

MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

Tuesday, August 09, 2022 at 6:00 PM

Marietta Public Works Authority Building, 303 W Main Street, Marietta, Oklahoma

CALL TO ORDER.

Mayor Fraire called the meeting to order at 6:05 p.m.

ROLL CALL AND DECLARATION OF QUORUM.

A quorum was declared.

PRESENT

Mayor Kimberly Fraire

Council Member KorDale Lornes

Council Member Kermit McKinney

Council Member Lawrence Anderson

Council Member Brandy Valenzuela

Council Member Tambre Sanders

Council Member Destry Rushing sworn in at 6:12 p.m.

ABSENT

Council Member Angela Vega

Council Member Richard Barker

INVOCATION.

Invocation given by Lawrence Anderson.

CONSENT AGENDA.

Motion made by Council Member McKinney, Seconded by Council Member Lornes to approve the Consent Agenda.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Valenzuela, Council Member Sanders

1. Consideration and possible action relating to the approval of the agenda as part of the minutes.
2. Consideration and possible action relating to the approval of the minutes of the regular meeting on June 12, 2022, and the special meeting on July 27, 2022
3. Consideration and possible action relating to the approval of financial reports.
4. Consideration and possible action relating to the approval of purchase orders and expenditures from the following accounts/funds, if any: general fund; sanitation fund; cemetery care fund; expense account; grant fund; police asset forfeiture account; payroll account.
5. Consideration and possible action relating to the closure of the 400 block of West Broadway street on August 10, 2022, from 6:00 p.m. to 8:00 p.m., to accommodate a special event.

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6. Consideration and possible action relating to the appointment of Shane Miller and Juan Carrasco as volunteer firefighters.
7. Consideration and possible action relating to the acquisition of personal protective equipment for to be utilized by the Fire Department.
8. Consideration and possible action relating to the acquisition of two portable radios and associated equipment to be utilized by the Fire Department.

ITEMS REMOVED FROM CONSENT AGENDA.

None.

PUBLIC PARTICIPATION.

Denise Halstied, President of the Love County Chamber of Commerce, stated there are people wanting to come to Marietta and open businesses, but there are no buildings or spaces available.

CITY ADMINISTRATOR'S REPORT.

City Administrator Dustin Scott stated the new valves were started today and the original contractor can come back and finish the project. He is hoping to be in the new building in September as supplies are starting to arrive. City has several employees have Covid and are running on less than normal staffing.

REGULAR BUSINESS.

1. Consideration and possible action relating to a resolution of the City Council of the City of Marietta declaring a vacancy in the office of Member of the City Council for Ward 1, Place 1 (which said office was previously held by Doug Stewart) and appointing a council member to fill the remainder of the term of office which expires in April, 2025.
2. Mayor Fraire stated she would like to nominate Destry Rushing to replace the vacancy on the Council.

Motion made by Council Member McKinney, Seconded by Council Member Lornes to approve Resolution 2022-35 appointing Destry Rushing to the vacancy on the Council at 6:12 p.m.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Valenzuela, Council Member Sanders

2. Consideration and possible action relating to an ordinance rezoning property described as Lots 1, 2, 3, 4, and the north 22.9 feet of Lot 5, Block 3, and Lots 12 and 13, Block 1, Fraley Heights Addition to the City of Marietta, Love County, Oklahoma, from R-1 single-family residential district to I-1 light industrial district.

Motion made by Council Member Sanders, Seconded by Council Member McKinney to approve Ordinance No. 2022-02 as presented.

Voting Yea: Council Member McKinney, Council Member Sanders, Council Member Rushing, Mayor Fraire

Voting Nay: Council Member Lornes, Council Member Anderson, Council Member Valenzuela

Mayor Fraire voted as a result of the tie vote. It was announced that the Ordinance was approved. Upon legal review it was determined that the action did require a 3/4 majority of all members to approve the action due to protests of the zoning change. The yea votes received were not sufficient to approve the Ordinance.

Mayor Fraire has directed that this item be added to the agenda for the council meeting to be held on September 13, 2022.

3. Consideration and possible action relating to a request to vacate an alleyway located east of Lots 14 and 15, Block 25, in the Original Townsite of Marietta, Love County, Oklahoma, and authorizing City Attorney to respond on behalf of the City.

City Administrator Dustin Scott addressed the Council regarding the vacation of the alley behind BancFirst.

Attorney David G. Mordy addressed the Council regarding the vacation.

Motion made by Council Member Lornes, Seconded by Council Member McKinney to adopt Resolution 2022-36 as presented.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Valenzuela, Council Member Sanders, Council Member Rushing

3. Consideration and possible action relating to casting a vote for trustee of the Oklahoma Municipal Retirement Fund (OkMRF) to fill the expiring term of trustee representing district three.

Motion made by Council Member McKinney, Seconded by Council Member Sanders to adopt Resolution 2022-37 as presented.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Valenzuela, Council Member Sanders, Council Member Rushing

4. Consideration and possible action relating to an ordinance requiring itinerant vendors licensed by the City of Marietta to display license on request; requiring the announcement and display of license number in all advertisements; repealing ordinances or parts of ordinances in conflict; providing for severability; and declaring and emergency.

Motion made by Council Member Anderson, Seconded by Council Member Lornes to adopt Ordinance No. 2022-03 as presented.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Valenzuela, Council Member Sanders, Council Member Rushing

Motion made by Council Member Lornes to declare Ordinance No. 2022.03 and emergency, Seconded by Council Member Valenzuela.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Valenzuela, Council Member Sanders, Council Member Rushing

5. Consideration and possible action relating to the purchase of a police vehicle and emergency equipment for said vehicle.

Chief of Police Harris asked the Council to purchase the pickup for Animal Control. Plan is to transfer 2013 Ford F150 currently used by Animal Control to Parks & Cemetery Department after removal of emergency equipment.

Motion made by Council Member Lornes, Seconded by Council Member Valenzuela to approve Resolution 2022-38 as presented.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Valenzuela, Council Member Sanders, Council Member Rushing

6. Consideration and possible action relating to a resolution of the City of Marietta, Oklahoma ("the City") approving action taken by the Marietta Municipal Authority (the "Authority") authorizing issuance, sale and delivery of its Clean Water State Revolving Fund Promissory Note to the Oklahoma Water Resources Board; Approving and authorizing a lease agreement pertaining to the leasing of the sanitation and stormwater systems of the City to the Authority; Approving and authorizing a sales tax agreement, if deemed necessary; and containing other provisions related thereto.

City Administrator Scott addressed the Council. Jarred Davidson will also speak. Plan is to lease the sanitation department to Trust so Trust will have assets. City has completed everything needed to receive this money.

Motion made by Council Member Lornes, Seconded by Council Member Sanders to adopt Resolution 2022-39 as presented.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Valenzuela, Council Member Sanders, Council Member Rushing

7. Consideration and possible action relating to a capital contribution to the Marietta Municipal Authority.

Motion made by Council Member Sanders, Seconded by Council Member Anderson to adopt Resolution 2022-40 as presented.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Valenzuela, Council Member Sanders, Council Member Rushing

MAYOR'S COMMENTS.

None.

NEW/UNFORESEEN BUSINESS.

Council Member McKinney presented an article relating to persons becoming sick after visiting a splash pad in Kansas. McKinney asked the City Administrator to check into the circumstances behind the illness onset.

ADJOURN.

Meeting adjourned at 6:54 p.m.

A handwritten signature in blue ink, appearing to be "D. Gwin", written over a horizontal line.

Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk