny Heathcock and Connie Poole onto the below listed checking accounts in order to make payments. Jason Wagnon seconds. Vice Mayor David Bailey calls for a vote. Dan Heathcock- yes, Connie Poole- yes, Jason Wagnon- yes. Motion passed.

XXXX-General Fund  
XXXX CDBG  
XXXX Senior Citizen  
XXXX Drug Forfeiture  
XXXX Street & Alley  
XXXX Capital Improvement  
XXXX IT Fund  
XXXX Municipal Court  
XXXX Training Fund

Please remove W. Kay Scott from all accounts effective immediately.

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**D. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE CONTRACT FOR ACCOUNTANT SERVICES PERFORMED BY GEORGE M KERN, CPA, FOR FISCAL YEAR ENDING JUNE 30, 2025**

**Mike Kern**, and that should be in amongst all your documents in your booklet

**Cindy Cooper**, it's in there.

**Mike Kern**, have you all located that? Okay the main thing the currently we were at \$1,150.00 and I'm asking for a 5% increase to \$1,207.50 and I continue to do all bank reconciliations, and posting this to our general ledger, and then at the end of the year we have to give a report to the auditors so and that's going to be and that actual report will be another separate engagement letter because we have to do everything separate, you cannot wrap everything into one.

**David Bailey** Right

**Mike Kern**, so anyway that's what that's about

**David Bailey**, Okay.



**Dan Heathcock**, I see you got this disclaimer put in there where you are only responsible for numbers given to you from the city

**Mike Kern**, Correct

**Mike Kern**, yeah, we're we are not auditing we're not

**Dan Heathcock**, I understand

**Mike Kern**, not giving any assurance on any numbers we're only preparing financial statements is all we're doing, and that's normal that's normal you know because the auditor I'm not registered to audit because I don't want to.

**Dan Heathcock** Right

**Mike Kern**, I use to be and that's

**David Bailey**, any more questions on this and his request for a 5% raise which we've raised everybody else's this year so

**Dan Heathcock**, I make a motion to approve the contract for accounting services performed by George M Kern, CPA, for the fiscal year ending June 30,2025.

**Connie Poole**, I second

**David Bailey**, okay we've got a first and second Okay Jason Wagnon-yes, Connie Poole-yes, Dan Heathcock-yes. You told us to hold back on things then here you go asking [Motion Passed](#).

#### **E. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE CONTRACT WITH KREBS PUBLIC SCHOOL FOR SCHOOL RESOURCE OFFICER**

**Police chief Dennis Cook** This is a standard contract it's a year-to-year contract with the Krebs Public Schools that we sign an officer there from 7:30-4:30 Monday through Friday or when schools in session and then once school's out of session we'd put them back on the street to work shift. It's a standard contract, I emailed you a copy.

**Pat Layden** I got it here, it's a standard good contract and by the way it's also a very good program for the school and the town.

**Dennis, Cook** We teach D.A.R.E.

**David Bailey**, we've been there how many years now chief?

**Dennis, Cook** I believe this is our what is it our fourth year third or fourth we had Link, Officer Logan for two years and then we had a year we didn't have anybody brought in Officer Cox for a year and a half, and Mr. Stringer finished out the year so this will be our 5<sup>th</sup> year, it's a good program.

**Dan Heathcock** and the school kicks in

**Dennis Cook** yes, they pay his salary

**David Bailey**, So, it's all been working pretty good right?

**Dennis Cook** Been good

**David Bailey**, okay we need that officer up at the school

**Patrick Turner** he's there every day with the kids he's all business I think the second day on the job he had to unfortunately arrest somebody but that's what he's there for

**David Bailey**, also you have the presence of an officer being there which with everything going on in this old world today I'm not saying it can't happen there anything can happen, can happen anywhere but least you've got one there. It'd be trying

**Patrick Turner** Just his presence alone is a deterrent and all the parents know that we have him inaudible he's very mobile he doesn't just sit in the room. It's a 3-block area, he's patrolling in his vehicle

**David Bailey**, when some of these kids see the other side of a police officer definitely isn't all just written tickets, chasing and beating people up

Lots of inaudible talking

**David Bailey**, Okay

**Dennis Cook** ask the council to approve

**Dan Heathcock**, I motion that the resource officer be provided to the school under the conditions noted

**David Bailey**, okay we got the first

**Jason Wagnon** I second

**David Bailey**, okay we got a second Jason Seconds okay. Jason Wagnon-yes, Connie Poole-yes, Dan Heathcock-yes **Motion Passes.**

**Dennis Cook** Thank you, mayor and council.

**F. DISCUSS AND ACT TO APPROVE/DISAPPROVE ERECTION OF 150 FT SIGN FOR ALLSUP'S CONVENIENCE STORE LOCATED AT THE NE CORNER OF HWY 69 AND HWY 270**

**David Bailey**, guess you want a sign up there they can see

**Mike Leppard** yes sir

**Cindy Cooper** They've already been seen by the planning and zoning and they recommended approval.

**David Bailey**, do you make the burritos?

**Mike Leppard** I isn't got time but I heard they are really good

**David Baily**, Yeah, they are.

**Mike Leppard**, my name is Mike Leppard, I'm with Texas Republic Signs, I'm here on behalf of Allsup's brand and we're asking for 150 ft. sign be approved at that new location their going to put up there in town. Just a little back story, we came in with the big crane up, reach 150 ft up in the air, we take pictures from a mile out in both directions just to determine what size we need minimum to be able to see the sign. We determined this one needed to be 150 foot tall to be able to be seen, draw our truckers in, our automobiles in, to safely make the exits in time without causing any crashes or anything like that we don't want to be responsible for all that. It gives them enough time to be able to see the sign and make the exit safely. We have FAA approval, just to make sure we wouldn't get to where the airplanes go by, they approved it. Inaudible that's it in a nutshell and if you need any questions answered, I'd gladly.

**Connie Poole**, I've got some questions. You said it was approved by our zoning?

**Cindy Cooper**, Recommended, yes.

**Connie Poole**, Okay. Is that correct?

**Larry Coxsey** I can't remember if it was approved or *inaudible*

**Mike Leppard** that is correct, yes ma'am

**Larry Coxsey**, I thought we had told them that it was something that would be out of what we decide or can approve or disapprove or recommend that it would be up to the state as far as that size.

**Cindy Cooper**, not with that meeting. I think that's the one you weren't there they

**Larry Coxsey** okay

**Cindy Cooper**, and Mark, they did some investigating and stuff before that meeting and they did recommend for them to go ahead.

**Larry Coxsey** So that was on the last

**Cindy Cooper**, on the last meeting, yes.

**Connie Poole**, Okay because we weren't made aware of that, or else I wouldn't question it.

**Mike Leppard** yeah

**Connie Poole**, and this is, you all are paying for all this or is the City of Krebs going to be liable for it?

**Mike Leppard** Allsup's pays 100% of the cost.

**Connie Poole**, Okay.

**Dan Heathcock** question, do y'all have to have the department of transportation of Oklahoma, do you have to have their approval.

**Mike Leppard** no, its on private property. We are Ok as long as you are private property and not on state property, you're ok

**Dan Heathcock** states statues and everything is good?

**Mike Leppard** as long as y'all approve it we are good to go.

**Dan Heathcock** you're meeting all the clearances.

**Mike Leppard** and just so everybody knows it's engineered for-we have an engineer that designs the whole thing from the ground all the way up. We have search pipe welders (?) on everything there is not going to be a problem with it ever blowing over or anything. There is nothing to worry about its all going to be –

**Dan Heathcock** the clearances from the highway *inaudible*

**Mike Leppard** yes sir its going to be (?) out surveyed and put in its right spot where they requested.

**Dan Hathcock** the bottom piece if I measured correctly is about 18 inches in diameter

**Mike Leppard** on a 150-foot sign I would say you are probably going to have a 10-foot hole in the ground about 40 foot deep.

**Dan Heathcock** then the bottom piece coming up out of there you got about 18 inches in diameter?

**Mike Leppard** the bottom pipe more than likely will be about 108 inches.

**Dan Heathcock** it will be totally safe.

**Mike Leppard** it will.

**David Bailey** I am sure y'all went through every aspect of it because you are not wanting any law suit.

**Mike Leppard**, correct.

**Connie Poole**, I make a motion to approve erection of the sign and welcome to Krebs Oklahoma.

**Mike Leppard** thank you very much we are very happy to be here

**Dan Heathcock** I second that motion

**David Bailey** okay Jason Wagon- yes, Connie Poole-, Dan Heathcock- yes. [Motion passed.](#)

**G. DISCUSS AND ACT TO APPROVE/DISAPPROVE ALLOWING TEMPORARY CLOSING OF A PORTION OF S. MAIN STREET ON SATURDAY, SEPTEMBER 28,2024 FROM 4:00 PM TO 11:00 PM FOR THE PURPOSE OF HAVING A COMMUNITY EVENT TO INCLUDE MUSIC, FOOD TRUCKS AND VENDORS**

**Brayden Sexton & Joshua Dollins**, I own the facility across the street.

**David Bailey** I was going to ask you what are all those vehicles

**Joshua Dollins** those are not mine

**David Bailey** whose are they

**Joshua Dollins** the mechanic shop I am across the street

**David Bailey** oh ok you at the (?) place

Joshua most of my work happens after dark

**Brayden Sexton** here to ask you for permission to shut down a portion of south main for the hours of four pm to eleven pm. We are going to have a concert there on September 28<sup>th</sup>. Looking at having a vendor or two maybe a food truck or two just for sitting outside and enjoy some music.

**David Bailey**, I think it would be something kind of nice for Krebs

**Joshua Dollins** I was going to say it will be held within the building so we won't have to worry about any kind of noise code or violations again it will be indoors I don't know what the cut off time is I figure maybe nine or ten o'clock so we won't have to deal with anything like that.

**Dan Heathcock** you are asking for the street to be shut off

**Brayden Sexton** yes sir

**Dan Heathcock** where from

**Brayden Sexton** from the highway to right there at the turn not more than a couple hundred feet.

**Joshua Dollins** we are just testing this really see if anyone has a real interest and maybe do it again next year. We want to make sure y'all are happy with this before we go any further.

**Dan Heathcock** will there be any alcohol or drugs?

**Joshua Dollins** that would be up to vendors alone now I don't think they vend drugs but if they have alcohol, I guess that would be up to them. We want to reach out to beer craft.

**Dan Heathcock**, I don't approve of that out on the streets

**Brayden Sexton** the vendors that would be out there have their own licenses to sell.

**David Bailey** any security or anything

**Joshua Dollins**, we have not gone any further than we have right now. I y'all think we need to I am willing to entertain anybody's thoughts on this. If you do think we need security.

**Connie Poole** everything is going to be indoors, you are wanting some vendors there.

**Joshua Dollins** in case they want some food trucks. I don't serve food. Your son might have bouncy *inaudible* talk to Mr. Jacob see if he might want to come over put something out for kids or something like that. It's strictly up to him.

**Connie Poole** something like McAlester has something downtown they close the streets off.

**Joshua Dollins** on a much smaller scale.

**David Bailey**, I think it would be kind nice. The only thing that concerns me you get quite a bit of alcohol down there you always get one or two that like to act up a little bit.

**Connie Poole** maybe if we have security there from. You think we can help out with that or not?

**Dennis Cook** if there are any problems at all we will respond.

**Connie Poole** hopefully there's not no problems

**David Bailey** in my opinion I think we ought to give this thing a try

**Connie Poole**, I make a motion to approve it

**David Bailey** this town don't hardly have nothing don't hardly do anything.

**Connie Poole**, I have been in your facility with my daughter and a few friends when they had their little coffees and they were drinking coffee in there.

**David Bailey** is this for anybody to come

**Brayden Sexton** yes sir

**David Bailey**, we have a motion on the floor to accept this do I have a second

**Jason Wagnon** I'll second

**Dan Heathcock** Dennis would you need to have an extra officer assigned to that area just for that night

**Dennis Cook** I will

**Dan Heathcock** will they be required to pay for that?

**Dennis Cook** we will have overlaps; we will have two or three on. Just to be honest here did you say you serve beer and did you say marijuana?

**Joshua Dollins** nah no

**Braden Sexton** no

**Joshua Dollins**, I can't do anything about it if they bring their own

**Connie Poole** now we are not having vendors there that are selling marijuana correct.

**Joshua Dollins** no, not that I am aware of.

**Brayden Sexton** no

**Dan Heathcock**, we don't need you to say I am not aware of it and then have some of it.

**Brayden Sexton** oh, then no marijuana vendors

**Connie Poole** he is going to know what vendors he is going to have there

**Joshua Dollins** I would not expect more than food and if y'all say no alcohol then I wont talk to beer craft.

**Brayden Sexton** wholesome family fun

**Connie Poole** we just like food vendors out there that would be good and whatever you have in your facility as far as we can't be responsible for marijuana and stuff like that, we don't want that out there.

**Jason Wagnon**, I don't see a problem with beer though

**David Bailey** actually I don't know what our city ordinance are for drinking in public. Do you chief

**Dennis Cook**, you can't. Not without a permit

**David Bailey** can't drink in public without a permit

**Joshua Dollins**, I don't serve. It will have to come through somebody else, if y'all don't want it that fine if you don't care I will find somebody that has a license and that permit they can set up and sale. I am not.

**Dan Heathcock**, they have to have a permit from Krebs, right? They come to city hall and get it?

**David Bailey**, we need to vote we have a motion and a second. Dan Heathcock- yes, I'll try it this time,

**Connie Poole**- yes, Jason Wagnon- yes. **Motion passed.**

#### **H. DISCUSSION FROM KREBS RESIDENT PERI AUSTIN ABOUT POTENTIAL DEVELOPMENT ON NW 6<sup>TH</sup> ST**

**Peri Autin** Krebs resident passes out handouts. I spoke before planning and zoning board two weeks ago. This started out as a discussion with the code enforcement officer Kody about some clearing which under normal circumstances would not be a huge deal but in this particular case the proximity to the creek has become a big issue. To me anyway. I ask some other people they said they would get back to me they did not get back to me. I have done some investigating and found out that in order to clear the trees near the creek there are set backs. Easements set by both the county and the states. And that in order to clear those trees you need to get permission from one or both the Oklahoma department of environmental quality and the Oklahoma Water Resources Board because the creek is used as flood bank.

I had asked if there was a way we could issue a stop work order pending investigation and was told at that time they did not know what the ordinances where and did not know what he was in violation of that that couldn't be done. I think based on what I have found out that actually it needs to be done. He should not be able to do anything over there anymore until someone comes out and tells him its ok for him to do what he has done. No, we can't un-ring the bell the trees can't be replanted near the creek. What ever damage is happing to the creek based on runoff and everything else. We already have trouble with the bridge there in the culvert. That is my concern. I am not anti-development. I built a brand-new house in Krebs I pulled all the building permits had a site survey. I did everything I was suppose to do I expect that other people if they are going to build should be following the ordinances and doing the same thing. Our concern is that he has done other things in the past without running it through anybody. He has moved houses and just dropped them over there. I just want, to make sure if he starts moving any more earth over there, starts pouring concrete starts doing something, since he has not gone before planning and zoning, not pulled permits, not got an engineering assessment done because there is a big slope there that something is done to stop that. I am going to you because I am running out of options. I went to planning and zoning.

**Dan Heathcock** I'm confused because I am not sure what you are asking me. You are asking for us to act on something that has not been done.

**Peri Austin** no it's been done. I am asking that you not allow anything more to happen there pending an investigation. And that somebody comes in and looks at what is happening with the creek what is going on the next time we really get a serious rain. The way that lot is sloped I think there will have to be a retaining wall and some sort of catchment basement done before anything could even be built on it. To even address potential flooding.

**Dan Heathcock** would that not be up to you as the property owner?

**Peri Austin** I am not the property owner. I own property on that street.

**Dan Heathcock** would you be able to initiate that investigation

**Peri Austin** I certainly can. I would be happy to call the county and the state of Oklahoma. I have the gentleman for our ward his name and phone number. I certainly can call.

**Pat Layden** You have been through the planning and zoning already?

**Peri Austin**, I have

**Pat Layden** and what was their final deal.

**Peri Austin** that they would look into it and get back to me. And I ask them to get back to me before this meeting.

**Pat Layden** well maybe the acting mayor can go to the planning and zoning board and ask them what is going on with it. I don't know if you guys know much about this at all do you?

**David Bailey** asks Larry Coxsey if he was at the last meeting

**Larry Coxsey** states no.

**Pat Layden** did they come to your board

**Larry Coxsey** yes but I was not there

**David Bailey**, I don't know if we can make this decision on whether to stop and deceases until he goes before the board and shows them his plans.

**Peri Austin** he is not going to that. I would be surprised if he did, he never has in the past.

**David Bailey** the planning board is pretty good at looking things over and getting some answers especially Mr. Coxsey.

**Peri Austin** that's all I ask that he has to follow the same things that we did. We have a creek lot as well and were told emphatically that we could not build any where near there and we wouldn't have.

**David Bailey**, I live in that neighbor hood and have to be very careful at what I say here but I feel because everybody else has had to come through the planning and zoning board so for him to do anything else I believe he needs to go before the planning and zoning board present his plans and all his options of what he is supposed to do.

**Peri Austin**, I understand that too but that's not my job to go to him "hey before you put another spade in the dirt you need to go to the planning and zoning board."

**David Bailey** no that's the council's decision. That's the city ordinance you are suppose to go before planning and zoning before you do anything.

**Peri Austin** exactly!

**David Bailey** if he does not do this, he is in effect of disobeying code enforcements.

**Peri Austin** that is what I feel is already happening. That's the point I am making.

**David Bailey** ok well he got by with one. Our thing is to stop you from getting by with anything else

**Peri Austin** so if I see another piece of equipment over there or he's working over there, I call code enforcement and they will stop it?

**David Bailey**, Chief Cook, could you weigh in on this since you are over code enforcements. Connie Poole, he has a question also.

**Larry Coxsey**, I have some information. I did some checking on that. For a person to clear all vegetation, trees, grass and stuff off their property especially near a creek, they are required permits through the ODQ for storm water runoff and they have to put silk fencing up. I gave the information to Cindy on Mondy. She will get in contact with the owner. Until final stabilization he has to follow states. We don't have any codes to tell anybody you can or can't clear your property but state trumps city and there is stuff the states goes by that (?).

**David Bailey** so he is in state violation

**Larry Coxsey** he is in state violation and if he does not get those permits and Jonathan Shultz goes by there, he will probably get citations he wont like.

**David Bailey** that's what I like about you Mr. Coxsey you can do some research.

**Peri Austin** thank you that was all I was asking.

## **I. DISCUSSION WITH PATRICK TURNER AND JAY BOYNTON TO PROVIDE INFORMATION ABOUT UPCOMING SCHOOL BOND ELECTION ON AUGUST 27, 202**

**Patrick Turner** talks about upcoming school bond election (19 min)

## **J. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE KREBS 2024-2025 CITY BUDGET**

**David Bailey**, I believe we pretty well got it worked down to where it should be.

**Mike Kern** we did some adjusting from the preliminary. I think all those adjustments can be melted into the budget.

**Mike Kern** the one thing we need to reemphasize is you can't spend more than you take in. Period. There are a couple of things we have to look forward to. The new businesses that are coming here are going to generate sales tax revenue. Some don't know how much. Don't have any idea. So that should give us some relief.

**Connie Poole** so you don't think we need to have another budget meeting?

**Mike Kern** oh no, I think we are ready. It's been beat to death pretty good, I think.

**Connie Poole** so we are going to get the final of everything out. Of what we discussed at the last one correct?

**Mike Kern** yes ma 'me

**Connie Poole** and the adjustments I put on there to be made also?

**Mike Kern** they are all on there.

**Dan Heathcock**, I motion that we approve the 2024-2025 city budget.

**Jason Wagnon** seconds.

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

#### **11. COMMENTS FROM THE COUNCIL AND MAYOR**

**Connie Poole** in front of the road where they put all that gravel out there, are they going to put something else there because I got behind a truck yester day and got gravel thrown all over my car. Are we going to do something to patch that.

**Billy Robinson** we will go lay hot lay as soon as it settles down

**David Bailey** well it's been a night. Not one of my best nights especially since I had to take over as mayor but I thank everybody that's been here, and I thank the council for what you are doing and the decisions you make and different things. I hope we can continue to go forward with some progress. Like Mr. Kern says we got to watch our money right now. I believe we are going to be ok.

#### **12. ADJOURN TO KUA**

**Connie Poole** I'll make a motion to adjourn

**Jason Wagnon** I'll second

**David Bailey** Danny Heathcock-yes, Connie Poole- yes, Jason Wagnon- yes. **Motion Passed.**